

**REGULAR COUNCIL MEETING**  
**April 14, 2008 8:00 p.m.**

The Regular Council Meeting of the Borough of Chatham was held on Monday April 14, 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.; Council President Mikulewicz presiding

Council President'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

\* Absent

Council President Joseph Mikulewicz read the following Proclamation:

**PROCLAMATION**

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**WHEREAS**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world, and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal, and

**NOW, THEREFORE**, I, Joseph Mikulewicz, Council President of the Borough of Chatham, do hereby proclaim April 25<sup>th</sup>, 2008 as

### **ARBOR DAY**

In the community of the Borough of Chatham, I urge all citizens to support efforts to protect our trees and woodlands to support our city's urban forestry program, and

Further, I urge all citizens to plant trees to gladden hearts and promote the well-being of present and future generations.

Council Member Crater stated that there will be trees planted on Arbor Day in memory of former Fire Chief Bill Kelley and former Fire Chief Dewey Sheats on Saturday, April 19, 2008.

### **RESOLUTION #08-153 RESOLUTION TO APPOINT NICOLE PRINCE SENNETT TO THE FARMERS' MARKET COMMITTEE**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Nicole Prince Sennett be appointed to the Farmers' Market Committee for an annual appointment to expire on December 31, 2008.

Council President Mikulewicz moved to approve Resolution #08-153 and Council Member Harris seconded. A vote was taken and it was approved unanimously.

### **PUBLIC HEARING ON THE BUDGET**

Council President Mikulewicz made a motion to open the meeting to the public for a public discussion of the budget, seconded by Council Member Marts. A vote was taken and it was approved unanimously.

Mr. Timothy Vrabel, Borough Auditor was present to answer any questions from the public.

Council Member Collander explained the budget.

No public comment.

Council Member Crater made a motion to close the public hearing on the budget, Council Member Collander seconded. . A vote was taken and it was approved unanimously.

### **DISCUSSION ITEMS**

Kyle Nealis explained his Eagle Scout Project to the Council and asked their permission to go ahead with the project. He is proposing to build a Pocket Park near the Train Station on Fairmount Avenue. The Council Members had several questions. The Council agreed to the proposal. He will also need help from the Department of Public Works.

Milton Pond- Council Member Marts requested the Council consider naming Milton Pond- Kelley's Pond after former Fire Chief Bill Kelley, as he was instrumental in starting the fishing derby here in town.

Removal of Overhead Lights on Main Street- Mr. DeNave gave an update on the removal of the overhead lights on Main Street; he stated the DOT had done a study to determine which if any lights could be removed and he is waiting for the report. Mr. DeNave reported that the company that installed the lights will remove some of the bulbs and replace them with less intense lighting. Mr. DeNave stated they will be installing 12 new lights on some of the side streets; Fairmount Avenue to the Train Station, Center Street down to the Center Street lot and just around the corners on Hillside and North Hillside Avenue.

GIS- Jack Flood from Spatial Logic explained how their GIS system could be utilized by Chatham Borough. The Council would like Mr. DeNave, Mr. Falzarano and the Department Heads to investigate the uses for the Borough and get prices from other companies providing this service.

Review of Borough Council Open & Closed Session Minutes - Mr. Bell suggested that a Council Committee be formed to review and unredact closed session minutes on a regular basis. After discussion, he was advised that a committee of the Council was not appropriate for this task, and that he should meet with Susan Caljean and begin reviewing past unredacted minutes. If he can not determine if items need to remain redacted, he should consult with the Council.

Mutual Aid Agreement Ordinance-Chief Drake explained the existing Mutual Aid agreement with other Municipalities. Chatham Township has asked Chatham Borough to sign a mutual aid agreement. Chief Drake explained the request.

### **RESOLUTION #08-154 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, March 24, 2008

Council Member Collins moved to approve Resolution #08-154 and Council Member Harris seconded. A vote was taken and it was approved unanimously

## **MAYOR'S ACTIVITIES REPORT**

Council President Mikulewicz stated the Mayor is on vacation; but he met with the Mayor and two residents of Rose Terrace concerning the outcome of a recent Ompoint court case. The Mayor has received correspondence from several residents about creating a dog park. When the Mayor returns Council President Mikulewicz, Council Member Marts and the Mayor will visit the dog park at Lewis Morris Park. They are considering Woodland Park as the site for a dog park.

## **MEETING OPEN TO THE PUBLIC**

### **COUNCIL PRESIDENT'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.

Council Member Marts made a motion to open the meeting to the public, Council Member Collins seconded. A vote was taken and approved unanimously.

Julie Muller of 51 Broadview Terrace asked why the Open Space Tax was not on the Agenda. Council President Mikulewicz explained it was not on the Agenda due to the Mayor being on vacation. Mr. DeNave stated it would probably be on the agenda April 28<sup>th</sup> or the following meeting. Council Member Harris would like a date set for the discussion on the open space tax. Ms. Muller thanked Council Member Crater for his service to the Borough.

Martha May of 20 Kimball Street had questions about several Resolutions. Ms. May stated there was a story on the news about some artificial turf fields causing health problems due to high levels of lead. Mr. DeNave stated he will investigate.

Cory Fuller of 19 Inwood Circle asked the cost of the GIS system. Mr. Flood stated that the price varies on the extent of the use and the number of departments using the system.

Council President Mikulewicz made a motion to close the Public Comment Section, Council Member Collander seconded. A vote was taken and approved unanimously.

## **COUNCIL LIAISON REPORTS**

## Regular Council Meeting Minutes

April 14, 2008

### Board of Education

Council President Joseph Mikulewicz stated the School Board Elections are tomorrow. The tax increase will be 7.6% if the budget is approved. The next meeting will be April 28<sup>th</sup>.

### Board of Health

Council Member Neal T. Collins, M.D. reported that the Board met last week and the members would like to thank Carol Nauta for posting their notifications on the Community Bulletin Board.

### Chamber of Commerce

Council Member Richard E. Crater, Jr. reported the Fishawack Festival is the second Saturday in June. They are planning on having another Comedy Night in the fall.

### Communications Technology

Council Member Bruce A. Harris stated they have not met.

### Community Development

Council President Joseph Mikulewicz had no report.

### Environmental Commission

Council Member Bruce A. Harris stated the Commission is meeting Wednesday, April 19<sup>th</sup>. Council Member Harris reported they had a good turn out for the trail clean up at Shepard Kollock Park. A plaque was dedicated to Bob Thompson.

### Historic Preservation Commission

Council Member Bruce A. Harris stated the next meeting will be April 15<sup>th</sup>.

### Library Board of Trustees

Mayor V. Nelson Vaughan, III was absent.

### Local Assistance

Council Member Neal T. Collins, M.D. stated Linda Durney gave an update on two elderly residents, and she is evaluating two additional cases to decide if they need assistance.

### Municipal Alliance

Council Member Neal T. Collins, M.D. stated the next meeting will be April 16<sup>th</sup> at 9 a.m. in room 212.

### Planning Board

Council Member Bruce A. Harris reported the Board approved a minor subdivision on Hillside Avenue. They looked at the final site plans for Ogden Memorial Church and will probably approve them at the next meeting.

Regular Council Meeting Minutes  
April 14, 2008

Recreation Committee

Council Member James J. Collander reported there was a meeting last week and there are over 1,400 children enrolled in baseball and softball. The Committee is putting together a Master Plan for the Recreation Fields. Summer Camps are posted on the web site and registration starts today.

Senior Center

Mayor V. Nelson Vaughan, III was absent.

Shade Tree Commission

Council Member Richard E. Crater, Jr. reported the next meeting will be May 6<sup>th</sup>. Arbor Day will be celebrated at Firehouse Plaza on Saturday at 10 a.m.

Streetscape Committee

Council Member Richard E. Crater, Jr. reported the next meeting will be Wednesday April 16<sup>th</sup> the Committee will be reviewing the final plans.

Traffic Safety Committee

Council Member James J. Collander stated the next meeting is Wednesday night at 6:30. Janice Piccolo and Vince DeNave are working on a Safe Routes to Schools Grant for sidewalks by Milton Avenue School.

9/11 Memorial Committee

Council Member Joseph L. Marts stated the IRS has received the paperwork needed for the application for non-profit status for the donations.

Farmers Market Committee

Council Member Joseph Mikulewicz reported at the last meeting Robert Musorofiti was elected chairman. The Committee received new plastic signs. Two new vendors have approached the market about coming once a month; one sells honey and related products and the other fresh fish. The next meeting will be on April 24<sup>th</sup> at 7:30 p.m.

Madison Chatham Joint Meeting

Council Member James J. Collander reported the next meeting will be a quarterly meeting next Monday night.

Council President Mikulewicz made a motion to adjourn to Executive Session, seconded by Council Member Marts. A vote was taken and approved unanimously.

Recess 10:00 p.m.

Executive Session

Omnipoint- Mr. Walter Voytus

Reconvene 10:50 p.m.

**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 #08-155 through Resolution #08-166 have been placed on the Consent Agenda.

**RESOLUTION #08-156  
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:

| <b>BLOCK/LOT</b> | <b>OWNER &amp; PROPERTY ADDRESS</b>         | <b>AMOUNT</b>                                  | <b>YEAR/QTR</b> |
|------------------|---|--|-----------------|
| 48/32            | Campbell, Eugene & Pamela<br>87 N. Hillside | \$2,398.50<br>Should go to Chatham<br>Township | 2008/3Qtr.      |

**Make check payable and mail to:**

**Township of Chatham  
58 Meyersville Road  
Chatham, NJ 07928  
Attn: Mary Ellen Babyack, Tax Collector**

|      |  |  |            |
|------|--|--|------------|
| 57/4 | Borough of Chatham<br>28 Center Street | \$1,659.00<br>Should go to Chatham<br>Township | 2008/3Qtr. |
|------|--|--|------------|

**Make check payable and mail to:**

**Township of Chatham  
58 Meyersville Road  
Chatham, NJ 07928  
Attn: Mary Ellen Babyack, Tax Collector**

|          |   |                                      |                           |
|----------|---|--------------------------------------|---------------------------|
| 127/12   | Stepanian, Christopher & Tara<br>35 Minton Avenue | \$1,748.00<br>Duplicate payment made | 2008/1 <sup>st</sup> Qtr. |
| 31/12.12 | Anderson, Trevor/Nicole<br>8 Lindsay Court        | \$2,280.74<br>Duplicate payment made | 2007/4 <sup>th</sup> Qtr. |

**RESOLUTION #08-157  
RESOLUTION TO REFUND PRO-RATED MONEY FOR THE FOLLOWING  
SMART CARDS AND FOOD LICENSE PERMIT**

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

Philwin, Beatrice                      \$20.00  
268 Lafayette Avenue  
Chatham, NJ 07928

Eveleth, Scott                         \$11.75  
340 Lafayette Avenue  
Chatham, NJ 07928

Gillis, Robert                         \$35.00  
88 Susan Drive  
Chatham, NJ 07928

**BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham that a refund of an overpayment of a food license permit be given to the following listed below:

Pius Ice Cream                         \$25.00  
33 Kimming Avenue  
Apt. 3-B  
Lodi, NJ 07544

**RESOLUTION #08-158**

**RESOLUTION TO REFUND \$2,900 TO WENDY ABRAHAMSON OF THE GOOD SHEPARD CHURCH, 160 RIDGEDALE AVENUE, FLORHAM PARK, NJ 07932**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Wendy Abrahamson of the Good Shepard Church, 160 Ridgedale Avenue, Florham Park, NJ 07932 be refunded \$2,900 as this money has remained unclaimed for a period of six months per N.J.S.A. 40A:14-157-b.

**RESOLUTION #08-159**

**RESOLUTION TO AUTHORIZE A GRANT BETWEEN THE BOROUGH OF CHATHAM AND THE STATE OF NEW JERSEY BY AND FOR THE SAFE ROUTES TO SCHOOLS GRANT PROGRAM**

**WHEREAS**, the governing body of the Borough of Chatham desires to further the public interest by obtaining a grant from the State of New Jersey, Department of Transportation in the amount of approximately \$158,220 to fund the following project:

Safe Routes to Schools Elmwood & Milton Avenue Grant

**NOW, THEREFORE, BE IT RESOLVED** that Vincent J. DeNave, P.E., Borough Engineer or the Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State of New Jersey for a grant in an amount \$158,220, and (c) to execute any amendments thereto.

**BE IT FURTHER RESOLVED** that the Grantee recognizes and commits to the maintenance of the proposed improvements pursuant to the agreement.

**BE IT FURTHER RESOLVED** that the Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

**RESOLUTION #08-160**  
**RESOLUTION TO AWARD A CONTRACT FOR PROFESSIONAL**  
**ENGINEERING SERVICES FOR THE STREETScape IMPROVEMENT**  
**PROJECT-PHASE 3, TO MASER CONSULTING,P.A. , MT. ARLINGTON, NJ**

**WHEREAS**, the Borough of Chatham has received one (1) bid for professional engineering services for the Streetscape Improvement Projects; and

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

|                  |             |
|------------------|-------------|
| Maser Consulting | \$19,500.00 |
|------------------|-------------|

**WHEREAS**, the Borough Engineer had advised that the Borough of Chatham is only awarding the design portion for \$19,500.00: construction observation and contract administration will be accomplished in house; and

**WHEREAS**, the Borough Engineer for the Borough of Chatham has reviewed the Maser Consulting's 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 Maser Consulting's 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 Streetscape Improvement 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 Streetscape Improvement Project Phase 3 in the total amount of \$19,500.00 for the design and bidding of the Streetscape Improvement Project be processed and awarded to Maser Consulting: 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 Streetscape Improvement Project in the total amount of \$19,500.00 duly awarded to, Maser Consulting.

**RESOLUTION #08-161  
RESOLUTION TO AWARD A CONTRACT FOR PROFESSIONAL  
SURVEYING SERVICES FOR YEAR 2008 TO STEVEN D. PARENT OF DPK  
CONSULTING, LLC, MIDDLESEX, NJ**

**WHEREAS**, the Borough of Chatham has received three (3) bids for professional surveying services for the year 2008; and

**WHEREAS**, the State of New Jersey requires that a licensed Professional Surveyor be designated by the Borough to serve as the responsible party for tax map maintenance, and:

**WHEREAS**, the hourly rates provided by DPK Consulting for the work that may be required during the year is as follows:

|                   |              |
|-------------------|--------------|
| Draftperson       | \$ 70/hour   |
| Licensed Surveyor | \$ 125/hour  |
| Survey Crew       | \$ 1450/ day |

**RESOLUTION #08-162  
RESOLUTION ADOPTING CHANGE ORDER NO. 1 TO A CONTRACT  
BETWEEN THE BOROUGH OF CHATHAM AND FAIGON ELECTRICAL  
CONTRACTORS FOR THE STREETScape LIGHTING IMPROVEMENTS –  
PHASE IIB**

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

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

**WHEREAS**, the Finance Officer has certified that funds are available; and

**WHEREAS**, Robert J. Falzarano, Borough Administrator and Vincent J. DeNave, Borough Engineer, have recommended that the Mayor and Council approve Change Order No. 1 as follows:

Change Order #1

- A. First Supplemental- The installation of 12 additional light bases and associated conduit along the following roads:

North Passaic and South Passaic  
Hillside Ave and North Hillside  
Center Ave  
Fairmount Ave

The cost for completing this work will be in an amount not to exceed \$96,000.00

**WHEREAS**, the adjusted amount of this contract, based upon Change Order No. 1 is \$576,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham in the County of Morris as follows:

1. Change Order No. 1 to the contract between the Borough of Chatham and Faigon Electrical Contractors. is authorized by the Borough; and
2. The Mayor is hereby authorized to execute Change Order No. 1.

**RESOLUTION #08-163  
CANCEL BALANCE AND RETURN TO GENERAL IMPROVEMENT FUND**

**WHEREAS**, there exists a balance in a general capital account, and

**WHEREAS**, it has been determined that the project is complete and the balance of the previously appropriated funds are not required for the purpose for which it was appropriated, and

**WHEREAS**, the Chief Financial Officer recommends canceling said balance thereby, returning the unused funds to the General Capital Improvement Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the following account balance be canceled and the Chief Financial Officer be authorized to return the balance to the General Improvement Fund:

| <u>Account</u>  | <u>Ordinance</u> | <u>Description</u> | <u>Amount</u> |
|-----------------|------------------|--------------------|---------------|
| C-04-55-905-010 | 05-10            | Dump Truck         | \$33,074.68   |

**RESOLUTION #08-164  
RESOLUTION OF THE BOROUGH OF CHATHAM OPPOSING THE  
ABOLISHMENT OF THE NEW JERSEY DEPARTMENT OF AGRICULTURE**

**WHEREAS**, the Borough of Chatham, County of Morris, State of New Jersey, provides a farmers' market for the benefit of the community and support of local farmers, reduction in carbon footprint, and utilizes the services and grants from the Department of Agriculture and the Department's "Jersey Fresh" program; and

**WHEREAS**, the official state seal designed and presented by Pierre Eugene du Simitiere in May of 1777 incorporates three plows on a shield referring to the importance of agriculture to the State's economic power and giving the State the nickname "Garden State". Further exemplified by the display of the Roman goddesses Ceres, goddess of agriculture, holding a cornucopia of harvested produce with "Prosperity" written below her. Affirms the State's belief in the importance of its agriculture heritage; and

**WHEREAS**, the Department of Agriculture provides important services including: food safety, livestock monitoring, plant pest control, seed and feed testing, soil conservation and farmland preservation. Acts as a liaison to the Food and Drug Administration and US Department of Agriculture as well as providing cooperation with academic and research institutions. In addition, develops school nutrition guidelines and operations pursuant to the federal school meal programs, emergency food purchase and distribution including food banks and soup kitchens. Provides agricultural education programs that prepare young leaders to enter the industry. All these services and more linking New Jersey farms with servicing the nutritional, educational and economic needs of the state's citizens; and

**WHEREAS**, the farming industry strongly opposes any change or loss of the century old Agriculture Secretary position which further holds positions on numerous national boards thereby lending prestige and a voice for New Jersey agriculture. Furthermore, the Agriculture Secretary chairs several state agencies and is generally regarded as the highest profile individual for agriculture in the state; and

**WHEREAS**, the Governor's administration has initiated an effort to abolish the New Jersey Department of Agriculture as a cost cutting measure. The abolition of the Department of Agriculture would result in no substantial savings to the taxpayers of the State and would result in a reduction of services to farms, farmers, and citizens of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Chatham, County of Morris, State of New Jersey, that it does hereby oppose any effort to abolish the New Jersey Department of Agriculture and supports critical funding of the Department's essential programs.

**RESOLUTION #08-166**  
**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN**  
**CONTRACT FOR PROFESSIONAL SERVICE CONTRACTS FOR THE**  
**COMPANIES/INDIVIDUALS LISTED BELOW FOR THE YEAR 2008**

**WHEREAS**, Borough of Chatham has a need to acquire Professional Service Contracts for the year 2008 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:20.5; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that funds are available; and,

**WHEREAS**, the anticipated term of this contract is for one year; and

**WHEREAS**, the following Professional Service contractors have submitted proposals for 2008 indicating they will provide the Professional Services for the professional services listed next to the named individual or business entity; and

**WHEREAS**, the following Professional Service contractors have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit the following Professional Service contractors from making any reportable contributions through the term of the contract, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Chatham authorizes the Mayor to enter into a contract with the following Professional Service contractors as described herein; provided, however that the Business Disclosure Entity Certification and the Determination of Value be placed on file by the business entity or individual with this resolution; and

**BE IT FURTHER RESOLVED** that the following Professional Service contractors be appointed for one year:

| <u>Awarded To</u>                          | <u>Professional Service</u> | <u>Cost</u>                 |
|--|-----------------------------|-----------------------------|
| Anne Marie Rizzuto of McManimon & Scotland | Planning Board Attorney     | In accordance with contract |

### **MONTHLY REPORTS**

Accept Monthly Reports received from the following Departments:

|                          |  |
|--------------------------|--|
| Council Member Collander | Bills & Warrants List (March 2008)<br>Monthly Financial Statement  |
| Council Member Collander | Recreation Committee (March 2008)  |
| Council Member Crater    | Department of Public Works (March 2008)  |
| Council Member Marts     | Police Report (March 2008)<br>Emergency Squad (March 2008)<br>Municipal Court (March 2008)<br>Fire Department Report (March 2008)<br>Emergency Management (March 2008) |

Council Member Harris

Building and Zoning Report (March 2008)  
Fire Inspections (March 2008)

**CONSENT AGENDA VOTE**

Resolutions #08-156 through #08-164 and Resolution #08-166 and the Monthly Reports

Council Member Harris asked to have Resolution #08-155 and Resolution #08-165 removed from the Agenda.

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

**RESOLUTION #08-155  
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 some questions about charges on the Borough Attorney's invoice relating to research in connection with violations of the Open Public Meetings Act relating to this year's appointments. Joseph Bell stated he will have a report at the next meeting.

Council Member Harris moved to approve Resolution #08-155 and Council Member Marts seconded. A vote was taken and it was approved unanimously.

**RESOLUTION #08-165  
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL SERVICE CONTRACTS FOR THE  
COMPANIES/INDIVIDUALS LISTED BELOW FOR THE YEAR 2008**

**WHEREAS**, Borough of Chatham has a need to acquire Professional Service Contracts for the year 2008 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:20.5; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that funds are available; and,

**WHEREAS**, the anticipated term of this contract is for one year; and

**WHEREAS**, the following Professional Service contractors have submitted proposals for 2008 indicating they will provide the Professional Services for the professional services listed next to the named individual or business entity; and

**WHEREAS**, the following Professional Service contractors have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit the following Professional Service contractors from making any reportable contributions through the term of the contract, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Chatham authorizes the Mayor to enter into a contract with the following Professional Service contractors as described herein; provided, however that the Business Disclosure Entity Certification and the Determination of Value be placed on file by the business entity or individual with this resolution; and

**BE IT FURTHER RESOLVED** that the following Professional Service contractors be appointed for one year:

| <u>Awarded To</u>                        | <u>Professional Service</u> | <u>Cost</u>       |
|--|-----------------------------|-------------------|
| Alan A. Siegel of<br>Vanderbilt & Siegel | Zoning Board Attorney       | \$145.00 per hour |

Council Member Crater moved to approve Resolution #08-165 and Council Member Collander seconded.

Council Member Marts made a motion to table Resolution #08-165 seconded by Council Member Harris. A vote was taken and it was approved unanimously.

## **UNFINISHED BUSINESS**

### **ORDINANCE #08-07**

**SECOND READING AND PUBLIC HEARING 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.**

**BE IT ORDAINED** by the Borough Council of the Borough of Chatham, in the County of Morris, State of New Jersey, as follows:

Section 1. The Borough of Chatham, in the County of Morris, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire 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 said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the State grant and the down payment appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the State grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

**SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS**

A. Acquisition of new additional or replacement equipment and machinery for the use of various Borough departments:

Police Department - Parking  
computerized parking machines

Department of Public Works ("DPW")  
construction trailer  
spreader storage rack  
brush cutting machine  
pavement roller  
leaf collection boxes  
leaf vacuum machines  
catch basin castings

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welding machines  
power washer (including installation)  
excavation equipment  
solid waste material separator (\$18,000 funded hereby, matching \$18,000 from the Solid Waste Utility)

|                                  |            |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 166,000 |
| Down Payment Appropriated        | \$ 8,000   |
| Bonds and Notes Authorized       | \$ 158,000 |
| Period of Usefulness             | 15 years   |

B. Undertaking of the following recreation improvements: (i) refurbishment of the small pool at the Municipal Pool, (ii) turf field improvements at Lum Avenue Field and (iii) repairs to the Tennis Courts.

|                                  |           |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 28,500 |
| Down Payment Appropriated        | \$ 1,360  |
| Bonds and Notes Authorized       | \$ 27,140 |
| Period of Usefulness             | 15 years  |

C. Undertaking of the following improvements: (i) reconstruction of Van Doren Avenue (Phase II), including curb and drainage improvements, where necessary, (ii) reconstruction of Woodland Avenue, including curb and drainage improvements, where necessary, (iii) reconstruction of Elmwood Avenue (Phase II), including curb and drainage improvements, where necessary, (iv) replacement of curbs and sidewalks at various locations, (v) expansion of the Library Parking Lot, (vi) reconstruction of Garden Avenue, including curb and drainage improvements, where necessary, (vii) undertaking of the seal coat program at various roads, (viii) undertaking of streetscape improvements at Main Street, (ix) installation of speed humps at various locations and (x) installation of "gateway" signs at the road entrances to the Borough. It is hereby determined and stated that the roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

|                                  |             |
|----------------------------------|-------------|
| Appropriation and Estimated Cost | \$2,074,000 |
| State Grant Appropriated         | \$ 150,000  |
| Down Payment Appropriated        | \$ 91,700   |
| Bonds and Notes Authorized       | \$1,832,300 |
| Period of Usefulness             | 10 years    |

D. Acquisition of a new automotive vehicle, including original apparatus and equipment, and new additional furnishings for the use of the DPW consisting of (i) a dump truck with plow and spreader and (ii) aluminum picnic tables.

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|                                  |            |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 115,000 |
| Down Payment Appropriated        | \$ 5,820   |
| Bonds and Notes Authorized       | \$ 109,180 |
| Period of Usefulness             | 5 years    |

E. Undertaking of the following stormwater drainage and sanitary sewer system improvements: (i) replacement of the sanitary sewer main at Coleman Avenue, (ii) stormwater drainage and sanitary sewer system improvements at various locations, and (iii) rehabilitation of the Parrot Mill Sanitary Sewer Pump Station.

|                                  |            |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 186,000 |
| Down Payment Appropriated        | \$ 8,860   |
| Bonds and Notes Authorized       | \$ 177,140 |
| Period of Usefulness             | 40 years   |

F. Acquisition of new communication and signal systems equipment consisting of (i) telephone replacements and upgrades for the Municipal Building, (ii) a new alarm system for the DPW Complex and (iii) a radio communications receiver for the use of the Police Department.

|                                  |           |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 20,000 |
| Down Payment Appropriated        | \$ 960    |
| Bonds and Notes Authorized       | \$ 19,040 |
| Period of Usefulness             | 10 years  |

G. Acquisition of new information technology equipment consisting of geographic information system (GIS) equipment for the use of the Engineering Department.

|                                  |           |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 51,000 |
| Down Payment Appropriated        | \$ 2,500  |
| Bonds and Notes Authorized       | \$ 48,500 |
| Period of Usefulness             | 7 years   |

H. Undertaking of the following building improvements: (i) insulation and heating improvements at the lower garages at the DPW Complex and (ii) replacement of doors at the Fire House.

|                                  |           |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 26,994 |
| Down Payment Appropriated        | \$ 1,294  |
| Bonds and Notes Authorized       | \$ 25,700 |
| Period of Usefulness             | 10 years  |

|   |             |
|---|-------------|
| Aggregate Appropriation and<br>Estimated Cost | \$2,667,494 |
| State Grant Appropriated                      | \$ 150,000  |

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|   |             |
|---|-------------|
| Aggregate Down Payment Appropriated               | \$ 120,494  |
| Aggregate Amount of Bonds and Notes<br>Authorized | \$2,397,000 |

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$274,194 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$150,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the reconstruction of Woodland Avenue authorized in Section 4.C hereof.

Section 7. It is hereby determined and stated that moneys exceeding \$120,494, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$120,494 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$2,397,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 9. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$2,397,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

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Section 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 12.31 years computed from the date of said bonds.

Section 12. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$2,397,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 15. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 16. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced: March 10, 2008

Council Member Collander made a motion to open the public hearing on Ordinance #08-07 seconded by Council Member Marts, and it was approved unanimously.

Martha May of 20 Kimball Street had questions about the Ordinance. Vince DeNave explained. No further comments from the public.

Council Member Collander made a motion to close the public hearing on Ordinance #08-07, seconded by Council Member Marts, and it was approved unanimously.

Council Member Collander moved Ordinance #08-07, 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 #08-08**

**SECOND READING AND PUBLIC HEARING 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.**

**BE IT ORDAINED** by the Borough Council of the Borough of Chatham, in the County of Morris, State of New Jersey, as follows:

Section 1. The Borough of Chatham, in the County of Morris, State of New Jersey (the "Borough") is hereby authorized to acquire new additional or replacement equipment and machinery in, by and for the Water Utility of the Borough consisting of (A) water meters and (B) fire hydrants and valves. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$61,800 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$61,800, and (4) \$2,950 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes hereinafter authorized necessary to be issued for said

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purpose is \$58,850, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$1,800 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$2,950, appropriated for down payments on capital improvements or for the capital improvement fund in Water Utility budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$2,950 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$58,850 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$58,850 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$58,850 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

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Section 10. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced: March 10, 2008

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

No Public Comment.

Council Member Collander made a motion to close the public hearing on Ordinance #08-08, seconded by Council Member Marts, and it was approved unanimously. Council Member Collander moved Ordinance #08-08, 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 #08-10**

**SECOND READING AND PUBLIC HEARING OF AN ORDINANCE  
AMENDING THE CODE OF THE BOROUGH OF CHATHAM, CHAPTER 284  
THEREOF, ENTITLED "FOOD-HANDLING ESTABLISHMENTS," TO ADD A  
PROVISION FOR ADDITIONAL FEES FOR THE CHATHAM BOROUGH  
FARMERS' MARKET**

Council President Mikulewicz made a motion to open the public hearing on Ordinance #08-10 seconded by Council Member Harris, and it was approved unanimously.

No Public Comment.

Council President Mikulewicz made a motion to close the public hearing on Ordinance #08-10, seconded by Council Member Harris, and it was approved unanimously. Council President Mikulewicz moved Ordinance #08-10, seconded by Council Member Harris 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 #08-11**

**INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE  
BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY,  
AUTHORIZING MUTUAL AID AGREEMENTS AND INTER-LOCAL SERVICE  
AGREEMENTS BETWEEN THE BOROUGH POLICE DEPARTMENT AND  
NEIGHBORING POLICE DEPARTMENTS**

Council Member Marts introduced Ordinance # 08-11 on first reading and moved that a public hearing be held on April 28, 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 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 #08-12**

**INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE  
MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN  
THE COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AUTHORIZING  
THE ESTABLISHMENT OF A LOCATION AND THE ERECTION OF A 911  
MEMORIAL IN OR ABOUT PROPERTY KNOWN AS MEMORIAL PARK,  
SITUATE IN CHATHAM, NEW JERSEY**

Council Member Marts introduced Ordinance # 08-12 on first reading and moved that a public hearing be held on April 28, 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 Member Collins moved to approve Resolution #08-167 and Council Member Harris seconded. A vote was taken and it was approved unanimously.

**RESOLUTION #08-167**

**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:

- LITIGATION: 1. 221 Main Street- Mr. Joseph Bell, Esq.  
2. Jackson Apts.- Mr. Joseph Bell, Esq.

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 11:15 p.m.

Respectfully Submitted:

Susan Caljean  
Municipal Clerk

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