

AGENDA
November 28, 2016

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 FLAG

MOMENT OF SILENCE

STATEMENT OF ADEQUATE NOTICE Pursuant to the requirements of the Open Public Meetings Act, 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 Borough Hall, emailed to the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and The Alternative Press and filed with the Borough Clerk, all on January 11, 2016.

ROLL CALL Mayor Bruce A. Harris
 Council Member James J. Collander
 Council President James Lonergan
 Council Member Victoria Fife
 Council Member Gerald J. Helfrich
 Council Member Leonard Resto
 Council Member Peter Hoffman
 Robert J. Falzarano, Borough Administrator
 James L. Lott, Jr., Borough Attorney
 Robin R. Kline, Borough Clerk

RESOLUTION #16-325

RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

BE IT RESOLVED, by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

November 14, 2016

BE IT FURTHER RESOLVED, by the Council of the Borough of Chatham that the minutes from the following Closed Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

November 14, 2016

DISCUSSION ITEMS

1. Pool Update – Mr. Jim LeMon
 2. Public Arts Council Proposal to Paint Traffic Control Cabinets – Ms. Jen Kaplan
 3. 3rd Quarter 2016 Goals & Objectives – Mr. Robert Falzarano
 4. Train Station Parking Permits – Mr. Falzarano
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MEETING OPEN TO THE PUBLIC

NOTICE OF PUBLIC COMMENT TIME LIMIT

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.

ORDINANCE FOR SECOND READING

Mayor Harris asks Council Member Resto to proceed with Ordinance #16-16.

Council Member Resto reads Ordinance #16-16 entitled:

ORDINANCE #16-16

AN ORDINANCE TO AMEND THE SALARIES AND WAGES FOR CERTAIN MUNICIPAL POSITIONS OF THE BOROUGH OF CHATHAM FOR THE YEAR 2017

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on November 14, 2016.

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

The Borough Clerk states: A legal notice was published indicating that Ordinance #16-16 was introduced and passed on first reading at the November 14, 2016 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on November 28, 2016 for consideration of final adoption. Copies of this Ordinance 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: Seeing no one else wishing to be heard, I will now close the public hearing.

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

BE IT RESOLVED, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

Council Member _____ seconds the motion.

Mayor Harris asks the Borough Clerk for a Roll Call Vote.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonergan						
Fife						
Helfrich						
Resto						
Hoffman						

Mayor Harris: I declare this Ordinance adopted and finally passed and request the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

REPORTS

Council Committees

Budget and Finance	Council President James Lonergan
Long Range Traffic & Pedestrian Safety Planning	Council Member James J. Collander
Public Safety & Emergency Services	Council Member James J. Collander
Personnel	Council Member Leonard Resto
Public Works Planning/Community Services	Council Member Victoria Fife
Shared Services & 3rd Party Agreements	Council Member Gerald Helfrich

MAYOR'S REPORT

ADMINISTRATOR'S REPORT

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 #16-326 through Resolution #16-~~333~~332 have been placed on the Consent Agenda.

RESOLUTION[S] REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE

RESOLUTION #16-

CONTRACTS

RESOLUTION #16-326

RESOLUTION AUTHORIZING AMENDMENTS TO THE CURBSIDE COLLECTION OF RECYCLABLE MATERIALS AGREEMENT WITH THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, by Resolution #13-383 adopted by the Borough Council on November 25, 2013, the Borough of Chatham authorized the award of a contract for curbside collection of recyclable materials (the "Agreement") with the Morris County Municipal Authorities Utility ("MCMUA") pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. for the period January 1, 2014 through December 31, 2016; and

WHEREAS, the Agreement provides that it shall be automatically extended for two additional one (1) year periods from January 1, 2017 through December 31, 2017 and January 1, 2018 through December 31, 2018 unless one party notifies the other in writing of its intent to terminate the agreement; and

WHEREAS, the MCMUA has notified the Mayor and Borough Council of certain amendments to the Agreement; and

WHEREAS, Section II. d is amended as follows:

d) The MCMUA will collect and remove SSRM from curbside as designated in Schedule A to a recycling market procured from time to time by the MCMUA. SSRM and Mixed Rigid Plastics ("Recyclable Materials") will also be removed from the municipal recycling depot. The Municipality has the option to collect Mixed Rigid Plastics at its recycling depot.

And,

WHEREAS, Section V. c is amended as follows:

c) The MCMUA shall pay or invoice the Municipality 100% of the revenue earned or cost incurred from the sale of the Recyclable Materials. In the event that a payment is due to the Municipality for the marketing of Acceptable Materials, the MCMUA shall deliver a voucher for payment to the Municipality on a quarterly, semi-annual and/or annual basis in the discretion of the MCMUA, and shall deliver payment to the Municipality within 45 days after receipt of the duly executed voucher from the Municipality. In the event that a payment is due to the MCMUA for the marketing of Acceptable Materials, the Municipality shall deliver payment to the MCMUA within 45 days of receipt of an invoice from the MCMUA. Invoices shall be prepared and sent to the Municipality on a quarterly, semi-annual and/or annual basis at the discretion of the MCMUA.

And,

WHEREAS, the Mayor and Borough Council find these amendments to be acceptable; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5(c), local units entering into shared services agreements must adopt a resolution authorizing and clearly identifying the agreement and the agreement shall take effect upon the adoption of appropriate resolutions by the parties thereto, and execution of the agreement.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the automatic extension of the Agreement as amended for two additional one (1) year periods from January 1, 2017 through December 31, 2017 and January 1, 2018 through December 31, 2018, which shall take effect on January 1, 2017, and further authorize the Mayor to execute the amended agreement with MCMUA; and

BE IT FURTHER RESOLVED, 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.

FINANCE

RESOLUTION #16-327

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 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 #16-328

RESOLUTION AUTHORIZING REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that an overpayment was made by the mortgage lending institution resulting in an overpayment of property taxes; and

WHEREAS, the Tax Collector has further advised that a refund for the duplicate property tax overpayment is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
124=11.02	221 Main At Madison LLC 51 Summit Avenue Make check payable & mail to: Fulton Bank of New Jersey P.O. Box 25091 Lehigh Valley, PA 18003-9940	\$5,587.33	2016/4Qtr.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund for the duplicate overpayment of property taxes as herein referenced.

PERSONNEL

RESOLUTION #16-329

RESOLUTION AUTHORIZING THE FULL-TIME APPOINTMENT OF MARJORIE LOWE AS AN ADMINISTRATIVE ASSISTANT

WHEREAS, the Borough of Chatham has a need to hire a full-time Administrative Assistant; and

WHEREAS, Marjorie Lowe has served in the position as a part-time Administrative Assistant and has expressed her interest in a full-time appointment; and

WHEREAS, the Personnel Committee and Borough Administrator recommend the full-time appointment of Marjorie Lowe as an Administrative Assistant.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Personnel Committee and Borough Administrator and hereby authorize

the full-time appointment of Marjorie Lowe as an Administrative Assistant, to be effective December 1, 2016 with an annual starting salary of \$35,000.00, which shall be pro-rated for the remainder of the calendar year.

RESOLUTION #16-330

RESOLUTION TO SET THE ANNUAL RATES OF COMPENSATION FOR BOROUGH EMPLOYEES FOR THE YEAR 2017

WHEREAS, Ordinance #16-16, adopted by the Mayor and Council of the Borough of Chatham on November 28, 2016, established the minimum and maximum rate of pay for the various positions in the Borough of Chatham; and

WHEREAS, specific rates of pay must be established for each individual employee of the Borough.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following rates of pay shall be established:

TITLE	NAME	2017 SALARY	2017 SALARY CUMULATIVE
1. Borough Administrator	Falzarano, Robert	\$ 165,685	\$ 165,685
2. Municipal Engineer	DeNave, Vince	\$ 117,866	
3. Zoning Code Enforcement Officer/Zoning Official	DeNave, Vince	\$ 35,207	\$ 153,073
4. Chief of Police	Crosson, Phil	\$ 152,547	\$ 152,547
5. Captain of Police	Gibbons, Brian	\$ 147,663	\$ 147,663
6. Director of Public Works	Torello, Tony	\$ 112,665	\$ 112,665
7. Chief Financial Officer	Day, Tim	\$ 94,111	\$ 94,111
8. Municipal Clerk	Kline, Robin	\$ 88,305	
9. Deputy Registrar	Kline, Robin	\$ 677	\$ 88,982
10. Police Executive Administrative Assistant	O'Shea, Kevin	\$ 78,072	\$ 78,072
11. Recreation Coordinator	Nauta, Carolyn	\$ 56,469	
12. Community Service Coordinator	Nauta, Carolyn	\$ 10,817	
13. Pool Coordinator	Nauta, Carolyn	\$ 8,006	
14. Media Programming Supervisor	Nauta, Carolyn	\$ 2,329	\$ 77,621
15. Accounts Payable Clerk	Mandal, Anne	\$ 38,365	
16. Senior Assessing Clerk/Assessment Search Officer	Mandal, Anne	\$ 28,229	
17. Local Registrar of Vital Statistics	Mandal, Anne	\$ 5,791	\$ 72,385
18. Director of Community Services	Piccolo, Janice	\$ 73,929	
19. Farmers' Market Manager	Piccolo, Janice	\$ 6,429	\$ 80,358
20. Utility Billing Representative	Morris, Cheri	\$ 60,713	
21. Deputy Registrar	Morris, Cheri	\$ 677	\$ 61,390
22. Tax Collector	Polidor, Madeline	\$ 56,389	
23. Tax Search Officer	Polidor, Madeline	\$ 3,091	\$ 59,480
24. Police Secretary	Ciccarone, Mary Beth	\$ 54,362	\$ 54,362
25. Fire Coordinator	Williams, Steve	\$ 60,783	
26. Assistant Borough Administrator	Williams, Steve	\$ 22,330	\$ 83,113
27. Administrative Assist II	Baldwin, Catherine	\$ 56,663	\$ 56,663
28. Parking Enforcement Officer	Sweetin, Robert	\$ 47,635	\$ 47,635
29. Parking Enforcement Officer	Bochniack, Mike	\$ 47,635	\$ 47,635
30. Minutes Clerk	Holler, Liz	\$ 39,030	\$ 39,030
31. Fire Chief	Allan, Doug	\$ 14,939	\$ 14,939
32. Assessor	DePierro, Therese	\$ 18,960	\$ 18,960
33. Emergency Mgmt. Coordinator	Nauta, William	\$ 13,591	\$ 13,591
34. Administrative Assist II	Lowe, Margie	\$ 35,000	\$ 35,000
35. Administrative Assist II / Deputy Clerk	Brigati, Nadia	\$ 43,138	\$ 43,138

Part Time (Hourly)			
TITLE	NAME	2017 SALARY	2017 SALARY CUMULATIVE
Fire Inspector/Fire Official (UFC)	Nugent, Walter	\$ 39.05	\$ 39.05
Assistant Finance Officer	Cittrich, Tyrina	\$ 36.63	\$ 36.63
Media Programming Manager	Grobert, John	\$ 27.21	\$ 27.21
Administrative Agent/Assistant Municipal Housing Liaison	White, Linda	\$ 30.45	\$ 30.45

And,

BE IT FURTHER RESOLVED, that 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.

~~**BE IT FURTHER RESOLVED**, that 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.~~

RECREATION

RESOLUTION #16-331

RESOLUTION AUTHORIZING THE REFUND OF RECREATION FEES

WHEREAS, the Borough's Recreation Coordinator for the Chatham Joint Recreation Program has advised that a refund for certain recreation fees should be refunded as follows:

Last Name	Amount	Activity	Reason
Fortner	\$123.00	Skiing	Medical

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough's Recreation Coordinator for the Chatham Joint Recreation Program to process the herein referenced recreation fee refund; and

BE IT FURTHER RESOLVED, that 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.

OTHER

RESOLUTION #16-332

RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES OF THE BOROUGH OF CHATHAM TO PLAN, ORGANIZE AND SPONSOR THE FISHAWACK CELEBRATION

WHEREAS, the Department of Community Services of the Borough of Chatham is requesting authorization to plan, organize and conduct the annual Fishawack celebration; and

WHEREAS, the Mayor and Borough Council wish to authorize the Fishawack celebration to be held on June 10, 2017 as a public event.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Community Services is hereby authorized to plan, organize and conduct the annual Fishawack celebration; and

BE IT FURTHER RESOLVED, that the Director of the Department of Community Services shall prepare a budget for the 2017 Fishawack celebration detailing staffing requirements, costs and revenues. if any, arising from the event, and which shall be submitted to the Borough Administrator and

the Mayor and Council before December 31, 2016 for review and recommendation for submission in the 2017 proposed operating budget; and

BE IT FURTHER RESOLVED, that all other Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

~~RESOLUTION #16-333~~

~~RESOLUTION AUTHORIZING THE EXTENSION OF THE TERM OF THE AGREEMENT WITH THE SCULPTURE FOUNDATION, INC.~~

~~**WHEREAS**, the Borough of Chatham (the “Borough”) entered into an agreement with the Sculpture Foundation, Inc. dated May 5, 2010 to exhibit the sculptures entitled *Attie Trophy* and *Crescent* (the “Agreement”) in the Borough; and~~

~~**WHEREAS**, the Sculpture Foundation has transferred ownership of *Attie Trophy* to TSJA and *Crescent* to Grounds for Sculpture, Inc. (GFS) as permitted under Section 4(b) of the Agreement; and~~

~~**WHEREAS**, the Borough, upon the recommendation of the Public Arts Council (Advisory Committee) and the Sculpture Foundation, Inc., wish to enter into a Sculpture Loan Agreement with TSJA and GFS for the loans of *Attie Trophy* and *Crescent*, respectively, for a one year period extend the term of this Agreement for an additional one year period, with such term terminating on December 1, 2017; and~~

~~**WHEREAS**, the Mayor and Borough Council have determined that the continued exhibition of these sculptures promote public appreciation and knowledge of public sculpture and the fine arts and desires to authorize the extension execution of the Agreements.~~

~~**BE IT RESOLVED**, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute the renewal agreement with the Sculpture Foundation, Inc. to extend the term of the Agreement for an additional one year period, with such term a Sculpture Loan Agreement with TSJA and GFS for the loans of *Attie Trophy* and *Crescent*, respectively, for a one year period terminating on December 1, 2017; and~~

~~**BE IT FURTHER RESOLVED**, that all Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.~~

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #16-326 through #16-~~333~~332.

Council Member _____: I would like to make a motion to approve the resolutions placed on this evening’s Consent Agenda by consent of the Council.

Seconded by Council Member:_____.

ADD-ON RESOLUTIONS

~~RESOLUTION #16-334~~333

RESOLUTION TO ADJOURN INTO CLOSED SESSION

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it shall 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. Housing Liaison Services – Mr. Williams
 2. Health Services – Mr. Lott
 3. ECLC Lease – Mr. Falzarano and Mr. Lott
 4. Build-out Analysis – Mr. Falzarano

- Attorney-Client Privilege:
1. Chatham/Florham Park Properties – Mr. Lott

BE IT FURTHER RESOLVED, 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. The Borough Council will not return to public session after this closed session.

ADJOURNMENT