

## **AGENDA**

### **Monday, June 9, 2014**

**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 2, 2014.

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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 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

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**RESOLUTION #14-210**  
**RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

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COUNCIL MEETING

June 9, 2014

**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 27, 2014

**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 (amended)

Executive Session May 27, 2014

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**DISCUSSION ITEMS**

1. Extension of Football Schedule at Lum Field – Tom Aloia/Jim LeMon
2. Post Office Plaza Plan – Mr. DeNave
3. Relocation of Recycling Depot – Mr. Holman
4. Borough Council Meetings June 23<sup>rd</sup> & July 28th – Mayor and Council

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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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**Board & Commission Members & Liaison Reports**

**Affordable Housing Advisory Committee**  
**Traffic & Pedestrian Safety Advisory Committee**  
**Clean Chatham Advisory Committee**  
**Mayors' Wellness Committee**  
**Public Arts Council (Advisory Committee)**  
**Project Community Pride**  
**Chamber of Commerce**  
**Planning Board**  
**Senior Center of the Chathams**  
**Train Station Centennial Advisory Committee**  
**Cares & Shares Advisory Committee**  
**Communications and Technology Advisory Committee**  
**Overnight Parking Advisory Committee**  
**Municipal Pool Advisory Committee**  
**Joint Recreation Advisory Committee**

Mayor Bruce A. Harris  
James J. Collander  
Victoria Fife  
Victoria Fife  
Victoria Fife  
Victoria Fife  
Victoria Fife  
Victoria Fife  
Victoria Fife  
Victoria Fife  
James Lonergan  
James Lonergan  
James Lonergan  
James Lonergan  
James Lonergan

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**Joint Community Gardens Advisory Committee**

John Holman

**Farmers' Market Advisory Committee**

John Holman

**Board of Health**

John Holman

**Madison Chatham Joint Meeting**

John Holman

**Board of Education**

Gerald J. Helfrich

**9/11 Memorial Advisory Committee**

Gerald J. Helfrich

**Open Space & Historic Preservation Trust Advisory Comm.**

Alida Kass

**Environmental Commission**

Alida Kass

**Shade Tree Commission**

Alida Kass

**Historic Preservation Commission**

Alida Kass

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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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**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 #14-211 through Resolution #14-221 have been placed on the Consent Agenda.

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**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA**

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**APPOINTMENTS**

**RESOLUTION #14-211**

**RESOLUTION TO APPOINT COLLEEN SHANAHAN TO THE PUBLIC ARTS COUNCIL**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Colleen Shanahan be appointed to the Public Arts Council with a term to expire on December 31, 2014.

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**FINANCE**

**RESOLUTION #14-212**

**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.

**PERSONNEL**

**RESOLUTION #14-213**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPOINTING ROBIN KLINE AS THE CHATHAM BOROUGH CLERK**

**WHEREAS**, there currently exists a vacancy in the office of the Borough Clerk; and

**WHEREAS**, the Borough Administrator publicly advertised and solicited resumes from candidates who expressed an interest in appointment to the office of the Borough Clerk; and

**WHEREAS**, the Borough Administrator and Borough Council Personnel Committee conducted interviews of interested and qualified candidates; and

**WHEREAS**, the Borough Administrator and the Borough Council Personnel Committee after considering all interested and qualified candidates finds that Ms. Robin Kline, RMC is the best qualified candidate for appointment to the office of the Borough Clerk; and

**WHEREAS**, Borough Council Personnel Committee recommends to the Mayor and Council of the Borough of Chatham in the County Morris, New Jersey, the appointment of Ms. Robin Kline, RMC to the office of the Borough Clerk.

**BE IT RESOLVED**, that Ms. Robin Kline, RMC is appointment as Chatham Borough Clerk effective June 10, 2014 for a three term in accordance with N.J.S.A. 40A: 9-133; and

**BE IT FURTHER RESOLVED**, that the Annual Salary for Ms. Robin Kline, RMC as Chatham Borough Clerk shall be fixed at Eighty Thousand Dollars (\$80,000.00) per year which shall be pro-rated over the remainder of fiscal year 2014 and thereafter paid in such amounts and at such times as set forth in the Borough of Chatham salary ordinance and the Employee Manual; and

**BE IT FURTHER RESOLVED**, that the other terms and conditions of Ms. Robin Kline, RMC appointment as Chatham Borough Clerk are contained in a letter from the Borough Administrator dated May 29, 2014, which is available for public inspection in the office of the Chatham Borough Clerk; said terms and conditions as set forth in the May 29, 2014 letter from the Borough Administrator to Ms. Kline are incorporated herein by reference as if set forth herein at length.

**RESOLUTION #14-214**

**RESOLUTION TO APPOINT TEMPORARY SUMMER EMPLOYEE FOR THE RECREATION DEPARTMENT**

June 9, 2014

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the following individual be appointed upon the recommendation of the Recreation Department for temporary summer employment for the Borough of Chatham.

Bryn Casey

Summer Pool Staff/Subs

\$8.25

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**RECREATION**

**RESOLUTION #14-215**

**RESOLUTION TO PERMIT THE HOLY NIGHT SOCIETY TO INSTALL AND DISPLAY NATIVITY SCENE AT REASONER PARK**

**WHEREAS**, the Borough of Chatham governing body has completed its due diligence regarding the subject matter of the request by the Holy Night Society, an unaffiliated local taxpayer organization, to install and display a Nativity Scene at the Reasoner Park.

**BE IT RESOLVED**, by the Mayor and Council:

1. The Holy Night Society shall be permitted to install and display a Nativity Scene as part of the Chatham Borough Holiday Display at the Reasoner Park at its own expense; and
2. The Chatham Borough Department of Public Works shall assist The Holy Night Society with necessary electrical utility connections and with other reasonable place and manner restrictions; and
3. The Holy Night Society shall be responsible for the Nativity Scene installation and removal and shall hold Chatham Borough harmless and indemnify the Borough for any property loss or property damage to the Nativity Scene; and
4. The Holy Night Society may display the Nativity Scene at the Reasoner Park from as early as Friday, December 5, 2014 to Monday, January 12, 2015; and
5. The Council grants this permit to The Holy Night Society in reliance on its representation that the Nativity Scene to be installed and displayed consists of the following:
  - a. An eight foot square scene which includes:
    - 1) a manger
    - 2) Mary
    - 3) Joseph
    - 4) the baby Jesus in a crib
    - 5) a star
  - b. Each figure will be life size fitting into the eight foot square scene. The star will be placed on top of the manger increasing its height by approximately two feet; and

6. The Council grants this permit to The Holy Night Society in reliance on its representation that it will post a sign clearly identifying The Holy Night Society as the sponsor of the Nativity Scene and that the Nativity Scene is not supported or sponsored by any government entity or official; and

7. The name and address of the responsible person for The Holy Night Society is:

Mary McNiff  
53 Lincoln Avenue  
Chatham, New Jersey 07928

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**RESOLUTION #14-216**  
**RESOLUTION TO PERMIT CHABAD TO INSTALL AND DISPLAY MENORAH AT REASONER PARK**

**WHEREAS**, the Borough of Chatham governing body has completed its due diligence regarding the subject matter of the request by Chabad to install and display a Menorah at the Reasoner Park;

**BE IT RESOLVED**, as follows:

1. Chabad of Southeast Morris County shall be permitted to install and display a Menorah as part of the Chatham Borough Holiday Display at the Reasoner Park at its own expense; and
2. The Chatham Borough Department of Public Works shall assist Chabad with necessary electrical utility connections and with other reasonable place and manner restrictions; and
3. Chabad shall be responsible for the Menorah installation and removal and shall hold Chatham Borough harmless and indemnify the Borough for any property loss or property damage to the Menorah; and
4. Chabad may display the Menorah at the Reasoner Park from as early as Friday, December 5, 2014 Monday, January 5, 2015; and
5. The Council grants this permit to Chabad in reliance on its representation that the Menorah to be installed and displayed is approximately six feet tall and five feet wide; and
6. The Council grants this permit to Chabad in reliance on its representation that it will post a sign clearly identifying Chabad as the sponsor of the Menorah and that the Menorah is not supported or sponsored by any government entity or official.

**SHARED SERVICES**  
**RESOLUTION #14-217**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, DESIGNATING THE MADISON CONSTRUCTION TECHNICAL ASSISTANT AS DEPUTY RECORDS CUSTODIAN**

**WHEREAS**, the Borough of Chatham and the Borough of Madison are parties to a shared service agreement whereby Madison provides Chatham with all State mandated Uniform Construction Code Services; and

**WHEREAS**, as a result of said shared service agreement, Chatham construction records are physically located in Madison; and

**WHEREAS**, the Mayor and Borough Council wish to designate the Madison Construction Technical Assistant, Valerie Walters, as Deputy Records Custodian to assist the Borough Records Custodian in the performance of duties related to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., in connection with requests for Chatham construction records.

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

1. The Mayor and Borough Council hereby designate the Madison Construction Technical Assistant, Valerie Walters, as Deputy Records Custodian to assist the Borough Records Custodian in the performance of duties related to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., in connection with requests for Chatham construction records.

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

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**OTHER**  
**RESOLUTION #14-218**

**RESOLUTION TO RENEW ALCOHOLIC BEVERAGE LICENSES FOR THE YEAR JULY 1, 2014 THROUGH JUNE 30, 2015**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Municipal Clerk is hereby authorized and directed to issue renewals of the following Alcoholic Beverage Licenses for the year July 1, 2014 through June 30, 2015; and

**BE IT FURTHER RESOLVED**, that said licenses will become effective subject to any and all conditions imposed, where applicable, on certain licenses.

**1. PLENARY RETAIL CONSUMPTION LICENSE**  
Charleys Aunt Inc. #1404-33-008-001

**BORO/STATE FEE**  
\$2,300.00/\$200.00

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**2. PLENARY RETAIL CONSUMPTION LICENSE**  
Chatham Towne Tavern, Inc. #1404-33-002-005

**BORO/STATE FEE**  
\$2,300.00/\$200.00

**3. PLENARY RETAIL CONSUMPTION LICENSE**  
Jamnan, Inc. (Restaurant Serenade) #1404-33-006-009

**BORO/STATE FEE**  
\$2,300.00/\$200.00

**4. PLENARY RETAIL CONSUMPTION LICENSE**  
Jesus Saves, Inc. (Scalini) #1404-33-007-004

**BORO/STATE FEE**  
\$2,300.00/\$200.00

**5. PLENARY RETAIL DISTRIBUTION LICENSE**  
OMGS LLC (Cottage Deli) #1404-44-001-006

**BORO/STATE FEE**  
\$1,600.00/\$200.00

**6. PLENARY RETAIL DISTRIBUTION LICENSE**  
Chatham Bottle King, Inc #1404-44-003-009

**BORO/STATE FEE**  
\$1,600.00/\$200.00

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**RESOLUTION #14-219**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, APPROVING PLAN FOR POST OFFICE PLAZA IMPROVEMENTS**

**WHEREAS**, the Borough of Chatham intends to undertake improvements to the Chatham Post Office Plaza located at Block 121, Lots 10 and 11 on the official Borough tax map; and

**WHEREAS**, Engineer DeNave has developed a plan for the Post Office Plaza improvements and identified a funding source for said plan; and

**WHEREAS**, the Mayor and Borough Council find that the plan for the Post Office Plaza improvements is both feasible and beneficial to the Borough and should be carried out; and

**WHEREAS**, the cost of the Post Office Plaza improvements will be funded through 2014 Capital Budget.

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

1. The Mayor and Borough Council hereby approve of the plan for the Post Office Plaza improvements.

2. The Borough Administrator and Engineer DeNave are hereby authorized and directed to publicly bid the Post Office Plaza improvements.



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

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**RESOLUTION #14-220**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, APPROVING OF CATERING PERMIT APPLICATION SUBMITTED BY CHARLIE'S AUNT RESTAURANT TO THE DIVISION OF ALCOHOL BEVERAGE CONTROL AND AUTHORIZING OUTDOOR BEER GARDEN**

**WHEREAS**, Charlie's Aunt Restaurant previously submitted a catering permit application to the Division of Alcohol Beverage Control to sell, dispense and serve alcoholic beverages off-premises in connection with the Fishawack Festival scheduled for June 14, 2014; and

**WHEREAS**, the Mayor and Borough Council wish to approve of this application; and

**WHEREAS**, the Mayor and Borough Council further wish to authorize an outdoor beer garden as part of the Fishawack Festival.

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

1. The Mayor and Borough Council hereby approve of the catering permit application submitted by Charlie's Aunt Restaurant to the Division of Alcoholic Beverage Control to sell, dispense and serve alcoholic beverages off-premises in connection with the Fishawack Festival scheduled for June 14, 2014.

2. The Mayor and Borough Council hereby approve of the prior execution of this permit application by the Acting Borough Clerk and Police Chief and ratify all such prior acts taken by Borough officials and employees in furtherance of said application.

3. The Mayor and Borough Council hereby authorize an outdoor beer garden as part of the Fishawack Festival.

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

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**RESOLUTION #14-221**

**WHEREAS**, Joint Base McGuire-Dix-Lakehurst, Picatinny Arsenal, Naval Weapons Station Earle, the 177<sup>th</sup> Air National Guard Wing in Atlantic City, the Cape May Coast Guard Training Center are major federal assets in the state of New Jersey; and

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**WHEREAS**, the Rutgers Economic Advisory Service, R/ECON<sup>TM</sup> recently conducted a study which measured and modeled the economic contribution to the state's economy of our military installations; and

**WHEREAS**, the Rutgers Economic Advisory Service determined that, in net, the federal government spent nearly \$4.8 billion within the state, which generates over 45,600 jobs that pay about \$2.6 billion and add about \$3.8 billion of wealth to state residents; and

**WHEREAS**, the \$4.8 billion in annual federal spending results in \$9.6 billion in net business revenues; and

**WHEREAS**, of this total, \$6.5 billion is net wealth was added in the form of Gross Domestic Product by the State; and

**WHEREAS**, of this GDP total, over \$4.0 billion is in the form of labor income that supports an estimated 73,234 jobs, a number greater than the combined employment of the State's communications and chemical industries; and

**WHEREAS**, all New Jersey military installations make significant individual and collective contributions to the capabilities of our Armed Forces and our national security; and

**WHEREAS**, maintaining and expanding this military core is nearly as critical for its continued economic welfare as it is to the State's homeland security missions; and

**WHEREAS**, in an era of Federal fiscal austerity, policy-makers in our Nation's Capital will be asked to consider proposals to reduce defense spending and the size of our uniformed services;

**BE IT RESOLVED**, that the Governor and the State Senate and Assembly, should take immediate steps to protect these valuable military assets, in recognition of their vital importance to our Nation's and our State's security; and

**BE IT FURTHER RESOLVED**, that the Borough of Chatham joins with the New Jersey League of Municipalities in calling on elected officials serving New Jersey at all levels of government to work in concert to promote the preservation, growth and development of our New Jersey military facilities.

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**CONSENT AGENDA VOTE:**

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-211 through #14-221

June 9, 2014

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: \_\_\_\_\_

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**RESOLUTION #14-222**

**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. AT&T Lease – 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.

