

AGENDA
December 12, 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 #16-334

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 28, 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 28, 2016

DISCUSSION ITEMS

1. JCP&L Update – Rob Walton
 2. Financial Planning – Council President James Lonergan
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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.

REPORTS

Board & Commission Members & Liaison Reports

Affordable Housing Advisory Committee	Mayor Bruce A. Harris
Open Space & Historic Preservation Trust Advisory Committee	Mayor Bruce A. Harris Council Member Leonard Resto
Traffic & Pedestrian Safety Advisory Committee	Council Member James J. Collander
Shade Tree Commission	Council Member James J. Collander
Communications & Technology Advisory Committee	Council President James Lonergan
Joint Recreation Advisory Committee	Council President James Lonergan
Municipal Pool Advisory Committee	Council President James Lonergan
Farmers' Market Advisory Committee	Council Member Victoria Fife
Mayors' Wellness Committee	Council Member Victoria Fife
MyChathamNJ Advisory Committee	Council Member Victoria Fife
Planning Board	Council Member Victoria Fife
Project Community Pride	Council Member Victoria Fife
Senior Center of the Chathams	Council Member Victoria Fife
9/11 Memorial Advisory Committee	Council Member Gerald J. Helfrich
Board of Education	Council Member Gerald J. Helfrich
Joint Municipal Court	Council Member Gerald J. Helfrich
Municipal Alliance of the Chathams	Council Member Gerald J. Helfrich
Environmental Commission	Council Member Leonard Resto
Joint Community Gardens Advisory Committee	Council Member Leonard Resto
Madison-Chatham Joint Meeting	Council Member Leonard Resto
Pilgrim Pipeline Advisory Committee	Council Member Leonard Resto
Public Arts Council Advisory Committee	Council Member Leonard Resto
Board of Health	Council Member Peter Hoffman
Historic Preservation Commission	Council Member Peter Hoffman

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 #16-335 through Resolution #16-343 have been placed on the Consent Agenda.

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

RESOLUTION #16-

CONTRACTS

RESOLUTION #16-335

RESOLUTION AUTHORIZING THE SHARED SERVICE AGREEMENT WITH THE BOROUGH OF MADISON TO PROVIDE INFORMATION TECHNOLOGY ASSISTANCE AND PROGRAM SUPPORT FOR CHATHAM BOROUGH

WHEREAS, the Borough of Chatham has a need for Information Technology (“IT”) help desk support functions and to resolve hardware problems; and

WHEREAS, the Borough of Madison employs two full-time IT specialists; and

WHEREAS, the Borough of Madison has submitted a proposal to provide IT support services.

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 support services.

BE IT FURTHER RESOLVED, that execution of the shared service agreement with Madison Borough shall be contingent upon approval of the contract terms and conditions by the Borough Administrator and Borough Attorney.

RESOLUTION #16-336

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MELGAR CLEANING SERVICES, IN THE AMOUNT NOT TO EXCEED \$21,600.00

WHEREAS, Erminio (Tony) Torello, Director of Public Works, solicited competitive quotes from three (3) qualified contractors for janitorial services for calendar year 2017 for Borough Hall and Fire Headquarters; and

WHEREAS, two (2) quotations were received as follows:

<u>VENDOR</u>	<u>PER MONTH</u>	<u>TOTAL ANNUAL AMOUNT</u>
1. Melgar Cleaning Services	\$1,800.00	\$21,600.00
2. Jan-Pro Northern New Jersey	\$1,911.00	\$23,004.00

And,

WHEREAS, for those contracts that in the aggregate are less than the bid threshold of \$40,000.00, but exceed 15 percent of the bid threshold (currently \$6,000.00), the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., provides that the contracting agent shall award the contract after soliciting at least two competitive quotations, if practicable; and

WHEREAS, the value of this contract is less than the bid threshold of \$40,000.00 and therefore may be awarded by soliciting competitive quotes without advertising for bids; and

WHEREAS, the Director of Public Works recommends that the award of the contract be made to Melgar Cleaning Services, 540 Main Street, Chatham N.J., in the amount of \$21,600.00; and

WHEREAS, Timothy Day, Chief Financial Officer, has confirmed that sufficient funds are available in Current Fund Account # 7-01-26-310-240 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that it concurs with the recommendation of the Director of Public Works and hereby authorizes the Mayor to execute the contract with Melgar Cleaning Services, in the amount of \$21,600.00, in accordance with the specifications upon which quotations were received and accepted; 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.

RESOLUTION #16-337

RESOLUTION AWARDING THE RENEWAL OF A CONTRACT TO AMERICAN ALARM SYSTEMS, INC. FOR THE MAINTENANCE OF FIRE DETECTION EQUIPMENT AND SYSTEMS AND MONITORING OF SYSTEM SIGNALS

WHEREAS, the Chatham Borough Hall, the Fire Department Building, and the Department of Public Works Complex are required to comply with the Uniform Fire Code as promulgated by the New Jersey Uniform Fire Safety Act; and

WHEREAS, Stephen Williams, Fire Coordinator, has reviewed the proposal submitted by American Alarm Systems, Inc. for the maintenance of fire detection equipment and systems and monitoring of system signals (the "Agreement") and has confirmed that it meets all requirements as set forth by the New Jersey Uniform Fire Safety Act; and

WHEREAS, the Fire Coordinator recommends the renewal of the Agreement, for the period of January 1, 2017 to December 31, 2017, in the amount not to exceed \$4,409.00; and

WHEREAS, Timothy Day, Chief Financial Officer, has confirmed that sufficient funds are available in Current Fund Account #7-01-26-310-240 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that it concurs with the recommendation of the Fire Coordinator and hereby authorizes the Mayor to execute the renewal Agreement with American Alarm Systems, Inc. for the period of January 1, 2017 to December 31, 2017.

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.

RESOLUTION #16-338

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO DR. SUSAN G. BLICKSTEIN, AICP, PP, PhD TO SUPERVISE THE PREPARATION OF A BUILD-OUT ANALYSIS

WHEREAS, the Mayor and Borough Council wish to prepare a build-out analysis projecting future development activity and estimating future sanitary sewer demand; and

WHEREAS, such services constitute a professional service as defined by the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-2, and are specifically exempt from the public bidding process in accordance with N.J.S.A. 40A:11-5; and

WHEREAS, Dr. Susan G. Blickstein, AICP/PP, PhD, submitted a proposal dated November 29, 2016 to assist with the preparation and supervision of a build-out analysis projecting future development activity for use in sanitary sewer demand estimating, in the amount not to exceed \$4,500.00; and

WHEREAS, the Borough Council finds that it would be in the best interests of the Borough to enter into a professional services agreement with Dr. Susan G. Blickstein, AICP/PP, PhD, to assist with the preparation and supervision of a build-out analysis projecting future development activity based upon her expertise and extensive experience in planning matters for the Borough; and

WHEREAS, the contract was not awarded through a “fair and open” process pursuant to N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, Timothy Day, Chief Financial Officer, has confirmed that sufficient funds are available in Current Fund Account #7-01-20-100-300 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a professional services contract with Dr. Susan G. Blickstein, AICP/PP, PhD to assist with the preparation and supervision of a build-out analysis on behalf of the Borough; and

BE IT FURTHER RESOLVED, that Dr. Susan G. Blickstein, AICP/PP, PhD and principals controlling in excess of 10% of the firm will be required to submit to the Borough a Business Entity Disclosure Certification pursuant to the New Jersey Pay-to-Play Act, N.J.S.A. 19:44A-1 et seq., which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit the Professional Service contractor from making any reportable contributions through the term of the contract, along with a New Jersey Business Registration Certificate, a completed Affirmative Action Report (Form AA-302) and a completed W-9 form; 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.

RESOLUTION #16-339

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO THE FIRM CLARKE CATON HINTZ FOR THE PREPARATION OF A BUILD-OUT ANALYSIS

WHEREAS, the Mayor and Borough Council wish to prepare a build-out analysis projecting future development activity and estimating future sanitary sewer demand; and

WHEREAS, such services constitute a professional service as defined by the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-2, and are specifically exempt from the public bidding process in accordance with N.J.S.A. 40A:11-5; and

WHEREAS, Michael Sullivan, AICP, of the firm Clarke Caton Hintz, submitted a proposal dated November 29, 2016 for a build-out analysis for estimating future sanitary sewer demand based upon projected future development activity, in the amount of \$8,750.00; and

WHEREAS, the Borough Council finds that it would be in the best interests of the Borough to enter into a professional services agreement with the firm Clarke Caton Hintz, 100 Barrack Street, Trenton, NJ 08608 for the preparation of a build-out analysis estimating future sanitary sewer demand; and

WHEREAS, the contract was not awarded through a “fair and open” process pursuant to N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, Timothy Day, Chief Financial Officer, has confirmed that sufficient funds are available in Current Fund Account #07-01-20-100-300 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a professional services contract with the firm Clarke Caton Hintz on behalf of the Borough for the preparation of a build-out analysis estimating future sanitary sewer demand; and

BE IT FURTHER RESOLVED, that the firm Clarke Caton Hintz, its subsidiaries, assigns or principals controlling in excess of 10% of the firm will be required to submit to the Borough a Business Entity Disclosure Certification pursuant to the New Jersey Pay-to-Play Act, N.J.S.A. 19:44A-1 et seq., which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit the Professional Service contractor from making any reportable contributions through the term of the contract, along with a New Jersey Business Registration Certificate, a completed Affirmative Action Report (Form AA-302) and a completed W-9 form; 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.

FINANCE

RESOLUTION #16-340

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 #16-341

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>
99-20	Willows Court LLC 1 – 8 Lackawanna Court Mail refund check to: 50 East Mt. Pleasant Avenue Livingston, NJ 07039	\$19,586.12	2016/3 rd & 4 th Qtr.

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.

PUBLIC ARTS

RESOLUTION #16-342

RESOLUTION AUTHORIZING THE PUBLIC ARTS COUNCIL (ADVISORY COMMITTEE) TO PAINT THREE TRAFFIC CONTROL CABINETS LOCATED ALONG WATCHUNG AVENUE IN THE BOROUGH OF CHATHAM

WHEREAS, the Public Arts Council (Advisory Committee) (“PAC”) seeks permission to paint three traffic control cabinets located at the intersections of Watchung Avenue and Hillside Avenue, Watchung Avenue and Fairmount Avenue, and Watchung Avenue and Washington Avenue with environmental themes for its “Green Takes Back Gray Project;” and

WHEREAS, the County of Morris owns and operates the three traffic control boxes; and

WHEREAS, the PAC has informed the Mayor and Council of the Borough of Chatham that Morris County Engineer, Christopher Vitz, has granted permission for the painting of the referenced traffic control boxes, subject to certain requirements; and

WHEREAS, the PAC has advised that it will seek private donations for all materials and that artists who live or work in the Borough will volunteer their time hand-painting the traffic control cabinets with various environmental themes; and

WHEREAS, the Mayor and Borough Council support public art initiatives that promote public appreciation and knowledge of the fine arts and help to create a greater sense of community.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Public Arts Council (Advisory Committee) is hereby granted permission to paint three traffic control cabinets located at the intersections of Watchung Avenue and Hillside Avenue, Watchung Avenue and Fairmount Avenue, and Watchung Avenue and Washington Avenue with environmental themes for its “Green Takes Back Gray Project;” 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.

RESOLUTION #16-343

RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION TO EXHIBIT THE SCULPTURES ENTITLED ATTIC TROPHY AND CRESCENT IN THE BOROUGH

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 *Attic Trophy* and *Crescent* (the “Agreement”) in the Borough; and

WHEREAS, the Sculpture Foundation has transferred ownership of *Attic 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), wish to enter into a Sculpture Loan Agreement with TSJA and GFS for the loans of *Attic Trophy* and *Crescent*, respectively, for a one year period terminating on December 10, 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 execution of the Agreements.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a Sculpture Loan Agreement with TJSA and GFS for the loans of *Attic Trophy* and *Crescent*, respectively, for a one year period terminating on December 10, 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 #16-335 through #16-343.

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 #16-344

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:

- | | |
|-----------------------|--|
| Contract: | 1. Health Services – Council Member Hoffman
2. 2017 Professional Services – Mr. Falzarano |
| Personnel: | 1. Housing Liaison Services – Mr. Williams |
| Potential Litigation: | 1. FieldTurf USA, Inc. – 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