

**REGULAR MEETING OF THE  
MAYOR AND BOROUGH COUNCIL**

**March 28, 2016 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, March 28, 2016 at 7:30 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

The Mayor and Borough Council led the assembled in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Harris asked for a moment of silence for those who have given their lives for our country.

**STATEMENT OF ADEQUATE NOTICE**

Robin R. Kline, Municipal Clerk, read the following 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**

On a call of the roll, the following officials were present:

Mayor Bruce A. Harris  
Council President James Lonergan [arrived at 8:05 p.m.]  
Council Member Victoria Fife  
Council Member Leonard Resto  
Council Member Peter Hoffman  
Robert J. Falzarano, Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Robin R. Kline, Borough Clerk

Council Member James J. Collander and Council Member Gerald J. Helfrich were absent.

Mayor Bruce A. Harris proceeded with reading the following proclamation:

**PROCLAMATION**

**NATIONAL AUTISM AWARENESS, ACCEPTANCE AND INCLUSION MONTH  
APRIL 2016**

**WHEREAS**, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it; and

**WHEREAS**, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 68 children nationally and 1 in 45 in New Jersey; and

**WHEREAS**, while there is no cure for autism, it is well-documented that if individuals with autism receive early and intensive treatment throughout their lives, they lead significantly improved lives; and

**WHEREAS**, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support families' resilience as they manage the psychological and financial burdens autism can present; and

**WHEREAS**, Autism New Jersey is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects.

**BE IT RESOLVED** that I, Bruce A. Harris, Mayor of the Borough of Chatham, do hereby proclaim April 2016 as NATIONAL AUTISM AWARENESS MONTH in the Borough of Chatham, and urge all employees and residents to participate in our municipality's National Autism Awareness Month activities, in order to become better educated about autism and create a better community for individuals with autism.

Council Member Fife made a motion to approve the proclamation. Council Member Resto seconded the motion. A vote was taken and the proclamation was approved unanimously.

Mayor Harris asked Council Member Peter Hoffman, liaison to the Board of Health, to proceed with reading the following proclamation:

#### **PROCLAMATION**

#### **NATIONAL PUBLIC HEALTH WEEK APRIL 4-10, 2016**

**WHEREAS**, since 1995, the American Public Health Association ("APHA") through its sponsorship of National Public Health Week has been educating the public, policymakers, and public health professionals on issues important to improving the public's health; and

**WHEREAS**, during the first full week of April each year, APHA brings together communities across the United States to observe National Public Health Week as a time to recognize the contributions of public health and to highlight issues that are important to improving the health of our nation; and

**WHEREAS**, some of the greatest achievements of public health include immunizing residents against diseases, identifying and controlling infectious diseases, preparing residents for public health emergencies, improving health for women and children, providing safer and healthier foods, implementing occupational health safety measures, and promoting healthy behaviors, including increased physical activity, good nutrition, and tobacco prevention and cessation; and

**WHEREAS**, public health is the foundation for a brighter tomorrow. When we invest in the safety and well-being of all Americans, we enrich our communities, bolster our economy, and strengthen our Nation.

**BE IT RESOLVED**, that I, Bruce A. Harris, Mayor of the Borough of Chatham, proclaim the week of April 4<sup>th</sup> through April 10<sup>th</sup>, 2016, as NATIONAL PUBLIC HEALTH WEEK in Chatham Borough, and together with the Borough Council and the Chatham Borough Board of Health, encourage all residents to observe National Public Health Week and to make healthy lifestyle choices to live healthier and longer lives.

Council Member Hoffman made a motion to approve the proclamation. Council Member Resto seconded the motion. A vote was taken and the proclamation was approved unanimously.

Council Member Hoffman presented the proclamation to Lisa DeRosa, President of the Chatham Borough Board of Health, and Lisbeth Bringgaard, Madison Health Department.

Lisa DeRosa thanked Mayor Harris and the Borough Council for recognizing National Public Health Week on April 4-10, 2016 by issuing this proclamation. Ms. DeRosa briefly spoke about the important work performed by public health departments throughout the country and the role of local Boards of Health. She thanked the team at the Madison Department of Health, as well as the members of the Chatham Board of Health, for attending to all matters concerning public health in our community. She also thanked Mayor Harris, the Borough Council and Borough employees for their support of the Chatham Board of Health.

Mayor Harris proceeded with Resolution #16-146.

#### **RESOLUTION #16-146**

#### **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:

March 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:

March 14, 2016

Council Member Fife made a motion to approve Resolution #16-146. Council Member Resto seconded the motion. A vote was taken and Resolution #16-146 was approved unanimously.

#### **DISCUSSION ITEMS**

**Eagle Scout Project** – Matt Piechnik, an Eagle Scout candidate from Troop 8, presented his Eagle Scout service project to install drainage and erosion controls along the Jackson Avenue trail from Jackson Avenue to Kelley's Pond to reduce flooding and erosion along the trail. Mr. Piechnik advised that materials would be a minimal expense and that the Department of Public Works would help by installing blue stone chips in the drainage channels.

The Mayor and Council thanked Mr. Piechnik for his presentation and agreed that his Eagle Scout service project would be beneficial to the community. An authorizing resolution is to be placed on the April 11<sup>th</sup> agenda for Council approval.

Mr. John Tancredi, a member of the Environmental Commission, advised that Mr. Piechnik had presented his Eagle Scout service project to the Environmental Commission and that the Environmental Commission has given its full support and endorsement for the project.

**JCP&L Update** – Rob Walton, representative from JCP&L, reported that crews were on the scene in the Borough to restore power caused by a fallen tree on Lafayette Avenue. He then informed Borough officials that JCP&L will begin tree trimming operations in the coming weeks at the Green Village substation, which may impact 3 to 4 homes in the Borough. Mr. Walton also advised that the Board of Public Utilities (BPU) recently adopted a new tree-trimming standard along power line rights-of-way. A new "ground to sky" tree-trimming standard would go into effect for power lines to/from a power substation to the first device or breaker along the line. For those lines, tree trimming crews would be

required to clear 15 feet around power lines, including 15 feet above power lines. Prior to commencing tree-trimming operations, Mr. Walton advised that JCP&L would notify mayors and other town officials two months in advance of scheduled tree-trimming. Lastly, Mr. Walton reported that JCP&L has instituted a “speaker’s bureau” that is available to groups and allows JCP&L representatives to educate the public about JCP&L operations.

Mayor Harris inquired whether JCP&L replaces trees that would need to be removed as a result of the new aggressive tree-trimming standard. Mr. Walton responded that JCP&L would not be replacing, nor replanting, trees impacted by tree-trimming operations.

## **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.

Mayor Harris opened the meeting to the public.

George Stafford, Uphold the Highlands Director of the New Jersey Highlands Coalition, commented that the New Jersey Highlands Coalition (the “Coalition”) consists of approximately 80 environmental groups and 600 individual members. He reported that the Coalition is opposing the Pilgrim Pipeline project and urged Borough officials to join the other towns that have adopted resolutions opposing the pipeline.

Mayor Harris informed Mr. Strafford that the Borough had already adopted such a resolution and created a Pilgrim Pipeline Advisory Committee to advise and update the Council on any news concerning the Pilgrim Pipeline project. He further mentioned that a Municipal Pipeline Group, consisting of 18 New Jersey municipalities, has been formed and that the group is retaining legal counsel in efforts to protect the interests of their respective communities. Mayor Harris welcomed any additional information that the New Jersey Highlands Coalition could share.

Seeing no one else wishing to comment, Mayor Harris closed the meeting to the public and proceeded with the Council Committee Reports.

Council President Lonergan arrived at 8:05 p.m.

## **REPORTS**

### **COUNCIL COMMITTEE REPORTS**

**Budget and Finance** – Council President Lonergan had nothing new to report.

**Long Range Traffic & Pedestrian Safety Planning** - Council Member Collander was absent.

**Public Safety & Emergency Services** - Council Member Collander was absent.

**Personnel** - Council Member Resto reported that the committee is scheduled to meet on Friday, April 8th and would be reviewing interview questions for the new police lieutenant position. He further reported that the Department of Public Works collective bargaining contract has been finalized.

**Public Works Planning/Community Services** - Council Member Fife reported that the Department of Public Works will perform drainage projects that would otherwise have cost the Borough over \$100,000.00.

She stated that significant cost savings were made possible by the Borough contracting out grass cutting services, which freed up public works crews to perform drainage projects. She also reported that a Public Works Planning meeting would be scheduled next month.

Council Member Hoffman, a member of the committee, inquired whether contracting out fall leaf collection services might also provide an opportunity to free up public works crews to do other work. The committee will further examine whether additional cost savings could be achieved by contracting out leaf collection services.

**Shared Services & 3<sup>rd</sup> Party Agreements** - Council Member Helfrich was absent.

### **MAYOR'S REPORT**

Mayor Bruce Harris reported that he inquired of other towns what they are doing to manage the emerald ash borer ("EAB"). He reported that only Summit has initiated a program and that Chatham Borough is well positioned with its public notification, and education efforts, and treatment plan for Borough trees for the emerald ash borer.

Patrick Carroll, Shade Tree Commission Chairman, advised that tree surveys were conducted on trees located on public right-of-way. He reported that postcards would be sent to all borough households containing information about the EAB and that letters would be mailed to residents whose properties are adjacent to borough trees scheduled for EAB treatment.

Mayor Harris reported that New Jersey Transit continues its negotiations with bidders interested in opening a restaurant at the train station. He further reported that early registration for pool memberships would begin on April 1<sup>st</sup> and that discounted pool registration rates would be in effect April 1st through April 15th. Lastly, Mayor Harris reported that Catherine Marino, Chair of the Municipal Alliance of the Chathams, will be resigning from the organization effective June 30<sup>th</sup> and encouraged volunteers to consider joining the group.

### **ADMINISTRATOR'S REPORT**

Mr. Falzarano reported that the Borough's 2015 Annual Report has been circulated to the Mayor and Council. He also reported that the Borough's Tax Maps have been approved and sent out for printing. The tax maps will also be available online with GIS mapping detail.

Mr. Falzarano thanked Council Member Fife and other elected officials who helped draft the Monuments and Memorials Policy and Procedures and mentioned that an approving Resolution has been placed on tonight's consent agenda for Council action.

### **RESOLUTIONS FOR SEPARATE ACTION**

None.

### **RESOLUTION #16-147**

### **RESOLUTION TO INTRODUCE THE 2016 MUNICIPAL BUDGET**

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the local Municipal Budget for the year 2016:

#### Municipal Budget

##### Revenues

General Revenues	\$ 5,672,740.86
Local Tax for Municipal Purposes	\$ 7,699,771.42
Minimum Library Tax	<u>\$ 887,000.00</u>

	\$14,259,512.28
Appropriations	
Municipal Purposes	\$12,515,331.54
Reserve for Uncollected Taxes	<u>\$ 1,744,180.74</u>
Total General Appropriations	\$14,259,512.28
<u>Water Operating Budget</u>	
Revenues	
Rents and Fees	\$ 1,830,308.00
Appropriations	
Expenses	\$ 1,830,308.00
<u>Solid Waste Budget</u>	
Revenues	
Rents and Fees	\$ 574,800.00
Appropriations	
Expenses	\$ 574,800.00

And,

**BE IT FURTHER RESOLVED**, that said Budget shall be published in the official newspapers of the Borough together with a public notice that the public hearing will be held in the Municipal Building on April 25th at 7:30 p.m., or as soon thereafter as the matter can be reached by the Borough Council.

Council President Lonergan made a motion to adopt Resolution #16-147 on first reading. The motion was seconded by Council Member Resto.

Mayor Harris asked the Borough Clerk for a Roll Call Vote:

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

Mayor Harris announced Resolution #16-147 passed on first reading.

Mayor Harris asked Council President Lonergan to proceed with Resolution #16-148.

## **RESOLUTION #16-148**

### **SPECIAL EMERGENCY RESOLUTION — MASTER PLAN UPDATE (5-year Special Emergency)**

**WHEREAS**, it is necessary to make a Special Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, for the preparation of the Borough's Master Plan Update, which is required pursuant to the planning laws of the State of New Jersey; and

**WHEREAS**, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation shall be provided for in the annual budgets of the next five (5) succeeding years by the inclusion of an appropriation of at least one-fifth (1/5) of the amount authorized, pursuant to such statute.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham, by not less than 2/3 of all governing body members affirmatively concurring, that in accordance with N.J.S.A. 40A:4-53 a special emergency appropriation is hereby authorized to be made for the Borough's Master Plan Update, in the total amount of \$45,000.00; and

**BE IT FURTHER RESOLVED**, that said special emergency appropriation shall be provided for in the annual budgets of the next five (5) succeeding years by the inclusion of not less \$9,000.00, at least one-fifth (1/5) of the amount authorized herein; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk shall file two (2) certified copies of this resolution with the Director of the Division of Local Government Services; however, no approval is required from the Division.

Council President Lonergan made a motion to adopt Resolution #16-148. The motion was seconded by Council Member Resto.

Mayor Harris asked the Borough Clerk for a Roll Call Vote:

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

Mayor Harris announced Resolution #16-147 passed.

### **CONSENT AGENDA**

The following items are considered 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 #16-149 through Resolution #16-161 have been placed on the Consent Agenda.

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

None.

### **CONTRACTS**

#### **RESOLUTION #16-149**

#### **RESOLUTION APPROVING A CONTRACT BY AND BETWEEN THE BOROUGH OF CHATHAM AND TEAMSTERS LOCAL NO. 469 FOR THE CHATHAM BOROUGH DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, negotiations were entered into between the Borough of Chatham and Teamsters Local No. 469 for the Chatham Borough Department of Public Works for purposes of collective bargaining with respect to rates of pay, hours of employment and other terms and conditions of employment for all full time members of Teamsters Local No. 469; and

**WHEREAS**, as a result of these negotiations an agreement was reached by the parties.

**BE IT RESOLVED** by the Council of the Borough of Chatham that the contract between the Borough of Chatham and Teamsters Local No. 469 for the Chatham Borough Department of Public Works for the period January 1, 2016 through December 31, 2018 is hereby approved; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute the collective bargaining agreement with Teamsters Local No. 469 for the Chatham Borough Department of Public Works on behalf of the Borough.

#### **RESOLUTION #16-150**

#### **RESOLUTION AUTHORIZING AN AWARD OF A CONTRACT TO LTI, INC. FOR GRASS AND PROPERTY MAINTENANCE SERVICES**

**WHEREAS**, the Director of Public Works solicited proposals from three (3) qualified contractors for grass and property maintenance services for the 2016 calendar year; and

**WHEREAS**, the following three (3) quotations were received:

<u>VENDOR</u>	<u>QUOTE AMOUNT</u>
1. LTI, Inc.	\$ 33,910.00
2. Donofrio & Son Inc.	\$ 34,272.00
3. NMS Landscapes	\$ 77,825.00

And,

**WHEREAS**, the value of this contract will exceed 15% of the bid threshold, but will be less than the bid threshold of \$40,000.00 and, therefore, may be awarded by soliciting competitive quotes without advertising for bids under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, the Director of Public Works recommends that an award of the contract be made to LTI, Inc., 70-76 Passaic Avenue, Florham Park, NJ 07932 in the amount of \$33,910.00; and

**WHEREAS**, the Chief Financial Officer has confirmed that sufficient funds are available in Current Fund Account #6-01-28-375-258 for the award of this contract.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the Mayor to execute the contract with LTI, Inc., in the amount of \$33,910.00, 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.

#### **FINANCE**

#### **RESOLUTION #16-151**

#### **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 #16-152**

### **RESOLUTION AUTHORIZING THE RELEASE AND RETURN OF A CASH PERFORMANCE BOND FOR WORK COMPLETED AT 74 NORTH PASSAIC AVENUE**

**WHEREAS**, Mr. Stan Babiak submitted a cash bond in the amount of \$3,500.00 to the Borough of Chatham in 2012 for work to be performed at 74 North Passaic Avenue; and

**WHEREAS**, by Resolution #12-364 adopted by the Borough Council on November 12, 2012, a partial release of the cash bond in the amount of \$1,000.00 was returned by escrow check; and

**WHEREAS**, the Borough Engineer has received a request from Mr. Babiak seeking the Borough's release of the remaining \$2,500.00 balance of the cash bond; and

**WHEREAS**, the Borough Engineer has reviewed the request and has determined that all conditions set forth in his letter dated August 13, 2012 have been complied with.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the release of the remaining balance of the cash bond in the amount of \$2,500.00 to Mr. Babiak by escrow check; 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.

## **BOARDS, COMMISSIONS & COMMITTEES**

## **RESOLUTION #16-153**

### **RESOLUTION ACCEPTING THE 2015 ANNUAL ACCOMPLISHMENT REPORT OF THE CHATHAM BOROUGH SHADE TREE COMMISSION**

**WHEREAS**, by Resolution #16-140 the Borough Council adopted the Shade Tree Commission's third five-year Community Forestry Management Plan in accordance with the New Jersey Shade Tree and Community Forestry Assistance Act ("the Act"); and

**WHEREAS**, the New Jersey Community Forestry Program requires that an Annual Accomplishment Report be submitted to the New Jersey Forestry Service summarizing the accomplishments of the Shade Tree Commission for that year with respect to the goals of their Community Forestry Plan in order to achieve and maintain Approved Status under the Act to be eligible for Community Stewardship Incentive Program (CSIP) grant funding; and

**WHEREAS**, the Shade Tree Commission has prepared its 2015 Annual Accomplishment Report and wishes to submit it to the Community Forestry Program to maintain its Approved Status under the Act.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby accept the Shade Tree Commission's 2015 Annual Accomplishment Report; and

**BE IT FURTHER RESOLVED**, by the Council that the Mayor is hereby authorized to sign the Community Forestry Management Plan Annual Accomplishment Report form that is to be submitted with the Shade Tree Commission's 2015 Annual Accomplishment Report to the New Jersey Department of Environmental Protection, State Forestry Service - Community Forestry Program; 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.

## **PERSONNEL**

### **RESOLUTION #16-154**

#### **RESOLUTION TO HIRE DAVID ALLAN AS A SERVICE PERSON IN THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Borough of Chatham publicly advertised the job opening for the position of a Service Person in the Department of Public Works and solicited resumes and applications from interested candidates; and

**WHEREAS**, the Public Works selection committee (the “Committee”) conducted interviews of interested and qualified candidates; and

**WHEREAS**, after considering all interested and qualified candidates, the Committee found that David Allan is the best-qualified candidate and has recommended that he be hired for the Service Person position in the Department of Public Works, to be effective April 1, 2016 with an annual starting salary of \$36,115.00, which is to be pro-rated for the remainder of the calendar year.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Committee and hereby authorize that David Allan shall be hired as a Service Person in the Department of Public Works, to be effective April 1, 2016 with an annual starting salary of \$36,115.00, which shall be pro-rated for the remainder of the calendar year; and

**BE IT FURTHER RESOLVED**, that the terms and conditions of David Allan’s employment shall be in accordance with the Department of Public Works collective bargaining unit contract and in accordance with provisions set forth in the offer of employment letter from Tony Torello, Director of Public Works, dated March 1, 2016

### **RESOLUTION #16-155**

#### **RESOLUTION AUTHORIZING THE HIRING OF WILLIAM CONROY AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT**

**WHEREAS**, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham’s Police Department Crossing Guard roster; and

**WHEREAS**, the Chief of Police recommends the hiring of William Conroy to fill the vacancy.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the hiring of William Conroy as a Crossing Guard for the Borough of Chatham Police Department effective March 28, 2016, at the rate of \$22.00 per hour.

### **RESOLUTION #16-156**

#### **RESOLUTION AUTHORIZING THE HIRING OF EMPLOY LORRAINE TORTORELLA AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT**

**WHEREAS**, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham’s Police Department Crossing Guard roster; and

**WHEREAS**, the Chief of Police recommends the hiring of Lorraine Tortorella to fill the vacancy.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the hiring of Lorraine Tortorella as a Crossing Guard for the Borough of Chatham Police Department effective March 28, 2016, at the rate of \$22.00 per hour.

#### **RESOLUTION #16-157**

#### **RESOLUTION AUTHORIZING THE HIRING OF EMPLOY ALEXANDER SWEETIN AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT**

**WHEREAS**, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham's Police Department Crossing Guard roster; and

**WHEREAS**, the Chief of Police recommends the hiring of Alexander Sweetin to fill the vacancy.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the hiring of Alexander Sweetin as a Crossing Guard for the Borough of Chatham Police Department effective March 28, 2016, at the rate of \$22.00 per hour.

#### **SHARED SERVICES**

#### **RESOLUTION #16-158**

#### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEGAL RETAINER FOR LEGAL ENVIRONMENTAL SERVICES RELATED TO THE PROPOSED PILGRIM OIL PIPELINE PROJECT**

**WHEREAS**, several municipalities in northern New Jersey (the "Municipal Pipeline Group") have joined efforts to ensure that their communities' concerns and interests are protected with respect to the proposed Pilgrim Pipeline project; and

**WHEREAS**, the Municipal Pipeline Group is seeking to retain the expert legal environmental services of John M. Scagnelli, Esq. of the law firm Scarinci & Hollenbeck, LLC, 1100 Valley Brook Avenue, Lyndhurst, New Jersey 07071 to navigate the complex regulatory procedures and to advise the group on land use and environmental issues in this matter; and

**WHEREAS**, each municipal member of the Municipal Pipeline Group will share in the cost of the legal retainer and fees for legal environmental services relating to the proposed Pilgrim Pipeline project; and

**WHEREAS**, it is in the best interest of the Borough to participate in the Municipal Pipeline Group and to share in the cost of the legal retainer and fees; and

**WHEREAS**, the Chief Financial Officer has confirmed that funds in the amount of \$6,000.00 are available in Current Fund Account #6-01-20-155-201 for this purpose.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a Municipal Pipeline Group Legal Retainer Agreement for legal environmental services relating to the proposed Pilgrim Pipeline project with John M. Scagnelli, Esq. of the law firm Scarinci & Hollenbeck, LLC; 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 #16-159**

#### **RESOLUTION APPROVING THE PUBLIC BUILDINGS AND GROUNDS MONUMENTS AND MEMORIALS POLICY AND PROCEDURE**

**WHEREAS**, it is the general policy of the Borough of Chatham to recognize the contributions of a resident or employee who has given his or her life in service to the United States of America, State of New Jersey, County of Morris, or the Borough of Chatham, as well as, private memorials that may recognize a life-long resident or relative in Chatham Borough; and

**WHEREAS**, the Mayor and Council wish to establish a policy that defines monuments and memorials and sets forth an application and approval process for the placement of monuments and memorials within the Borough; and

**WHEREAS**, by Resolution #15-225, the Borough Council approved the establishment of the Monuments and Memorials for Chatham Borough Trust Fund in accordance with N.J.S.A. 40A:5-29 to pay expenditures for the purchase, installation, and maintenance of monuments and memorials approved by the Mayor and Council.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Public Buildings and Grounds Monuments and Memorials Policy and Procedure is hereby approved; 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 #16-160**

#### **RESOLUTION APPROVING CHATHAM BOROUGH FIRE DEPARTMENT ASSOCIATION, INC. TO CONDUCT A FISHING DERBY AT KELLEY'S POND**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Chatham Borough Fire Department Association, Inc. is hereby authorized to conduct a fishing derby at Kelley's Pond on April 30<sup>th</sup> and May 1<sup>st</sup>, 2016 from 8:00 a.m. to 5:00 p.m.

**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 #16-161**

#### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR RECERTIFICATION FOR THE ARBOR DAY FOUNDATION'S TREE CITY USA DESIGNATION**

**WHEREAS**, the Arbor Day Foundation's Tree City USA program recognizes communities across the country for their excellence in urban forestry management; and

**WHEREAS**, the Tree City USA program provides direction, assistance, and national recognition to communities by supporting the framework for a sustainable urban forest; and

**WHEREAS**, since 1909 the Borough of Chatham's Shade Tree Commission has actively been engaged in the planting and maintaining of trees along Borough streets, public rights-of-ways, municipal open spaces, and have been stewards of the health and safety of the Borough's green infrastructure; and

**WHEREAS**, in addition to planting and maintaining Borough trees, the volunteers of the Shade Tree Commission take time out of their busy schedules to work on projects such as community outreach, education, reviewing residents' tree concerns and identifying planting locations for new trees; and

**WHEREAS**, the Borough of Chatham is desirous of submitting an Application for Recertification in the Arbor Day Foundation's Tree City USA program, having achieved the standards set forth by the Arbor Day Foundation.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute an Application for Recertification for the Arbor Day Foundation's Tree City USA Designation; 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.

### **CONSENT AGENDA VOTE**

Council Member Hoffman moved to approve Resolution #16-149 through Resolution #16-161. Council President Lonergan seconded the motion. A vote was taken and Resolution #16-149 through Resolution #16-161 listed on the Consent Agenda were approved unanimously.

### **ADD-ON RESOLUTIONS**

None.

### **ORDINANCES FOR FIRST READING**

Mayor Harris asked Council President Lonergan to introduce Ordinance #16-02.

Council President Lonergan introduced Ordinance #16-02 by title as follows:

#### **ORDINANCE #16-02**

**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 AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,264,500 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.**

Council President Lonergan explained the purpose of the Ordinance and moved for its introduction on First Reading.

Council President Lonergan read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on March 28, 2016.

**BE IT RESOLVED**, that at the Council meeting to be held on April 25, 2016 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance

for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk 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.

Council President Lonergan made a motion to adopt Ordinance #16-02 on first reading. The motion was seconded by Council Member Fife.

Mayor Harris asked the Borough Clerk for a Roll Call Vote:

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

Mayor Harris declared the Ordinance passed on first reading.

Mayor Harris asked Council President Lonergan to introduce Ordinance #16-03.

Council President Lonergan introduced Ordinance #16-03 by title as follows:

**ORDINANCE #16-03**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$195,700 TO PAY THE COST THEREOF, 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.**

Council President Lonergan explained the purpose of the Ordinance and moved for its introduction on First Reading.

Council President Lonergan read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on March 28, 2016.

**BE IT RESOLVED**, that at the Council meeting to be held on April 25, 2016 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk 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.

Council President Lonergan made a motion to adopt Ordinance #16-03 on first reading. The motion was

seconded by Council Member Resto.

Mayor Harris asked the Borough Clerk for a Roll Call Vote:

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

Mayor Harris declared the Ordinance passed on first reading.

Mayor Harris asked Council President Lonergan to introduce Ordinance #16-04.

Council President Lonergan introduced Ordinance #16-04 by title as follows:

**ORDINANCE #16-04**

**CALENDAR YEAR 2016**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

Council President Lonergan explained the purpose of the Ordinance and moved for its introduction on First Reading.

Council President Lonergan read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on March 28, 2016.

**BE IT RESOLVED**, that at the Council meeting to be held on April 25, 2016 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk 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.

Council President Lonergan made a motion to adopt Ordinance #16-04 on first reading. The motion was seconded by Council Member Resto.

Mayor Harris asked the Borough Clerk for a Roll Call Vote:

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

Council Member Hoffman stated that he supported a hard cap of 2% and expressed his opposition for the need to have a cost of living adjustment that goes beyond the 2% cap. He agreed to support the Ordinance on first reading so that it may be scheduled for public hearing and further discussion at second reading.

Mayor Harris declared the Ordinance passed on first reading.

Mayor Harris asked Council Member Resto to proceed with Resolution #16-162.

Council Member Resto read Resolution #16-162:

### **RESOLUTION #16-162**

### **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:

- |                    |   |
|--------------------|---|
| Litigation Matter: | 1. Affordable Housing Declaratory Action – Mr. Lott |
| Contract Matters:  | 1. Madison-Chatham Joint Meeting – Mayor Harris     |
|                    | 2. Oliver Street Vacation – Mr. Falzarano           |

**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.

Council Member Resto moved to approve Resolution #16-162. Council Member Fife seconded the motion. A vote was taken and Resolution #16-162 was approved unanimously.

### **ADJOURNMENT**

Having no other business to be conducted, Mayor Harris adjourned the meeting.

The Mayor and Borough Council convened into Closed Session.

Meeting adjourned 8:30 p.m.

Respectfully Submitted:

*Robin R. Kline*

Robin R. Kline, MAS, RMC, CMR  
Borough Clerk  
BOROUGH OF CHATHAM