

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

May 23, 2016 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, May 23, 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 Member James J. Collander
Council President James Lonergan
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 Gerald J. Helfrich was absent.

Mayor Bruce A. Harris opened the meeting with two mayoral appointments to the Planning Board. He announced that Jim Mitchell will be moving out of Chatham and has resigned his position from the Planning Board. Mayor Harris thanked Jim for his dedicated service to the Planning Board for the past nine years.

Mayor Bruce A. Harris proceeded with the following two Planning Board appointments:

MAYORAL APPOINTMENT

**APPOINTING WILLIAM HEAP TO THE CHATHAM BOROUGH PLANNING BOARD AS
A CLASS IV MEMBER**

WHEREAS, N.J.S.A. 40:55d-23 sets forth that members of the Planning Board shall be appointed by the Mayor, and in the event of a vacancy, the term of appointment shall be only for the unexpired term; and

WHEREAS, there currently exists a Class IV member vacancy on the Chatham Borough Planning Board due to a recent resignation; and

WHEREAS, William Heap has expressed interest in being appointed as a Class IV member to the Chatham Borough Planning Board; and

WHEREAS, Mayor Bruce Harris wishes to appoint William Heap to the Chatham Borough Planning Board to fill the vacant, unexpired 4-year Class IV member position, with such term expiring on December 31, 2018.

BE IT RESOLVED, that I, Bruce A. Harris, Mayor of the Borough of Chatham do hereby appoint William Heap to the Chatham Borough Planning Board as the Class IV member to fill the vacant, unexpired term, with such term expiring on December 31, 2018.

MAYORAL APPOINTMENT

APPOINTING TOM GILMAN TO THE CHATHAM BOROUGH PLANNING BOARD AS THE ALTERNATE NO. 1 MEMBER

WHEREAS, N.J.S.A. 40:55d-23.1 sets forth that the alternate members of the Planning Board shall be appointed by the Mayor, and in the event of a vacancy, the term of appointment shall be only for the unexpired term; and

WHEREAS, N.J.S.A. 40:55d-23.1 further sets forth that alternate members shall be designated at the time of appointment as either "Alternate No. 1" or "Alternate No. 2" and that the term shall be for two years; and

WHEREAS, there currently exists an Alternate No. 1 member vacancy on the Chatham Borough Planning Board; and

WHEREAS, Tom Gilman has expressed interest in being appointed to the Chatham Borough Planning Board; and

WHEREAS, Mayor Bruce Harris wishes to appoint Tom Gilman to the Chatham Borough Planning Board to fill the vacant, unexpired 2-year Alternate No. 1 member position, with such term expiring on December 31, 2016.

BE IT RESOLVED, that I, Bruce A. Harris, Mayor of the Borough of Chatham do hereby appoint Tom Gilman to the Chatham Borough Planning Board as the Alternate No.1 member to fill the vacant, unexpired term, with such term expiring on December 31, 2016.

ADMINISTRATION OF OATH(S) OF OFFICE

The Borough Clerk administered the oath of office to Planning Board Class IV member, William Heap and Planning Board Alternate No. 1 member, Tom Gilman.

Mayor Harris asked Council Member Hoffman to proceed with Resolution #16-199.

Council Member Hoffman read Resolution #199.

RESOLUTION #16-199

RESOLUTION TO RECESS INTO CLOSED SESSION

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it shall recess into executive 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:

Attorney-Client Privilege:

1. Property Tax Appeals – Matt O'Donnell

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 reconvene in public session after this closed session.

Council Member Hoffman moved to approve Resolution #16-199. Council President Lonergan seconded the motion. A vote was taken and Resolution #16-199 was approved unanimously.

The Mayor and Council adjourned into closed session at 7:42 p.m.

RETURN TO PUBLIC SESSION

Mayor Harris reconvened into Public Session at 8:10 p.m.

Mayor Harris proceeded with Resolution #16-200.

RESOLUTION #16-200

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:

May 9, 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:

May 9, 2016

Council Member Resto made a motion to approve Resolution #16-200. Council Member Collander seconded the motion. A vote was taken and Resolution #16-200 was approved unanimously.

DISCUSSION ITEMS

Mayor Harris invited Chief Crosson to provide a brief presentation on the *Click It or Ticket Campaign*.

2016 Click It or Ticket Campaign – Philip Crosson, Jr., Chatham Borough Police Chief, stated that the Chatham Borough Police Department will be participating in the National 2016 *Click It or Ticket Campaign*, which runs May 23rd through June 5th. He provided statistics from the New Jersey Division of Highway Traffic Safety, showing that seatbelts remain the most effective device in preventing deaths and injuries in motor vehicle accidents. Chief Crosson further reminded pedestrians using crosswalks that they share a responsibility in assuring their own safety by making sure motorists stop before crossing a street.

Capital Projects Update – Vince DeNave, Borough Engineer, provided an update on the following capital projects:

1. 2016 Curb & Sidewalk Program – Zone 4 is scheduled to be completed this year. Zones 5 and 6 are scheduled to be completed within the next two years. Residents who may have requested sidewalk repairs over the past year will have their sidewalk repairs included in the 2016 Curb &

Sidewalk Program. The Mayor requested that Mr. DeNave investigate replacing the sidewalk on Fairmount Avenue (eastside) under the overpass.

2. Water System Infrastructure Improvements – Rehabilitation of Well #2 will include electrical upgrades, a new generator and pump. Resolutions awarding contracts for Well #2 improvements are listed on the Consent Agenda.
3. Front Street and Lafayette Avenue Improvement Project – The road project will begin in July and is scheduled for completion prior to the start of the school year in September.
4. Drainage Projects – Five drainage projects have been scheduled. Public Works will complete the drainage projects at a significant cost-savings to the Borough. \$75,000.00 has been budgeted for all five projects.
5. Road Resurfacing Projects – Mr. DeNave reported multiple streets are scheduled to be resurfaced this year.
6. Washington Avenue School Parking Lot – Plans for the Washington Avenue School parking lot have been completed. The Department of Public Works Department will complete the project over the next couple of months.

Tax, Zoning, Open Space and Other GIS Mapping – Vince DeNave, Borough Engineer, reported that the Borough entered into a shared services agreement with Morris County in 2013 to update the tax maps and provide GIS mapping. The tax maps were recently certified by the county on March 15, 2016 and a baseline GIS map, that includes street and topographical features, has been completed. The public can access the tax maps and the GIS mapping on the Borough's website. Mr. DeNave and Mr. Williams demonstrated some of the interactive features of the GIS mapping. As more data and information becomes available, the GIS mapping features can be expanded.

Mr. DeNave also introduced the "Construction Permit Portal," which has been added to the Building Construction webpage. The portal allows residents who have filed construction permits to review the status of their building permits.

Pilgrim Pipeline Update – Council Member Len Resto provided an update on the progress of the Pilgrim Pipeline Municipal Group and the Pilgrim Pipeline Advisory Committee. He reported that twelve municipalities in the Pilgrim Pipeline Municipal Group have signed on to the legal retainer agreement. Four municipalities are currently reviewing their participation; fifteen municipalities are needed. Council Member Resto further reported that the Pilgrim Pipeline Municipal Group has been informed that Ares Management, which has invested in Pilgrim Pipeline, has a 50% interest in the Linden co-generation plant and is pursuing the purchase of the former Hess refinery located in Linden. He mentioned that the former Hess refinery may be an alternate option to Pilgrim Pipeline's proposed use of the Phillips 66 refinery.

Mayor Harris confirmed that the Borough has committed \$6,000 for its participation in the legal retainer and mentioned that the legal retainer provides for the potential drafting of a model municipal ordinance that would prohibit pipelines, as well as requesting a legal opinion regarding the New Jersey Highlands Council's authority. He reported that the participating municipalities in the legal retainer agreement have authorized counsel to proceed with these two legal matters so that municipal ordinances could be reviewed, developed or adopted in advance of Pilgrim Pipeline initiating the permitting process with the New Jersey Department of Environmental Protection, even though less than 15 communities have signed on.

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.

Andrea Skarra, Orchard Road, questioned whether the Borough would budget additional monies to oppose Pilgrim Pipeline should the matter become an ongoing legal battle. She commented that \$6,000 doesn't not seem like enough money to pursue and protect the Borough's interests. Council President Lonergan advised that additional money was not budgeted for a drawn out legal contest and suggested that an LLC should be created to help raise private funding.

William Heap, Hillside Avenue, representing the Chatham Jaycees, presented the t-shirt designed for this year's 39th Annual Fishawack Run, which will be held on June 11th. He announced that the one-mile fun run will start at 9:00 a.m. at the train station; the four-mile competitive race will begin at 9:30 a.m. He also mentioned that the Chatham Jaycees will be announcing their Distinguished Service Award after its May 24th meeting. The award dinner will be held at the Meyersville Inn on June 14th.

Mayor Harris thanked Mr. Heap and the Chatham Jaycees for making Fishawack a fun day and for raising money for good causes.

Seeing no one else wishing to comment, Mayor Harris closed the meeting to the public and proceeded with the Ordinance scheduled for second reading.

ORDINANCE FOR SECOND READING

Mayor Harris asked Council Member Collander to proceed with Ordinance #16-05.

Council Member Collander read Ordinance #16-05 entitled:

ORDINANCE #16-05

CAPITAL ORDINANCE OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE CONSTRUCTION OF A NEW PARKING LOT AT THE WASHINGTON AVENUE SCHOOL AND THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO OLIVER STREET IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$110,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A CONTRIBUTION FROM THE BOARD OF EDUCATION OF THE CHATHAMS

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 9, 2016.

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

The Borough Clerk stated that a legal notice was published indicating that Ordinance #16-05 was introduced and passed on first reading at the May 9, 2016 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on May 23, 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 opened the public hearing on the Ordinance and invited any member of the public to be heard.

Brian Becker, 40 Orchard Road, expressed his opposition to the construction of the Washington Avenue School parking lot and urged the Council to postpone the adoption of the ordinance. He commented that the school parking lot has vacant parking spaces and questioned why a new parking lot is needed.

Stewart Carr, 3 Crestwood Drive, Chatham Township, voiced his opposition to the construction of the Washington Avenue School parking lot and questioned whether on-street parking could be explored before another parking lot is constructed. He expressed concerns about drainage issues and inquired whether a rain garden or pervious pavement coverage could be explored to help alleviate the direct run-off of storm water into the storm drains.

David Hock, 103 Washington Avenue, commented that he contacted Borough Engineer, Vince DeNave, earlier in the day and was informed that the site plan for the proposed Washington School Avenue parking lot were received today and that Mr. DeNave had not yet reviewed the details of the site plan. He requested that the Council postpone voting on Ordinance #16-05 until all Council Members and the Borough Engineer have had an opportunity to review the site plan.

Seeing no one else wishing to be heard, Mayor Harris closed the public hearing.

Mayor Harris opened Ordinance #16-05 for Council discussion.

Council President Lonergan asked Mr. DeNave to confirm if any changes have been made to the original scope of the Washington Avenue School parking lot project. Mr. DeNave responded that his office received the project plans earlier today and mentioned that he has not had the opportunity to review the details of the construction plans, but that the scope of the project did not change.

Council President Lonergan further clarified that the purpose of Ordinance #16-05 is to allow the Borough to enter into a shared service with the school district, which he commented would be in the best interest to save taxpayer costs.

Council Member Fife reported that the Planning Board has not yet performed a courtesy review of the proposed Washington Avenue School parking lot site plan.

Council Member Hoffman suggested that all concerns regarding the Washington School parking lot project should be brought before the Board of Education, which has jurisdiction on the project.

Mayor Harris agreed and further commented that the school district has been responsive to citizen concerns. He mentioned that the school district has been exploring the expansion of parking at the Washington Avenue School for several years. He also clarified that the purpose of the Planning Board's courtesy review is to advise on whether the proposed project is consistent with the Borough's Master Plan.

Mayor Harris closed Council comment and asked Council Member Collander to proceed with a motion.

Council Member Collander offered the Ordinance and moved 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 President Lonergan seconded the motion.

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

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

Mayor Harris declared this Ordinance adopted and finally passed and requested the Borough Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

REPORTS

COUNCIL COMMITTEE REPORTS

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

Long Range Traffic & Pedestrian Safety Planning - Council Member Collander advised that overnight parking and Dellwood Avenue matters were discussed at the Committee's May 12th meeting. Meeting notes have been distributed to Mayor Harris and the Council. He stated that the Committee would present its recommendations to the Council regarding parking regulations on Dellwood Avenue in the near future.

Public Safety & Emergency Services - Council Member Collander had nothing new to report.

Personnel - Council Member Resto reported that the Committee would be meeting on Wednesday, May 25th to discuss the police lieutenant position selection process.

Public Works Planning/Community Services - Council Member Fife reported that the Farmers' Market opens for the season on Saturday, June 11th at 8:00 a.m. She further reported that this year's Fishawack Festival will feature a "movie under the stars" at night and stated that Legends Gallery will feature Women's World Cup Soccer Champion, Carli Lloyd, who would be present to sign autographs during Fishawack.

Shared Services & 3rd Party Agreements - Council Member Helfrich was absent.

MAYOR'S REPORT

Mayor Bruce Harris reported that on Saturday he presented a proclamation to Boy Scout Troop 8, which celebrated its 100th year anniversary, and proclaimed May 14, 2016 as Boy Scout Troop 8 Day. He commended the scouts on their community projects and applauded the leaders of Troop 8 for their mentoring efforts in producing approximately 150 Eagle Scouts over the years.

ADMINISTRATOR'S REPORT

Mr. Falzarano reported that department heads recently met to discuss the Zika virus. Information received from the Board of Health would be posted on the Borough website. He also reported that the Department of Public Works has finished removing tree limbs from the lot adjacent to Memorial Park and advised that dead trees would be scheduled to be taken down. Mr. Falzarano reported that Council Member Resto, Janice Piccolo, Director of Community Services, and himself attended the Morris County Open Space Trail Grant workshop. A resolution authorizing the submission of a Letter of Intent for a Grant Application will be on the June 13th agenda. Lastly, he reported that Borough Hall summer hours begin Friday, June 3rd. Borough Hall offices will close at 1:00 p.m. on Fridays from June 3rd until September 9th.

Mayor Harris advised that the Environmental Commission would be taking the lead on the trail grant, which relates to the trail project discussed with Summit. He mentioned that a lot of work has been completed in developing the trail project and associated costs to be able to be in a good position to apply for grant.

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 #16-201 through Resolution #16-210 have been placed on the Consent Agenda.

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

None.

CONTRACTS

RESOLUTION #16-201

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO M. SKY
CONSTRUCTION CORPORATION FOR THE 2016 SIDEWALK AND CURB
IMPROVEMENT PROGRAM**

WHEREAS, the Borough of Chatham has the annual need to bid out services for curb and sidewalk improvements; and

WHEREAS, the Borough received eight (8) bids for the 2016 Sidewalk and Curb Improvement Program; and

WHEREAS, the bid submitted by M. Sky Construction Corporation, Lake Hopatcong, New Jersey, in the amount of \$131,900.00 was the lowest responsible bidder; and

WHEREAS, the Borough Engineer has reviewed all bids and finds the lowest bidder qualified and the bid documents to be acceptable; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in General Capital Fund Account #C-04-55-916-003 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham hereby authorizes the award of a contract to M. Sky Construction Corporation in the amount not to exceed \$131,900.00; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute a contract with M. Sky Construction Corporation for the 2016 Curb and Sidewalk Improvement Program; 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 #16-202

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT WITH RAY NEBIKER
FOR ELECTRICAL UPGRADES TO WELL #2**

WHEREAS, there exists a need to contract for electrical upgrades to Well #2 located at the Department of Public Works building, with such electrical upgrades to include a new transformer, electrical panel, lights, and service wire, as well as the installation of a new generator, transfer switch and soft starter; and

WHEREAS, because the anticipated contract amount is less than the Borough's bid threshold of \$40,000.00, but 15% or more of that amount, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires the Borough to solicit at least two (2) competitive quotations for said work; and

WHEREAS, the Borough solicited two (2) quotations from Ray Nebiker and ARS Electric and Design LLC; and

WHEREAS, by proposal dated February 8, 2016, Ray Nebiker submitted the lowest responsible quotation for said work with an aggregate contract amount of \$33,343.00; and

WHEREAS, upon the recommendation of the Borough Engineer and the Borough's Qualified Purchasing Agent, the Borough Council wishes to authorize the Mayor to execute a contract with Ray Nebiker for electrical upgrades to Well #2 in accordance with the scope of work and contract amount as set forth in his proposal dated February 8, 2016; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Water Capital Fund Account #W-06-55-915-504 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 contract with Ray Nebiker for electrical upgrades to Well #2 in accordance with the scope of work and contract amount as set forth in his proposal dated February 8, 2016; 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 #16-203

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT WITH STEWART AND STEVENSON POWER PRODUCTS LLC D/B/A ATLANTIC POWER SYSTEMS FOR THE PURCHASE OF A GENERATOR AND FUEL TANK IN CONNECTION WITH ELECTRICAL UPGRADES TO WELL #2

WHEREAS, there exists a need to contract for the purchase of a 12 kw diesel generator and sub-base fuel tank in connection with electrical upgrades to Well #2 located at the Department of Public Works building; and

WHEREAS, because the anticipated contract amount is less than the Borough's bid threshold of \$40,000.00, but 15% or more of that amount, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires the Borough to solicit at least two (2) competitive quotations for said work; and

WHEREAS, the Borough solicited three (3) quotations from Stewart and Stevenson Power Products LLC d/b/a Atlantic Power Systems ("Atlantic"), ARS Electric and Design LLC, and Warshauer Generator, LLC; and

WHEREAS, by proposal dated January 18, 2016, Atlantic submitted the lowest responsible quotation for said work with an aggregate contract amount of \$36,552.00; and

WHEREAS, upon the recommendation of the Borough Engineer and the Borough's Qualified Purchasing Agent, the Borough Council wishes to authorize a contract with Atlantic for the purchase of a 12 kw diesel generator and sub-base fuel tank in connection with electrical upgrades to Well #2 in accordance with the scope of work and contract amount set forth in his proposal dated January 18, 2016; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Water Capital Fund Account #W-06-55-915-502 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 contract by purchase order with Atlantic for the purchase of a 12 kw diesel generator and sub-base fuel tank in connection with electrical upgrades to Well #2 in accordance with the scope of work and contract amount set forth in Atlantic's proposal dated January 18, 2016.

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 #16-204

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 #16-205

RESOLUTION REFUNDING REDEMPTION OF TAX SALE CERTIFICATE #2013-2

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the following tax sale redemption refund should be made to the lienholder:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>
71/16	Benoint, Frances 8 Kimball St Redemption of Tax Sale Certificate #2013-2 Please make check payable & mail to: John Venutolo 1 Willow Street Chatham, NJ 07928	\$15,611.45 Redemption

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Borough Tax Collector is hereby authorized to issue a refund for the redemption of Tax Sale Certificate #2013-2 as herein referenced.

RESOLUTION #16-206

RESOLUTION INSERTING AN ITEM OF REVENUE IN THE ADOPTED 2016 MUNICIPAL BUDGET

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

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

WHEREAS, the Borough has received a check for \$19,220.94 from the New Jersey Department of Treasury for the FY2016 Clean Communities Grant.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Borough of Chatham hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the adopted 2016 Municipal Budget in the sum of \$19,220.94, which item is now available as a revenue from a Grant received from the State of New Jersey pursuant to the provisions of the herein referenced statute; and

BE IT FURTHER RESOLVED, that the sum of \$19,220.94, be made and the same is hereby appropriated under the caption of: CLEAN COMMUNITIES-2016, Account #G-01-41-770-201, in the amount of \$19,220.94; and

BE IT FURTHER RESOLVED, that the insertion of the item of revenue is the result of monies being provided to the municipality pursuant to N.J.S.A. 40A:4-87; and

BE IT FURTHER RESOLVED, that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services as required by law.

BOARDS, COMMISSIONS AND COMMITTEES

RESOLUTION #16-207

RESOLUTION APPOINTING DEREK SHENDELL TO THE CHATHAM BOROUGH BOARD OF HEALTH AS THE ALTERNATE NO. 2 MEMBER

WHEREAS, N.J.S.A. 26:3-5 sets forth that the alternate members of the Board of Health shall be appointed by the Mayor with the advice and consent of the Council and in the event of a vacancy, the term of appointment shall be only for the unexpired term; and

WHEREAS, Chapter 23 of the Revised Codes of the Borough of Chatham, §23-2, sets forth that alternate members shall be designated at the time of appointment as either "Alternate No. 1" or "Alternate No. 2" and that the term shall be for two years; and

WHEREAS, there currently exists an Alternate No. 2 member vacancy on the Chatham Borough Board of Health; and

WHEREAS, Derek Shendell has expressed interest in being appointed to the Chatham Borough Board of Health; and

WHEREAS, Mayor Bruce Harris wishes to appoint Derek Shendell to the Chatham Borough Board of Health to fill the vacant, unexpired 2-year Alternate No. 2 member position, with such term expiring on December 31, 2017.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayoral appointment of Derek Shendell to the Chatham Borough Board of Health as the Alternate No. 2 member, as herein referenced is hereby approved.

LAW AND PUBLIC SAFETY

RESOLUTION #16-208

RESOLUTION AUTHORIZING THE LEASE OF ONE (1) NEW AND UNUSED 2016 FORD INTERCEPTOR UTILITY MARKED POLICE VEHICLE FOR THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase of goods or services is made through a county cooperative purchasing program; and

WHEREAS, the Chatham Borough Police Department has a need to lease one (1) new and unused 2016 Ford Interceptor Utility marked police vehicle; and

WHEREAS, the Police Department recommends that an award of the contract be made through the Morris County Cooperative Purchasing Program, Contract # 15A – item #5, for the lease of one (1) new and unused 2016 Ford Interceptor Utility marked police vehicle from Beyer Fleet in East Hanover,

NJ to be financed through Ford Credit in the amount of \$39,135.64 for a term of 36 months at 6.50%, with an annual payment amount of \$13,874.80; and

WHEREAS, the Chief Financial Officer has provided a certification of availability of funds in the amount not to exceed \$13,874.80 from Current Fund account # 6-01-25-240-295, the first of three (3) annual payments.

BE IT RESOLVED by the Council of the Borough of Chatham that the Mayor is hereby authorized to sign the Ford Motor Credit Company Municipal Finance Application for the lease of one (1) new and unused 2016 Ford Interceptor Utility marked police vehicle from Beyer Fleet in East Hanover, NJ to be financed through the Ford Motor Credit Company under the Morris County Cooperative Purchasing Program; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute the contract for said lease contingent upon the review and approval by the Borough Attorney; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to approve and forward a Purchase Order to Ford Motor Credit in the amount \$13,874.80.

RESOLUTION #16-209

RESOLUTION ENDORSING THE 2016 *CLICK IT OR TICKET* CAMPAIGN AND NATIONAL SEAT BELT ENFORCEMENT MOBILIZATION MAY 23-JUNE 5, 2016 IN THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

WHEREAS, the safety and security of our citizens in Chatham Borough and surrounding communities are vitally important; and

WHEREAS, a large percentage of our citizens regularly drive or ride in motor vehicles on our roadways; and

WHEREAS, the effort of this year's *Click It or Ticket Campaign* focuses on nighttime seat belt enforcement since the National Highway Traffic Safety Administration's statistics show that unbelted fatalities are more prevalent during evening hours; and

WHEREAS, regular seat belt use is the single most effective way to reduce fatalities in motor vehicle crashes; and

WHEREAS, the use of seat belts is supported by the laws of Chatham Borough and increased enforcement of seat belt laws coupled with publicity has proven to be an effective method to increase seat belt use rates and decrease fatal crashes; and

WHEREAS, May 23rd through June 5th, 2016 has been selected as the National Seat Belt Enforcement Mobilization Program *Click It or Ticket* enforcement period and across the country law enforcement officers will actively be participating in the mobilization to ensure all motor vehicle occupants are buckled up day and night to reduce the risk of injury and death caused in traffic crashes.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, in the State of New Jersey, that the Chatham Borough Police Department's participation in the National Seat Belt Enforcement Mobilization Program *Click It or Ticket* May 23rd through June 5th, 2016 is hereby authorized and endorsed; and

BE IT FURTHER RESOLVED, that all motorists are urged to always wear seat belts when driving or riding on our roadways.

OTHER

RESOLUTION #16-210

RESOLUTION GRANTING PERMISSION TO THE CHATHAM EMERGENCY SQUAD TO HOLD ITS ANNUAL PICNIC AT SHEPARD KOLLOCK PARK ON JUNE 4, 2016

WHEREAS, by Resolution #16-117 adopted on February 8, 2016, permission was granted to the Chatham Emergency Squad to hold its annual picnic at Shepard Kollock Park on May 14, 2016; and

WHEREAS, Resolution #16-117 further granted permission to the Chatham Emergency Squad to dispense alcoholic beverages at its picnic contingent upon the organization obtaining a Social Affairs Permit from the Division of Alcoholic Beverage Control pursuant to R.S. Title 33, C.1; and

WHEREAS, the Division of Alcoholic Beverage Control has issued Social Affairs Permit #31328 to the Chatham Emergency Squad dated March 7, 2016 with an expiration date of May 14, 2016; and

WHEREAS, due to rain on May 14, 2016, the Chatham Emergency Squad seeks to reschedule its annual picnic at Shepard Kollock Park to June 4, 2016; and

WHEREAS, the Clerk's office has confirmed that the Division of Alcoholic Beverage Control has approved the June 4, 2016 change of date for Social Affairs Permit #31328.

BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Chatham does hereby grant permission for the Chatham Emergency Squad to hold its rescheduled annual picnic at Shepard Kollock Park on June 4, 2016; and

BE IT FURTHER RESOLVED, that permission is granted to the Chatham Emergency Squad to dispense alcoholic beverages at its picnic in accordance with Social Affairs Permit #31328; 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 President Lonergan moved to approve Resolution #16-201 through Resolution #16-210. Council Member Resto seconded the motion. A vote was taken and Resolution #16-201 through Resolution #16-210 listed on the Consent Agenda were approved unanimously.

ADMINISTRATION OF OATH(S) OF OFFICE

The Borough Clerk administered the oath of office to Derek Shendell, who was appointed to the Board of Health as the Alternate No. 2 Member by Resolution #16-207.

ADD-ON RESOLUTIONS

None.

Mayor Harris asked Council Member Resto to proceed with Resolution #16-211.

Council Member Resto read Resolution #16-211:

RESOLUTION #16-211

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:

- | | |
|----------------------------|---|
| Attorney-Client Privilege: | 1. Tax Abatements – Mr. Lott
2. Property Easement – Mr. Lott |
| Litigation Matter: | 1. Affordable Housing Declaratory Action – Mr. Lott |
| Contract Matter: | 1. Madison-Chatham Joint Meeting Contract – 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.

Council Member Resto moved to approve Resolution #16-211. Council Member Collander seconded the motion. A vote was taken and Resolution #16-211 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 at 9:43 p.m.

Respectfully Submitted:

Robin R. Kline

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