

AGENDA

Monday, May 12, 2008

**Regular Meeting
Mayor and Council**

**Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928**

CALL MEETING TO ORDER The meeting will be called to order at 8:00 p.m.

SALUTE TO FLAG

ADEQUATE NOTICE

Statement re: 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.

ROLL CALL

On a call of the roll the following officials should be 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

PROCLAMATION FOR OVARIAN CANCER AWARENESS

WHEREAS, Ovarian cancer is called the “silent killer” because its symptoms are often vague or subtle; and

WHEREAS, Ovarian cancer is the fourth leading cause of cancer death among women and the leading cause of gynecologic cancer death in the United States; and

WHEREAS, each year, more than 22,000 Americans are diagnosed with the disease and approximately 16,000 die from it; and

WHEREAS, if detected in its early stages, survival from ovarian cancer is 90-95 percent. Yet the five-year survival rate for the disease is only 28 percent, because it is so difficult to detect early; and

WHEREAS, the Kaleidoscope of Hope Foundation (KOH), a local non-profit group co-founded by ovarian cancer survivors Gail MacNeil of Chatham Township and Lois Myers and Patricia Stewart of Harding Township, raises funds for ovarian cancer research and to increase awareness of the disease and its symptoms, and wishes to remind the public that September is Ovarian Cancer Awareness Month; and

WHEREAS, KOH will be holding its annual Walkathons in September this year in Morristown, Avon-by-the-Sea and Lyndhurst and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Chatham declare their support for the *Kaleidoscope of Hope Walkathons* and proclaim September as Ovarian Cancer Awareness month.

DISCUSSION ITEMS

1. Request from Great Reunion to provide Police Services & Closing of Firehouse Plaza- Mr. Falzarano
2. Green Acres Acquisition funding- Mr. Falzarano

RESOLUTION #08-181

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, April 28, 2008

MAYOR'S ACTIVITIES REPORT

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.

COUNCIL LIAISON REPORTS

Board of Education	Joseph Mikulewicz
Board of Health	Neal T. Collins, M.D.
Chamber of Commerce	Richard E. Crater, Jr.
Communications Tech.	Bruce A. Harris
Community Development	Joseph Mikulewicz
Environmental Comm.	Bruce A. Harris
Historic Pres. Commission	Bruce A. Harris
Library Board of Trustees	V. Nelson Vaughan, III
Local Assistance	Neal T. Collins, M.D.
Municipal Alliance	Neal T. Collins, M.D.
Planning Board	Bruce A. Harris
Recreation Committee	James J. Collander
Senior Center	V. Nelson Vaughan, III
Shade Tree Commission	Richard E. Crater, Jr.
Streetscape Committee	Richard E. Crater, Jr.
Traffic Safety Committee	James J. Collander
9/11 Memorial Committee	Joseph L. Marts
Farmers Market Committee	Joseph Mikulewicz
Madison Chatham Joint Mtg.	James J. Collander

Administrator's Report	Robert J. Falzarano
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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 #08-182 through Resolution #08-193 have been placed on the Consent Agenda.

RESOLUTION #08-182
RESOLUTION SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF MAY 19 THROUGH JUNE 1, 2008

WHEREAS, there were 716 motor vehicle fatalities in New Jersey in 2008; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

WHEREAS, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 19-June 1, 2008 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 91% to 93%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the governing body on behalf of the Chatham Borough Police Department does hereby notify the public of their support of "*Click It or Ticket*" **May 19 through June 1, 2008** and calls upon everyone to help save lives by increasing awareness of the benefits of seat belt use.

RESOLUTION #08-183
RESOLUTION TO APPROVE PAYMENT OF VOUCHERS

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

RESOLUTION #08-184
RESOLUTION TO REFUND OUTDOOR DINING PERMIT FEE

BE IT RESOLVED, by the Mayor and Council that the following be refunded an Outdoor Dining permit fee:

Surish Inc. DBA Café Villa- \$25.00
25 Washington Street
Morristown, NJ 07960

**RESOLUTION #08-185
RESOLUTION TO APPROVE THE EMPLOYMENT AGREEMENT BETWEEN
THE BOROUGH OF CHATHAM AND ROBERT J. FALZARANO, BOROUGH
ADMINISTRATOR**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the agreement between the Borough of Chatham and Robert J. Falzarano, Borough Administrator be hereby approved.

**RESOLUTION #08-186
RESOLUTION TO APPROVE ANNE MANDAL'S SALARY FOR REGISTRAR
PRORATED AT \$4,812 ANNUALLY EFFECTIVE MARCH 1, 2008**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham to approve Anne Mandal's salary as Registrar prorated at \$4,812 annually effective March 1, 2008.

**RESOLUTION #08-187
RESOLUTION TO GRANT PERMISSION TO THE CHATHAM BOROUGH
VOLUNTEER FIRE DEPARTMENT TO HOLD A PICNIC AT CHATHAM
BOROUGH ON MONDAY, JULY 4TH 2008**

WHEREAS, the Chatham Borough Volunteer Fire Department has applied to hold a picnic at Chatham Borough on Friday, July 4th, 2008. The Fire Department has also requested that a license be issued to dispense alcoholic beverages at said picnic.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Chatham does hereby grant permission for the picnic to be conducted by the Chatham Borough Volunteer Fire Department at Chatham Borough on July 4th, 2008.

BE IT FURTHER RESOLVED that the Borough of Chatham Special Permit #08-01 be issued thereby granting permission to the Chatham Borough Volunteer Fire Department to dispense alcoholic beverages at said picnic.

**RESOLUTION #08-188
RESOLUTION TO REAPPOINT THE FOLLOWING INDIVIDUALS AS SUB-
REGISTRARS FOR A THREE YEAR TERM**

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Chatham that the licensed staff of Wm. A. Bradley's Funeral Home be reappointed for another three year term as sub-registrars, starting May 27, 2008 to May 26, 2010. They are to issue burial permits only in cases of extreme emergency.

Wm. A. Bradley & Son staff:
Scott W. Bradley #3894
Daniel Vander Ploeg #4225
Christopher J. Lisewski #4057
John Caffrey #4398

**RESOLUTION #08-189
RESOLUTION AUTHORIZING THE PURCHASE OF ONE NEW AND UNUSED
2008 INTERNATIONAL TRUCK CHASSIS THROUGH THE MORRIS COUNTY
CO-OP FROM DELUXE INTERNATIONAL TRUCK, INC., 600 SOUTH RIVER
STREET, HACKENSACK, NJ 07601 WITH A PURCHASE PRICE OF \$69,178.**

WHEREAS, the Borough of Chatham, pursuant to N.J.S.A. 40A:11-5 (2) entitled "Exceptions," may by resolution and without advertising for bids, purchase any goods or services under the Morris County Co-Op #15C-Item #10 with a purchase price of \$69,178.; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Capital Budget line item #C-04-55-908-251; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham hereby authorizes the Purchasing Agent to purchase one new and unused 2008 International Truck Chassis from Deluxe International Truck, Inc., 600 South River Street, Hackensack, NJ 07601.

RESOLUTION #08-190

RESOLUTION AUTHORIZING THE PURCHASE OF ONE NEW AND UNUSED 2008 6 TO 8 YARD DUMP BODY THROUGH THE MORRIS COUNTY CO-OP FROM CLIFFSIDE BODY CORPORATION, 130 BROAD AVENUE, FAIRVIEW, NJ 07022

WHEREAS, the Borough of Chatham, pursuant to N.J.S.A. 40A:11-5 (2) entitled "Exceptions," may by resolution and without advertising for bids, purchase any goods or services under the Morris County Co-Op #15D-Item #4 with a purchase price of \$36,472.; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Capital Budget line item #C-04-55-908-251; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham hereby authorizes the Purchasing Agent to purchase one new and unused 2008 6 to 8 Yard Dump Body from Cliffside Body Corporation, 130 Broad Avenue, Fairview, NJ 07022.

RESOLUTION #08-191

RESOLUTION OF THE BOROUGH OF CHATHAM COUNCIL OF THE BOROUGH OF CHATHAM AUTHORIZING THE BOROUGH OF CHATHAM ADMINISTRATOR, ROBERT FALZARANO EXECUTE HOLD HARMLESS AGREEMENTS ON BEHALF OF THE BOROUGH OF CHATHAM WITH ANY PERSON OR ENTITY UTILIZING BOROUGH OF CHATHAM OWNED LANDS OR BUILDINGS

WHEREAS, the Borough of Chatham is a member of the Morris County Joint Insurance Fund which approved a standard form of hold harmless to be used by the member municipalities; and

WHEREAS, this standardized hold harmless must be executed by any person, entity, organization, or corporation wishing to use, rent, or otherwise temporarily occupy any land and/or structure owned by the Borough of Chatham of; and

WHEREAS, the process of executing this hold harmless would be greatly hampered if the Borough of Chatham Council had to authorize the execution of each separate hold harmless agreement and instead the Borough of Chatham Administrator should be authorized to execute those agreements on behalf of the Borough of Chatham.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Chatham Council of the Borough of Chatham, Robert Falzarano, Borough of Chatham Administrator is hereby authorized to execute on behalf of the Borough of Chatham all hold harmless agreements made necessary by the use of Borough of Chatham owned land and/or structures by any person, entity, organization, or corporation.

RESOLUTION #08-192

RESOLUTION TO REFUND PARKING MACHINE FEE

BE IT RESOLVED, by the Mayor and Council that the following be refunded:

Gianfagna, Dan \$10.00

181 Riveredge Drive
Chatham, NJ 07928

RESOLUTION #08-193

RESOLUTION TO REFUND A CONSTRUCTION PERMIT FEE

BE IT RESOLVED, by the Mayor and Council that the following be refunded:

Lenox Properties, LLC \$384.00
25 Debbie Place
Berkeley Heights, NJ 07922

*Duplicate permit issued

MONTHLY REPORTS Accept Monthly Reports received from the following Departments:

Council Member Collander	Bills & Warrants List (April 2008) Monthly Financial Statement
Council Member Collander	Recreation Committee (April 2008)
Council Member Crater	Department of Public Works (April 2008)
Council Member Marts	Police Report (April 2008) Emergency Squad (April 2008) Municipal Court (April 2008) Fire Department Report (April 2008) Emergency Management (April 2008)
Council Member Harris	Building and Zoning Report (April 2008) Fire Inspections (April 2008)

CONSENT AGENDA VOTE

Resolutions #08-182 through #08-193 and the Monthly Reports

Moved: _____ Seconded: _____ Voice Vote: in favor [] against []

UNFINISHED BUSINESS

ORDINANCE #08-13

SECOND READING AND PUBLIC HEARING OF AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY TO CHANGE THE NAME OF MILTON POND TO KELLEY'S POND IN HONOR OF FORMER FIRE CHIEF WILLIAM R. KELLEY, JR.

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

Moved: _____ Seconded: _____ VOICE VOTE: in Favor [] Against []

RESOLUTION #08-194

RESOLUTION TO RECESS INTO CLOSED SESSION

BE IT RESOLVED by the Borough Council of the Borough of Chatham that it adjourn to executive session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

CONTRACTS: 1. Shared Services Agreements- Mayor Vaughan
2. ECLC Lease Extension- Mr. Falzarano

LITIGATION: 1. Letter from Mr. Dorsey regarding Tomaro Construction-
Mr. Falzarano
2. 221 Main Street- Mr. Bell

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.