

## **AGENDA**

### **Monday, May 13, 2013**

**Regular Meeting**  
**Mayor and Borough Council**

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

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**CALL MEETING TO ORDER**    The meeting will be called to order at 7:30 p.m.

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**SALUTE TO  
THE FLAG**

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**MOMENT OF SILENCE**

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**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, e-mailed to the Independent Press, the Morris County Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and the Alternative Press and filed with the Borough Clerk, all on January 4, 2013.

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**ROLL CALL**

On a call of the roll the following officials should be present:

Mayor Bruce A. Harris  
Council Member James J. Collander  
Council Member James Lonergan  
Council Member John Holman  
Council Member Victoria Fife  
Council Member Gerald J. Helfrich  
Robert J. Falzarano, Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Susan Caljean, Municipal Clerk

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**FLAG AWARD PRESENTATION**

Mr. Helfrich

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**RESOLUTION #13-193**

**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 25, 2013

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Executive Session minutes be adopted herein as approved and redacted by the Borough Attorney:

Executive Session, February 25, 2013

Executive Sessions, March 11 & 25, 2013

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**DISCUSSION ITEMS**

1. Route 124 Transit Access Study- Ms. DiTaranti-Director of Northeast Transit & Rail
2. Community Garden update- Mr. DeNave

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**MEETING OPEN TO THE PUBLIC**

**NOTICE  
OF PUBLIC COMMENT**

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

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**SECOND READING ORDINANCE PROCEDURE**

Mayor Harris asks **Council Member Helfrich** to proceed with Ordinance #13-10

**Council Member Helfrich** reads Ordinance #13-10 entitled:

**AN ORDINANCE OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS,  
STATE OF NEW JERSEY ADDING NEW ARTICLE XVII, SECTION 139-83,  
ENTITLED OVERNIGHT PARKING ON BOROUGH STREETS, OVERNIGHT  
PARKING ON BOROUGH STREETS, OF THE BOROUGH CODE**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on April 25, 2013.

COUNCIL MEETING  
May 13, 2013

Mayor Harris asks the Clerk to give a summary of the legal notice.

The Clerk states: A legal notice was published indicating that Ordinance #13-10 was introduced and passed on first reading at the April 25, 2013 meeting and indicating that the second reading and public hearing would be held at 7:30 p.m. on May 13, 2013 for consideration of final adoption. Copies were made available to the general public and posted in accordance with the law.

Mayor Harris: The meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

Mayor Harris: I will now close the meeting to the public.

Council Member Helfrich: I offer the following Ordinance and move its adoption:

Resolved, that this Ordinance as read by title on second reading, at this regular meeting, be adopted and finally passed.

Council Member \_\_\_\_\_ seconds the motion.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Loneragan						
Holman						
Fife						
Helfrich						

Mayor Harris: I declare this Ordinance adopted and finally passed. I hereby request the Clerk to publish the proper notice of this adoption in the newspaper and to record the Ordinance in the proper places.

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**COUNCIL COMMITTEE REPORTS**

<b>Budget and Finance</b>	James Lonergan
<b>Public Works Planning</b>	John Holman
<b>Personnel</b>	James J. Collander
<b>Public Safety &amp; Emergency Services</b>	James J. Collander
<b>Shared Services &amp; 3<sup>rd</sup> Party Agreements</b>	Victoria Fife

**Long Range Traffic & Pedestrian  
Safety Planning**

James J. Collander

**Madison/Chatham Joint Meeting**

Gerald J. Helfrich

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**MAYOR'S REPORT**

Mayor Bruce A. Harris

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**ADMINISTRATOR'S REPORT**

Robert J. Falzarano

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**RESOLUTION #13-194**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, ESTABLISHING OVERNIGHT PARKING FEES AND RULES AND REGULATIONS REGARDING THE SALE OF OVERNIGHT PARKING PERMITS REQUIRED PURSUANT TO CHAPTER 139, SECTION 83 OF THE CODE OF THE BOROUGH OF CHATHAM**

**WHEREAS**, Chapter 139, Section 83 of the Code of the Borough of Chatham entitled "Overnight Parking," specifies that the governing body shall establish by resolution the parking fees required to be paid for annual and temporary overnight parking on Borough streets and roads as well as rules and regulations governing the sale of overnight parking permits ; and

**WHEREAS**, Chapter 139, Section 83.3 designates that upon recommendation from the Borough Engineer, the Borough Clerk is authorized to issue overnight parking permits in accordance with the rules and regulations set forth; and

**WHEREAS**, permits are not required for parking at municipal lots weekdays the hours of 7:00 p.m. – 7:00 a.m., and or weekends and holidays.

**BE IT RESOLVED**, that the following fees shall apply:

- (1) Annual fee for on street overnight parking: \$250.00 (to be prorated after June 30<sup>th</sup>)
- (2) Annual fee for overnight parking at an approved municipal lot - \$25.00 (to be prorated after June 30<sup>th</sup>) (for parking between the hours of 7 p.m. and 6 a.m.)
- (3) Temporary fee for on street overnight parking - \$15.00 for two week period (\$15.00 per permit, per vehicle)

**BE IT FURTHER RESOLVED**, in accordance with Ordinance 139, the Borough Clerk will prepare application forms that contain the information for the issuance of overnight parking permits, including a complete copy of Ordinance 139, and Resolution #13–200.

**BE IT FURTHER RESOLVED**, that the effective date for implementation of this Resolution shall be June 1, 2013.

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### **CONSENT AGENDA**

The following items are considered to be routine by the Chatham Borough 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 #13-195 through Resolution #13-204 have been placed on the Consent Agenda.

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#### **FINANCE**

##### **RESOLUTION #13-195**

##### **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>OWNERS &amp; PROPERTY ADDRESS</b>	<b>AMOUNT</b>	<b>YEAR/QTR</b>
60/6	Lizardi, Jackson LLC 16 Duchamp Place <b>*Make check payable to:</b> <b>Caroline Van Leer</b>	\$4,695.57	2012/3 <sup>rd</sup> & 4 <sup>th</sup> Qtr. Overpayment

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##### **RESOLUTION #13-196**

##### **RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

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

**BE IT RESOLVED**, by the 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 Director of Finance.

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##### **RESOLUTION #13-197**

##### **RESOLUTION TO APPROVE THE PRINCETON HOSTED SOLUTIONS CONTRACT**

**WHEREAS**, the Director of Finance has submitted and discussed with the Mayor and Borough Council proposals to reduce the monthly telephone usage charges; and

**WHEREAS**, the annual savings are anticipated to range from \$9,000 to \$12,000; and

**WHEREAS**, the Mayor and Borough Council recognize the need to investigate and when possible reduce expenses.

**BE IT RESOLVED**, by the Borough Council that the Mayor is authorized to execute the contract proposal submitted by Princeton Hosted Solutions.

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**RESOLUTION #13-198**

**RESOLUTION TO AUTHORIZE THE SHARED SERVICE AGREEMENT WITH MADISON TO PROVIDE PART -TIME TECHNOLOGY ASSISTANCE AND PROGRAM SUPPORT FOR CHATHAM BOROUGH**

**WHEREAS**, the Borough of Chatham asked the Center for Information Age Technology to investigate and provide recommendations to the Borough Council for the transition to the cloud for e-mail services; and

**WHEREAS**, the Borough of Chatham also requested the Center for Information Technology to evaluate and determine the best method for servicing and updating Chatham Borough's computer system and applications; and

**WHEREAS**, the Center for Information Technology submitted a detailed report that recommends that the Borough transition to the cloud for e-mail services and that an outside provider be selected for support help desk functions and resolve hardware problems; and

**WHEREAS**, the Borough of Madison employs two fulltime information technology specialists; and

**WHEREAS**, the Borough of Madison has submitted a proposal to provide Information Technology support.

**BE IT RESOLVED**, by Council of the Borough of Chatham in the County of Morris and the State of New Jersey that the Mayor is authorized to execute the shared service agreement with Madison Borough for IT services.

**BE IT FURTHER RESOLVED**, that the annual cost for Information Technology services is capped at \$16,500.

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**RESOLUTION 13-199**

**RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2013 DODGE 1500 CREW CAB 4X4 SPECIAL SERVICE VEHICLE PICK-UP TRUCK TO BE A MARKED TRAFFIC SAFETY VEHICLE FOR THE POLICE DEPARTMENT**

**WHEREAS**, the Chief of Police submitted a request to replace the 2002 traffic safety truck; and

**WHEREAS**, the Finance Committee reviewed and approved the request for inclusion with the 2013 Police Capital Budget; and

**WHEREAS**, on April 8, 2013, the Borough Council approved the 2013 Capital Budget.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Police Department is hereby authorized to purchase one new and unused 2013 Dodge 1500 crew cab 4x4 special service vehicle pick-up truck under Cranford Co-Op Contract # 101 – item #4. The total cost of the vehicle with options is \$34,283.45. The vehicle will be purchased from Beyer Chrysler Dodge Jeep Ram in East Hanover, NJ.

**BE IT FURTHER RESOLVED**, the Director of Finance has certified that funds are available for the purchase.

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**RESOLUTION #13-200**

**RESOLUTION TO REFUND OVERPAYMENT OF FINAL WATER CHARGES**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the following be refunded for an overpayment of final water charges:

<u>Account</u>	<u>Owner/Address</u>	<u>Amount</u>
156-0	194 Fairmount Avenue	\$37.30

\*Mail to: Anita Smith  
1022 Lindgren Blvd.  
Sanibel, FL 33957

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**RESOLUTION #13-201**

**RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN THE 2013 PROJECT COMMUNITY PRIDE AGREEMENT NOT TO EXCEED \$26,500**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham to authorize the Mayor to sign the 2013 Project Community Pride agreement not to exceed \$26,500.

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**RESOLUTION #13-202**

**RESOLUTION TO INCREASE THE ORIGINAL CONTRACT AMOUNT FOR THE INSTALLATION OF FIRE DETECTION DEVICES AT BOROUGH HALL AND AUTHORIZE THE COST FOR THE ADDITIONAL WORK**

**WHEREAS**, on November 26, 2013, the Borough Council approved American Alarm Systems to upgrade the building fire detection systems for the Fire Department, Public Works and Borough Hall; and

**WHEREAS**, during the installation of the new fire detection equipment at Borough Hall, American Alarm Systems discovered the existing wiring in the walls and ceilings to be sub-standard; and

**WHEREAS**, the Borough Fire Inspector and Borough Engineer have determined that the cost for new wiring would substantially increase the total project cost; and

**WHEREAS**, the Fire Inspector and Borough Engineer have recommended that the installation of a wireless fire detection system will be cost effective and increase fire detection coverage within Borough Hall.

**BE IT RESOLVED**, by Council of the Borough of Chatham in the County of Morris and the State of New Jersey that the Mayor is authorized to execute the contract amendment increase in the amount of \$8,700.00

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## **RECREATION**

### **RESOLUTION # 13-203**

#### **RESOLUTION TO AUTHORIZE THE INSTALLATION OF A CONCRETE LACROSSE PRACTICE WALL AT UPPER LUM FIELD**

**WHEREAS**, the Cougar Lacrosse Club requested Councilman Lonergan to discuss the installation of a lacrosse practice wall with the Mayor and Borough Council; and

**WHEREAS**, the installation of the lacrosse practice wall was scheduled for discussion at the March 25, 2013 Borough Council meeting; and

**WHEREAS**, on March 25, 2013, Councilman Lonergan discussed the design, location, and cost for the installation of the lacrosse practice wall; and

**WHEREAS**, the installation of the lacrosse practice wall was scheduled for discussion at the April 8, 2013 Borough Council meeting; and

**WHEREAS**, on April 8, 2013, Councilman Lonergan discussed the design, location, and cost for the installation of the lacrosse practice wall; and

**WHEREAS**, on April 8, 2013, the discussion was open to the public; and

**WHEREAS**, at the April 8, 2013 Borough Council meeting, members of the public did make comments to the Mayor and Borough Council; and

**WHEREAS**, after the public comments, the resolution authorizing the installation of the lacrosse practice wall, resolution #13-171 was tabled; and



**WHEREAS**, the Borough Council directed the Borough Engineer to send notification letters about the proposed lacrosse wall to the neighbors on Fairmount Avenue, Lum Avenue and Chatham Street; and

**WHEREAS**, on April 9, 2013, the Borough Engineer sent a letter to thirty-eight residents with a copy of the map that details the location of the Lacrosse practice wall; and

**WHEREAS**, at the April 22, 2013 Borough Council meeting, members of the public did make comments to the Mayor and Borough Council; and

**WHEREAS**, the funds to erect the wall will be apportioned from the Recreation Trust Fund, Chatham Athletic Foundation and the Cougar Lacrosse Club; and

**WHEREAS**, the Borough Council directed that the resolution to authorize the installation of the lacrosse wall be scheduled for the May 13, 2013 Borough Council meeting.

**BE IT RESOLVED**, by the Mayor and Borough Council in the County of Morris and the State of New Jersey that the installation of the lacrosse practice wall as specified on the design plan and presented to the Mayor and Borough Council is approved; and

**BE IT FURTHER RESOLVED**, the Borough Engineer is authorized to coordinate the installation of the Lacrosse practice wall and that the specifications approved by the Mayor and Borough Council are followed.

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**LAW & PUBLIC SAFETY**

**RESOLUTION #13-204**

**RESOLUTION TO CREATE A “NO PASSING ZONE” ON MAIN STREET IN THE BOROUGH OF CHATHAM, MORRIS COUNTY, STATE OF NEW JERSEY**

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 124 in the Borough of Chatham; and

**WHEREAS**, NJDOT recommends a revision to the centerline pavement markings on Route 124 to create a “No Passing Zone” in the vicinity of Main Street for safety reasons; and

**WHEREAS**, this project will create safer driving conditions in this area of Route 124.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey, that it supports the use of a “No Passing Zone” on Route 124 in the Borough of Chatham as recommended by NJDOT; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

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**CONSENT AGENDA VOTE:**

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent Agenda. Resolutions #13-195 through #13-204.

Council Member \_\_\_\_\_: I would like to make a motion to allow the resolution on this evening's agenda to be approved by consent of the Council; and I so move.

Seconded by: \_\_\_\_\_

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**FIRST READING ORDINANCE PROCEDURE**

- (1) Mayor Harris asks **Council Member Lonergan** to introduce Ordinance #13-11  
(2) **Council Member Lonergan** introduces Ordinance #13-11 by title as follows:

**AN ORDINANCE OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS,  
STATE OF NEW JERSEY PROVIDING FOR THE VACATION OF A  
CERTAIN UNIMPROVED PORTION OF PRINCETON STREET  
IN THE BOROUGH OF CHATHAM**

(3) **Council Member Lonergan** explains the purpose of the Ordinance and moves for introduction of the First Reading.

**Council Member Lonergan** reads:

**WHEREAS**, the above Ordinance was introduced, read by title at this Council meeting held on May 13, 2013.

**BE IT RESOLVED**, that at the Council meeting to be held on Tuesday, May 28, 2013 at 7:30 p.m. prevailing time, at Borough Hall in said Borough, this Council will further consider this Ordinance for a second reading and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk of this Borough is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Mayor asks the Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonergan						

COUNCIL MEETING  
May 13, 2013

Holman						
Fife						
Helfrich						

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**RESOLUTION #13-205**

**RESOLUTION TO RECESS INTO CLOSED SESSION**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it adjourn into Closed 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. Recycling Contract Bid- Mr. Lott  
                     2. Retain LSRP Contractor- Mr. Lott

LITIGATION: 1. COAH Trust Funds- Mr. Lott

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.

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**RETURN TO PUBLIC SESSION**

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**ADD ON:**

**RESOLUTION # 13-206**

**COAH TRUST FUNDS**

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