

AGENDA

Tuesday, May 27, 2014

**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 2, 2014.

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 President Victoria Fife
Council Member Gerald J. Helfrich
Council Member Alida Kass
Robert J. Falzarano, Borough Administrator
James L. Lott, Jr., Borough Attorney
Catherine Baldwin, Acting Clerk

RESOLUTION #14-198

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, May 12, 2014
Amended Council Meeting November 25, 2013
(to include approval of Resolution #13-386)

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 May 12, 2014

DISCUSSION ITEMS

1. Community Garden Sign – Katey DePinto
2. Gateway Signs – Mr. Collander
3. Capital Projects Update – Mr. DeNave
4. Post Office Plaza Plan – Mr. DeNave

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.

COUNCIL COMMITTEE REPORTS

Budget and Finance	James Lonergan
Public Works Planning	John Holman
Madison/Chatham Joint Meeting	John Holman
Personnel	Victoria Fife
Public Safety & Emergency Services	James J. Collander
Long Range Traffic & Pedestrian Safety Planning	James J. Collander
Shared Services & 3rd Party Agreements	Gerald Helfrich

MAYOR'S REPORT

ADMINISTRATOR'S REPORT

Robert J. Falzarano

SECOND READING ORDINANCE PROCEDURE

Mayor Harris asks Council Member Loneragan to proceed with Ordinance #14-06.

Council Member Loneragan reads Ordinance #14-06 entitled:

ORDINANCE #14-06

"BOND ORDINANCE TO AMEND SECTIONS 4.G AND 11 OF THE BOND ORDINANCE (ORD. NO. 12-06) ENTITLED: 'BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW AUTOMOTIVE VEHICLES, 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 \$1,039,851 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,' ADOPTED APRIL 23, 2012."

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 12, 2014.

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

The Acting Clerk states: A legal notice was published indicating that Ordinance #14-06 was introduced and passed on first reading at the May 12, 2014 meeting and indicating that the second reading and public hearing would be held at the Council meeting on May 27, 2014 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 Loneragan: I offer the following Ordinance and move its adoption:

COUNCIL MEETING

May 27, 2014

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						
Kass						

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

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 #14-199 through Resolution #14-208 have been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

CONTRACTS

RESOLUTION #14-199

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING LEASE EXTENSION AMENDMENT WITH ECLC OF NEW JERSEY FOR THE LUM AVENUE SCHOOL

WHEREAS, the Borough of Chatham (the "Borough") owns real property located at 21 Lum Avenue Chatham, commonly known as the Lum Avenue School; and

WHEREAS, the Borough and ECLC of New Jersey, a New Jersey non-profit corporation ("ECLC"), are parties to a lease agreement dated May 27, 2008, whereby ECLC leases from the Borough premises known as the Lum Avenue School; and

WHEREAS, the term of said lease expires June 30, 2017 with a potential extension for an additional five-year period to terminate on June 30, 2022; and

May 27, 2014

WHEREAS, the Borough and ECLC desire to extend the lease term for an additional five-year term to terminate on June 30, 2022; and

WHEREAS, this lease term extension is memorialized in substantially the same form as the Lease Extension Amendment attached hereto and made a part hereof this Resolution.

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

1. The Mayor and Borough Council hereby approve of an extension to the term of its current lease agreement with ECLC to terminate on June 30, 2022.

2. The Acting Borough Clerk and Mayor of the Borough of Chatham are hereby authorized to execute the Lease Extension Amendment in substantially the same form as the Lease Extension Amendment attached hereto and made a part hereof this Resolution.

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

RESOLUTION #14-200

RESOLUTION TO AWARD CONTRACT FOR THE INSTALLATION OF PERVIOUS PAVEMENT PATHWAY IMPROVEMENTS TO S&L CONTRACTORS, LLC.

WHEREAS, the Borough of Chatham has determined the need to improve certain Borough pathways; and

WHEREAS, the Borough of Chatham appropriates monies each year for Sidewalk Improvements; and

WHEREAS, the Borough of Chatham has decided that these improvements should be made by using pervious pavement to reduce stormwater runoff; and

WHEREAS, the Borough Engineer has determined that the path at Fuller Avenue to South Passaic Avenue is in need of paving, and

WHEREAS, the Borough of Chatham has received two (2) quotes for the required pathway installation; and

WHEREAS, the bid submitted by S&L Contractors of Berkeley Heights, N.J., in the amount of \$7,900.00 was the low quote for the pathway improvements; and

WHEREAS, the Borough Engineer has reviewed the quotes and finds the low bidder qualified; and

May 27, 2014

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in capital account # C-04-55-912-300.

BE IT RESOLVED, by the Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract be awarded to S&L Contractors of Berkeley Heights, N.J., in the amount of \$7,900.00; and

BE IT FURTHER RESOLVED, that the Mayor and the Acting Borough Clerk are hereby authorized and directed to execute a contract with S&L Contractors of Berkeley Heights, N.J., in the amount not to exceed \$7,900.00 for said improvements.

FINANCE

RESOLUTION #14-201

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 #14-202

RESOLUTION TO REFUND REDEMPTION OF TAX SALE CERTIFICATE #2013-5

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that a redemption of a tax sale certificate be issued to the individuals listed below as follows:

BLOCK/LOT	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
115/54	McCabe, Betty Lou 126 Hillside Avenue	\$1,754.41	Redemption Tax Cert. # 2011-6 (Total includes \$200.00 premium)

*Make check payable to lien holder:

John Venutolo
25 Hughes Place
Summit, NJ 07901

RESOLUTION #14-203

RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2014 FORD F-550 MASON DUMP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works submitted a request to purchase a 2014 Ford F-550 Mason Dump Truck; and

WHEREAS, the Finance Committee reviewed and approved the request for inclusion with the 2014 Department of Public Works Capital Budget; and

WHEREAS, on April 28, 2014, the Borough Council approved the 2014 Capital Budget.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Public Works is hereby authorized to purchase one new and unused 2014 Ford F-550 Mason Dump Truck under Morris County Co-Op Contract # 15C/#11A. The total cost of the vehicle with options is \$53,001.00. The vehicle will be purchased from Beyer Ford in Morristown, NJ; and

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

RESOLUTION #14-204

RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2014 FORD EXPLORER 4WHEEL DRIVE FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works submitted a request to purchase a 2014 Ford Explorer 4Wheel Drive; and

WHEREAS, the Finance Committee reviewed and approved the request for inclusion with the 2014 Department of Public Works Capital Budget; and

WHEREAS, on April 28, 2014, the Borough Council approved the 2014 Capital Budget.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Public Works is hereby authorized to purchase one new and unused 2014 Ford Explorer 4WD under Morris County Co-Op Contract # 15C/#2A. The total cost of the vehicle with options is \$27,915.00. The vehicle will be purchased from Beyer Ford in Morristown, NJ; and

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

RESOLUTION #14-205

RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2014 LCT600 LEAF VACUUM WITH JOHN DEERE 4045 84 HP ENGINE FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works submitted a request to purchase a 2014 LCT600 Leaf Vacuum with John Deere 4045 84 hp Engine; and

WHEREAS, the Finance Committee reviewed and approved the request for inclusion with the 2014 Department of Public Works Capital Budget; and

WHEREAS, on April 28, 2014, the Borough Council approved the 2014 Capital Budget.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Public Works is hereby authorized to purchase one new and unused 2014 LCT600 Leaf Vacuum with John Deere 4045 84 hp Engine under NJPA Contract # 050208 - CSI. The total cost of the equipment with options is \$25,095.00. The vehicle will be purchased from ODB in Richmond, VA; and

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

RESOLUTION #14-206

RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2014 FORD F-350 4WHEEL DRIVE PICKUP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works submitted a request to purchase a 2014 Ford 4Wheel Drive Pickup Truck; and

WHEREAS, the Finance Committee reviewed and approved the request for inclusion with the 2014 Department of Public Works Capital Budget; and

WHEREAS, on April 28, 2014, the Borough Council approved the 2014 Capital Budget.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Public Works is hereby authorized to purchase one new and unused 2014 Ford 4WD Pickup Truck under Morris County Co-Op Contract # 15C/#8A. The total cost of the vehicle with options is \$34,990.00. The vehicle will be purchased from Beyer Ford in Morristown, NJ; and

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

RESOLUTION #14-207

RESOLUTION TO INSERT AN ITEM OF REVENUE IN THE 2014 BUDGET

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item or appropriation for an equal amount.

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

1. That the Borough of Chatham hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2014 in the sum of \$112,000.00; which items are now available as a revenue from a grant received from FEMA pursuant to the provisions of statute, and
2. That the sum of \$112,000.00, be made and the same is hereby appropriated under the Caption of:
Deferred Charges Special Emergency
Account # 4-01-46-877-100
Amount \$112,000.00
3. That the above is the result of monies being provided to the municipality under the above mentioned act.
4. That two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

LAW & PUBLIC SAFETY

RESOLUTION #14-208

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, TO AUTHORIZE AND ESTABLISH A FIRE HYDRANT MARKER PROGRAM

WHEREAS, the Public Safety Committee has determined that the implementation of a Fire Hydrant Marker Program would improve fire operations; and

WHEREAS, the program has been discussed with representatives of the Fire Department; and

WHEREAS, the cost to install markers on all the Borough fire hydrants totals \$4,512.21 and funds are available in the 2014 Municipal Budget to pay for the fire hydrant markers.

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BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Chatham that the Fire Hydrant Marker Program is approved and the purchase and installation of the fire hydrant markers shall be completed as soon as possible.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-199 through #14-208

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

Seconded by: _____

RESOLUTION #14-209

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. Borough Clerk Interview – Mrs. Fife

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.