

AGENDA

Monday, June 24, 2013

Regular Meeting
Mayor and Borough Council

Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928

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

SALUTE TO THE FLAG

MOMENT OF SILENCE

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.

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 President 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

PROCLAMATION
A PROCLAMATION BY THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF CHATHAM TO DESIGNATE THE MONTH OF SEPTEMBER 2013 AS
OVARIAN CANCER AWARENESS MONTH

WHEREAS, there is **NO** early detection test for ovarian cancer; and

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

WHEREAS, Ovarian cancer is the fifth leading cause of cancer deaths among women and the leading cause of gynecologic cancer deaths in the United States; Each year, more than 22,000 women 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 *Turn The Towns Teal*® campaign was launched by Gail MacNeil, of Chatham, NJ during her 10 year battle with ovarian cancer.

WHEREAS, Turn The Towns Teal ® Inc. and the National Ovarian Cancer Coalition (NOCC) are partnering to promote awareness of ovarian cancer through the *Turn The Towns Teal* campaign.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham declare September 2013 as Ovarian Cancer Awareness month and support the *Turn The Towns Teal*® awareness campaign and authorizing the placement of ribbons around trees during the month of September and removed by September 30th 2013; and

BE IT FURTHER RESOLVED, that the placement of signs must be reviewed and approved in advance of the Awareness Campaign by the Chatham Borough Zoning Officer.

PROCLAMATION
A PROCLAMATION BY THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF CHATHAM RECOGNIZING MORGAN HALEY FOR THE DESIGN
OF THE 100TH POLICE DEPARTMENT LOGO

WHEREAS, Chief Philip J. Crosson Jr. and the members of the planning committee for the 100th Police Department Anniversary decided that a logo to commemorate one hundred years of police service to the community should be designed; and

WHEREAS, Chief Crosson and the members of the 100th Police Department Planning Committee established a contest for High School students to design the logo; and

WHEREAS, with the help of Chatham High School Graphics Arts teacher, Mrs. Kiera Spadaro, the student logo design submission competition was established; and

WHEREAS, Chief Crosson and the 100th Police Department Anniversary Committee reviewed the art work submitted by the students; and

WHEREAS, the logo design and art work submitted by Morgan Haley was selected by Chief Crosson and the 100th Police Department Anniversary Committee.

BE IT RESOLVED, by the Mayor and Borough Council that Morgan Haley is recognized for the outstanding art work design of the 100th Police Department logo.

PROCLAMATION

**A PROCLAMATION BY THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF CHATHAM RECOGNIZING LUCAS KOVALCIK AND TOMOTHY
WALSH FOR THEIR BUSINESS ACCOMPLISHMENTS AND RECEIVING THE 2013
UNITED STATES SMALL BUSINESS PERSONS OF THE YEAR AWARD**

WHEREAS, two long-time friends, Lucas Kovalcik and Timothy Walsh held key management positions in private sector businesses; and

WHEREAS, in 2005 Lucas and Timothy left their management positions to form “The Gravity Vault”; and

WHEREAS, The Gravity Vault is one of the premier indoor climbing facilities in the State of New Jersey; and

WHEREAS, in 2009 Lucas and Timothy opened a second location in Chatham; and

WHEREAS, this year they plan open a third company owned facility; and

WHEREAS, when the third The Gravity Vault facility opens, the total number of company employees will be sixty; and

WHEREAS, this year marks the 50th anniversary of the National Small Business Week; and

WHEREAS, the New Jersey district office of the Small Business Administration will recognize the 50th anniversary milestone by kicking off the week on June 17th and honoring Lucas and Tim as its 2013 New Jersey Small Business Persons of the year.

BE IT RESOLVED, by the Mayor and Borough Council that the accomplishments and contributions made to the creation of real employment opportunities is commendable; and

BE IT FURTHER RESOLVED, that Lucas and Tim are hereby recognized for their innovative talents and the positive example that they have set for all the potential new business owners.

CONGRATULATIONS!

**PROCLAMATION
A PROCLAMATION BY THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF CHATHAM TO DESIGNATE JUNE 8, 2013 AS ARBOR DAY**

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.

BE IT RESOLVED, I, Bruce A. Harris, Mayor of the Borough of Chatham, do hereby proclaim June 8, 2013 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.

RESOLUTION #13-238
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, June 10, 2013

DISCUSSION ITEMS

1. Artisan Guild Event-9/15/13- Mr. Fagnant
 2. Cloud Conversion/Closing Borough Hall on July 5th- Mr. Falzarano, Mr. Dey & Mr. Rangu
 3. Capital Projects- Mr. DeNave
 4. Deer Exclosure (Eagle scout)- Mr. DeNave
 5. ECLC Parking Lot- Mr. DeNave
 6. Overnight Parking-Mayor Harris/General Discussion
-

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.

SECOND READING ORDINANCE PROCEDURE

Mayor Harris asks **Council Member Lonergan** to proceed with Ordinance #13-15

Council Member Lonergan reads Ordinance #13-15 entitled:

**AN ORDINANCE OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY AUTHORIZING AMENDMENTS TO CHAPTER 129
ARTICLE II, ENTITLED FEES, OF THE BOROUGH CODE**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 28, 2013.

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

COUNCIL MEETING
June 24, 2013

The Clerk states: A legal notice was published indicating that Ordinance #13-15 was introduced and passed on first reading at the May 28, 2013 meeting and indicating that the second reading and public hearing would be held at 7:30 p.m. on June 10, 2013 and the Council voted to carry the ordinance to the June 24, 2013 meeting 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 Lonergan: 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						
Lonergan						
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.

Council Liaison Reports

Affordable Housing Advisory Committee

Mayor Bruce A. Harris

Communications Technology Advisory Committee

Mayor Bruce A. Harris

Community Gardens Advisory Committee

Vacant

Environmental Commission

Vacant

Overnight Parking Advisory Committee

Vacant

Cares & Shares Advisory Committee

James Lonergan

Municipal Pool Advisory Committee

James Lonergan

Joint Recreation Advisory Committee

James Lonergan

Shade Tree Commission

James Lonergan

Board of Health

John Holman

Farmers' Market Advisory Committee

John Holman

Madison Chatham Joint Meeting

John Holman

COUNCIL MEETING
June 24, 2013

Mayors' Wellness Committee
Project Community Pride
Chamber of Commerce
Planning Board
Public Arts Council Advisory Committee
Senior Center of the Chathams
9/11 Memorial Advisory Committee
Historic Preservation Commission
Board of Education
Traffic Safety Advisory Committee

Victoria Fife
Victoria Fife
Victoria Fife
Victoria Fife
Victoria Fife
Victoria Fife
Gerald J. Helfrich
Gerald J. Helfrich
Gerald J. Helfrich
James Collander

MAYOR'S REPORT

Mayor Bruce A. Harris

ADMINISTRATOR'S REPORT

Robert J. Falzarano

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 #13-239 through Resolution #13-254 have been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

APPOINTMENTS

RESOLUTION #13-239

RESOLUTION TO APPOINT VICTORIA FIFE AS COUNCIL LIAISON TO THE PUBLIC ARTS ADVISORY COUNCIL

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Victoria Fife be appointed Council Liaison to the Public Arts Advisory Council.

RESOLUTION #13-240

RESOLUTION TO APPOINT SUSAN V. LENZ TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Susan V. Lenz be hereby appointed to the Affordable Housing Advisory Committee with a term to expire on December 31, 2013.

RESOLUTION 13-241

**RESOLUTION TO APPOINT TONY TORELLO AS THE SHADE TREE
ENFORCEMENT OFFICER AND ROBERT VENEZIA AS THE DEPUTY SHADE
TREE ENFORCEMENT OFFICER**

WHEREAS, Chatham Borough resolution #13-314 provides for the appointment of a Shade Tree Enforcement Officer; and

WHEREAS, Tony Torello and Robert Venezia are both qualified to perform the duties set forth for the enforcement of the Shade Tree regulations.

BE IT RESOLVED, by the Mayor and Borough Council that Tony Torello be appointed as the Shade Tree Enforcement Officer with a term to expire on December 31, 2013; and

BE IT FURTHER RESOLVED, that Robert Venezia be appointed as Deputy Shade Tree Enforcement Officer with a term to expire on December 31, 2013.

FINANCE

**RESOLUTION #13-242
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.

**RESOLUTION #13-243
RESOLUTION AUTHORIZING PARTICIPATION IN THE CITY OF SUMMIT
COOPERATIVE PRICING SYSTEM**

WHEREAS, each year the departments of the Borough of Chatham realize cost savings by purchasing equipment and materials through the City of Summit Cooperative Pricing System; and

WHEREAS, it is the recommendation of the Borough auditors that the Mayor and Council adopt a resolution each year authorizing participation in the cooperative pricing agreements.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham do hereby authorize participation in the City of Summit Cooperative Pricing System for the year 2013.

RESOLUTION #13-244

RESOLUTION TO APPROVE THE 2013 MICRO-SURFACING ROAD PROGRAM THROUGH THE CITY OF SUMMIT COOPERATIVE PRICING SYSTEM #192SCCPS

WHEREAS, the Director of the Department of Public Works submitted the list of streets for micro-surfacing to the Borough Engineer; and

WHEREAS, the Borough Engineer has reviewed and approved the request; and

WHEREAS, the total project will be \$38,915.61.

WHEREAS, the Chief Financial Officer has certified that the funds are available in account #C-04-55-913-006; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the 2013 Micro-Surfacing Road Program through the City of Summit Cooperative Pricing System #192SCCPS from Asphalt Paving Systems, PO Box 530, Hammonton, NJ 08037 with a total project price of \$38,915.61 covering 19,361 square yards is hereby approved.

RESOLUTION #13-245

RESOLUTION AUTHORIZING THE PURCHASE ONE NEW AND UNUSED 2013 INTERNATIONAL TRUCK CHASSIS & BODY 7400 THROUGH THE MORRIS COUNTY CO-OP #14

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; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account #C-04-55-913-414.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham hereby authorizes the Purchasing Agent to purchase one new and unused 2013 International Dump Truck Chassis-7400 with a purchase price of \$134,914.00, Co-Op #14 from Browns International, 963 Rt. 173/PO Box 98, Bloomsbury, NJ 08804; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Chatham hereby authorizes the Purchasing Agent to purchase one new and unused hook and go body for a purchase price of \$22,589.00, Co-Op #15-D Item #5 from Tony Sanchez, LTD, 1685 US Rt. 46, Ledgewood, NJ 07852.

RESOLUTION #13-246

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, ACCEPTING REFUND FROM TRICO EQUIPMENT SERVICES, LLC

WHEREAS, the Borough of Chatham previously purchased a Coneqtec AP 600 Cold Planer (the “Cold Planer”) from Trico Equipment Services, LLC (“Trico”) for use on its skid loader; and

WHEREAS, despite repeated attempts by the manufacturer and Trico to fix the Cold Planer, the Cold Planer has continuously failed to operate properly since it purchased; and

WHEREAS, the Borough has demanded refund of the full purchase price of the Cold Planer; and

WHEREAS, Trico has agreed to refund the full purchase price of the Cold Planer to the Borough as detailed in the Trico invoices attached hereto and made a part hereof this Resolution.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham as follows:

1. The Mayor and Borough Council of the Borough of Chatham hereby accept the refund of the full purchase price of the Cold Planer from Trico.
2. The Borough Attorney be and hereby is authorized and directed to negotiate the refund with Trico.
3. The Mayor and Borough Clerk be and hereby are authorized to sign an agreement with Trico memorializing the terms and conditions of the refund, if an agreement is required. The form and substance of such an agreement shall be acceptable to the Borough Attorney.
4. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

RESOLUTION #13-247

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, APPROVING AMBER FLASHING SIGNAL AT INTERSECTION OF WASHINGTON STREET AND CHATHAM STREET

WHEREAS, there currently exists a red and amber flashing signal at the intersection of Washington Street and Chatham Street in the Borough of Chatham; and

WHEREAS, upon the recommendation of the Borough Engineer, the Borough wishes to approve the location of a flashing signal at this intersection and authorize the replacement of the signal at said location; and

WHEREAS, in accordance with Title 39 of the New Jersey Statutes, the Borough Engineer shall submit written information to the Commissioner of the Department of Transportation indicating the location of the traffic control device where the use of flashing signals is requested, the intended hours of operation of such signal, data as to the traffic volume at, and the site distances from, each intersection of, each location, and any other information requested by the Commissioner.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham as follows:

1. The Mayor and Borough Council of the Borough of Chatham hereby approve the location of the red and amber flashing signal at the intersection of Washington Street and Chatham Street in the Borough of Chatham and authorize the replacement of the signal at said location.

2. The Borough Engineer be and hereby is authorized and directed to submit written information to the Commissioner of the Department of Transportation for approval in accordance with Title 39 of the New Jersey Statutes.

3. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

RESOLUTION 13-248

RESOLUTION TO AWARD CONTRACT FOR THE REPLACEMENT OF THE 4 WAY TRAFFIC CONTROL SIGNAL AT WASHINGTON AVE. AND CHATHAM STREET TO JEN ELECTRIC INC.

WHEREAS, the 4 way traffic control signal and pole at the intersection of Washington Ave. and Chatham Street was taken out of service after the pole had fallen due to deterioration; and

WHEREAS, the entire signal and arm was destroyed and was deemed necessary to be replaced to the MUTCD current standards; and

WHEREAS, Jen Electric, Inc. of Springfield, NJ. has the contract through the Morris County Cooperative pricing program(MCCPC), of which the Borough is a member; and

WHEREAS, the quote submitted by Jen Electric, Inc. in the amount not to exceed \$32,164 was based on MCCPC pricing contract #37; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in account #C-04-55-911-202 and # C-04-55-911-203.

BE IT RESOLVED, by the Council of the Borough of Chatham, that a contract is hereby awarded to Jen Electric, Inc. in the amount not to exceed \$32,164.00.

RESOLUTION #13-249

RESOLUTION ATTESTING TO COMPLIANCE WITH LOCAL FINANCE BOARD REQUIREMENTS REGARDING THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Chatham as per requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

;and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certifications shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52A:27BB-52 to wit:

R.S. 52:27BB-52 “A Local Officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office.”

BE IT RESOLVED, that the governing body of the Borough of Chatham, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION #13-250

RESOLUTION TO AUTHORIZE ECLC TO ADD ADDITIONAL PARKING SPACES TO THE PARKING AREA ON THE SOUTHWEST CORNER OF THE EXISTING PARKING AREA THAT IS ADJACENT TO UPPER LUM FIELD

WHEREAS, the ECLC Administrator, Brue Littinger, submitted a request to add additional parking spaces on the southwest corner of the ECLC School Building; and

WHEREAS, the plan has been reviewed by the Borough Engineer; and

WHEREAS, on June 24, 2013, the Borough Engineer discussed the plan with the Mayor and Borough Council.

BE IT RESOLVED, by the Mayor and Borough Council in the County of Morris and the State of New Jersey that the installation of fifteen additional parking spaces on the southwest corner of the ECLC School Building is approved; and

BE IT FURTHER RESOLVED, the Borough Engineer is authorized to approve the design and coordinate the installation of the materials; and

BE IT FURTHER RESOLVED, that the cost for the design, purchase and installation of the materials approved by the Borough Engineer shall be the sole responsibility of ECLC.

RESOLUTION 13-251

RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF NEW JERSEY AND CHATHAM BOROUGH

WHEREAS, the New Jersey Office of Emergency Management submitted a request for the Borough of Chatham to authorize grant submissions for Public Assistance and Hazard Mitigation programs authorized under the Stafford Act; and

WHEREAS, under current information provided, the Federal Emergency Management Agency (FEMA) has determined that Chatham Borough is eligible to apply for and/or receive FEMA funding; and

WHEREAS, it is understood that this Memorandum of Understanding will be part of the application for Disaster Assistance and will become effective and binding upon approval of a Project Worksheet or Hazard Mitigation grant and signature on behalf of the New Jersey Office of Emergency Management.

BE IT RESOLVED, by the Borough Council that the Mayor is authorized to execute the Memorandum of Understanding for grant submissions with the New Jersey Office of Emergency Management.

RESOLUTION #13-252

RESOLUTION TO RETURN THE CASH BOND TO MATHEW WALSH FOR WORK COMPLETED AT 15 DELLWOOD AVENUE

WHEREAS, Mr. Walsh submitted to the Borough of Chatham a cash bond in the amount of \$2,000.00; and

WHEREAS, Mr. Walsh has submitted a request to the Chatham Borough Engineer to release the cash bond; and

WHEREAS, the Chatham Borough Engineer has reviewed the request from Mr. Walsh and determined that Mr. Walsh has complied with the conditions set forth by the Chatham Borough Engineer in his letter dated April 5, 2013.

BE IT RESOLVED, by the Chatham Borough Council that the cash bond in the amount of two thousand(\$2,000.00) be released to Mr. Walsh by escrow check.

RESOLUTION #13-253

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE AWARD OF THE 2013 ROAD RESURFACING CONTRACT TO TILCON, MT. HOPE ROAD, WHARTON, NJ IN THE AMOUNT NOT TO EXCEED \$175,000.00.

WHEREAS, public bids are not required when the purchase is under the Morris County Cooperative purchasing program in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the Borough Engineer and the Director of Public Works have identified the roads that need resurfacing; and

WHEREAS, funds are allocated for road resurfacing; and

WHEREAS, the Borough Engineer and the Director of Public Works have recommended resurfacing Center Avenue (Weston to Milton), Ward Place, Colonial Way, Pihlman Place, Fairview (Washington to Chatham Township) and Lafayette Place; and

WHEREAS, the Chief Financial Officer has certified funds are available in accounts #C-04-55-912-200 and #C-04-55-913-002.

BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Chatham, in the County of Morris, New Jersey as follows:

1. The Finance Director is hereby authorized and directed to approve and forward a Purchase Requisition to Tilcon, Inc. not to exceed the amount of One Hundred and Seventy-five Thousand Dollars (\$175,000.) from Account #C-04-55-912-200 and C-04-55-913-002.
2. This Resolution shall take effect immediately.

RESOLUTION 13-254
RESOLUTION TO AWARD CONTRACT FOR LEAK DETECTION SERVICES TO
FSC LEAK DETECTION

WHEREAS, the Borough of Chatham Water Department has determined the need evaluate the entire Borough water system for leaks; and

WHEREAS, the Borough Engineer has solicited quotes from leak detection companies; and

WHEREAS, the Finance Committee discussed the potential financial benefits of early leak detection in our water system; and

WHEREAS, the Borough Council discussed contracting for leak detection services at the May 28, 2013 public meeting; and

WHEREAS, the quote submitted by FSC Leak Detection was the low quote in the amount not to exceed \$7,400, and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in accounts# W-06-55-909-105, W-06-55-909-212, W-06-55-910-106, W-06-55-910-202, and W-06-55-911-303.

BE IT RESOLVED, by the Council of the Borough of Chatham, that a contract is hereby awarded to FSC Leak Detection in an amount not to exceed \$7,400.00.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent Agenda. Resolutions #13-239 through #13-254

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:_____

FIRST READING ORDINANCE PROCEDURE

- (1) Mayor Harris asks **Council Member Collander** to introduce Ordinance #13-16
- (2) **Council Member Collander** introduces Ordinance #13-16 by title as follows:

SIDEWALK ORDINANCE

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

Council Member Collander reads:

WHEREAS, the above Ordinance was introduced, read by title at this Council meeting held on June 24, 2013.

BE IT RESOLVED, that at the Council meeting to be held on July 8, 2013 at 7:30 p.m. prevailing time, at the 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 Clerk for a Roll Call Vote:

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

RESOLUTION #13-255

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:

PERSONNEL: 1. Police Officer Appointments- Chief Crosson
2. Parking Enforcement Officer Appointment- Chief Crosson

CONTRACTS: 1. Sale of Vacant Property- Mr. DeNave
2. River Road/Commerce Enforcement- Mr. DeNave

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.