

**AGENDA**  
**Tuesday, October 10, 2017**

**Regular Meeting**  
**Mayor and Borough Council**

**Borough of Chatham**  
**54 Fairmount Avenue**  
**Chatham, NJ 07928**

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**CALL MEETING  
TO ORDER**

The meeting will be called to order at 7:30 p.m.

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**SALUTE TO FLAG**

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**MOMENT OF SILENCE**

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**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 official 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 was filed with the Borough Clerk, all on January 5, 2017.

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**ROLL CALL**

Mayor Bruce A. Harris  
Council Member James J. Collander  
Council Member James Lonergan  
Council President Victoria Fife  
Council Member Gerald J. Helfrich  
Council Member Leonard Resto  
Council Member Peter Hoffman  
Stephen W. Williams, Acting Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Robin R. Kline, Borough Clerk

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**PROCLAMATION**

**RESOLUTION #17-289**

**RESOLUTION CELEBRATING SATURDAY NOVEMBER 25, 2017 AS SMALL BUSINESS SATURDAY®**

**WHEREAS**, small businesses are the cornerstone of our free enterprise system and since the birth of our country have represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

**WHEREAS**, small business owners who work long hours, juggle family and business responsibilities and serve as community volunteers, are integral to our country's prosperity and to the vibrancy of our community; and

**WHEREAS**, small businesses represent 99 percent of American companies, create two-thirds of the net new jobs and generate half of the private gross domestic product; and

**WHEREAS**, 93 percent of United States consumers believe it's important to support the local small businesses they value in their community and agree that locally owned independent businesses contribute positively through providing jobs and paying taxes; and

**WHEREAS**, the Borough of Chatham enthusiastically supports our local businesses and recognizes the important contribution they make in creating jobs, boosting our local economy and preserving our neighborhoods; and

**WHEREAS**, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday®.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby celebrate Saturday, November 25, 2017 as Small Business Saturday® and encourage all Borough residents to support our community's small businesses and merchants on Small Business Saturday® and throughout the year.

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**RESOLUTION #17-290**

**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:

September 25, 2017

And,

**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:

September 25, 2017

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**DISCUSSION ITEMS**

1. Shade Tree Commission Update – Colleen Truppo, Chair
2. Capital Projects and Inflow and Infiltration Update – Vince DeNave, Borough Engineer
3. 2018 Parking Fees – Council Member 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.

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**REPORTS**

**Council Committees**

**Budget and Finance**

Council Member James Lonergan

**Long Range Traffic & Pedestrian Safety Planning**

Council Member James J. Collander

**Public Safety & Emergency Services**

Council Member James J. Collander

**Personnel**

Council Member Leonard Resto

**Public Works Planning/Community Services**

Council President Victoria Fife

**Shared Services & 3<sup>rd</sup> Party Agreements**

Council Member Gerald Helfrich

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## MAYOR'S REPORT

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## ADMINISTRATOR'S REPORT

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### CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Resolution #17-291 through Resolution #17-297 have been placed on the Consent Agenda.

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

#### RESOLUTION #17-

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### FINANCE

#### RESOLUTION #17-291

#### 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 #17-292

#### RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL DELINQUENT PROPERTY TAXES DEEMED NOT COLLECTIBLE

**WHEREAS**, N.J.S.A 54:4-91.1 sets forth that the Tax Collector shall file with the governing body a list of delinquent taxes that appear on the tax rolls and which s/he deems are not collectible and should be cancelled; and

**WHEREAS**, the Tax Collector has provided a *Report of Delinquent Taxes Deemed Uncollectible* dated September 20, 2017 to the Mayor and Borough Council listing that delinquent taxes appear on the tax rolls for the following properties:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX YEAR</u>
42/10	New Jersey Department of Transportation Route 24	\$18,005.54	2016
85/18	Borough of Chatham Private Road off Fairmount Avenue	\$ 48.35	2016

And,

**WHEREAS**, the Tax Collector has confirmed that the subject properties are tax exempt parcels and the delinquent tax amounts appearing on the tax rolls are deemed not collectible and should be cancelled; and

**WHEREAS**, N.J.S.A. 54:4-91.2 sets forth that within sixty days after the filing of the *Report of Delinquent Taxes Deemed Uncollectible*, the governing body, if satisfied that the property taxes are not collectible, shall by resolution release the Tax Collector from the collection thereof and order the delinquent tax amounts appearing on the tax rolls canceled; and

**WHEREAS**, the Mayor and Council has reviewed the *Report of Delinquent Taxes Deemed Uncollectible* and are satisfied that the delinquent tax amounts appearing on the tax rolls for the subject properties are not collectible.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Tax Collector is hereby released from the collection of the delinquent tax amounts for the subject properties as herein referenced and authorizes the Tax Collector to cancel the delinquent tax amounts deemed not collectible.

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## **PERSONNEL**

### **RESOLUTION #17-293**

#### **RESOLUTION PROMOTING CARLOS TOBON TO THE POSITION OF EQUIPMENT OPERATOR IN THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Director of Public Works posted the job opening for the position of Equipment Operator in the Department of Public Works and applications were solicited from interested employees in the Chatham Borough Public Works Department; and

**WHEREAS**, Public Works Director Tony Torello reported that three employees applied for the position and that the selection committee conducted interviews to determine each candidate's qualifications; and

**WHEREAS**, after interviews were conducted, the selection committee agreed that Carlos Tobon met or exceeded the qualifications and work requirements outlined in the Equipment Operator job description and has recommended him for promotion to the position of Equipment Operator in the Department of Public Works, effective as of October 16, 2017; and

**WHEREAS**, the starting salary for this position shall be \$74,821.00, pro-rated for the remainder of the 2017 calendar year.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the selection committee and hereby promote Carlos Tobon to the position of Equipment Operator in the Department of Public Works, effective October 16, 2017 at the starting annual salary of \$74,821.00, pro-rated for the remainder of the 2017 calendar year; and

**BE IT FURTHER RESOLVED**, that the promotion shall be subject to the terms and conditions contained in the memo from the Director of Public Works to the Acting Borough Administrator dated September 29, 2017.

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## **OTHER**

### **RESOLUTION #17- 294**

#### **RESOLUTION AUTHORIZING THE FILING OF THE 2017 BEST PRACTICES INVENTORY WITH THE DIVISION OF LOCAL GOVERNMENT SERVICES**

**WHEREAS**, the Best Practices Inventory encourages municipalities to embrace practices that promote financial accountability, sound management and transparency; and

**WHEREAS**, the New Jersey Division of Local Government Services requires every municipality to complete a Best Practices Inventory each year and which must be scheduled as an agenda item for discussion at a municipal governing body meeting; and

**WHEREAS**, the 2017 Best Practices Inventory was scheduled as an agenda item for discussion at a regularly scheduled meeting of the Mayor and Council on September 11, 2017; and

**WHEREAS**, the Acting Borough Administrator and Chief Financial Officer have certified to the completion of the 2017 Best Practices Inventory, and the Borough Clerk has certified that the 2017 Best Practices Inventory was discussed by the Mayor and Council at its September 11, 2017 meeting and the proceeding referenced in the meeting minutes.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Chief Financial Officer is hereby authorized to file the certified 2017 Best Practice Inventory with the Division of Local Government Services no later than October 20, 2017.

#### **RESOLUTION #17-295**

#### **RESOLUTION ACCEPTING THE BEQUEST IN THE AMOUNT OF \$5,000.00 FROM THE ESTATE OF JOHN M. KRUSKI TO THE CHATHAM BOROUGH POLICE DEPARTMENT**

**WHEREAS**, N.J.S.A. 40A:5-29 authorizes a municipality to accept bequests, legacies and gifts made to a local municipal unit; and

**WHEREAS**, the Chatham Borough Police Department is named as a beneficiary under Mr. John M. Kruski's will (the "Will") of a bequest in the amount of \$5,000.00; and

**WHEREAS**, the Notice of Probate that is required by law to be issued to all beneficiaries and next of kin, together with a copy of the decedent's Will, has been issued by the Morris County Surrogate's Court to the Chatham Borough Police Department; and

**WHEREAS**, the Mayor and Council wish to thank Mr. Kruski's estate for his generosity and accept the bequest as in the best interest of the Chatham Borough Police Department and the Borough.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby accept the bequest in the amount of \$5,000.00 from the Estate of John M. Kruski to the Chatham Borough Police Department; and

**BE IT FURTHER RESOLVED**, that Stephen W. Williams, Acting Borough Administrator, is authorized to acknowledge receipt of the Notice of Probate on behalf of the Chatham Borough Police Department and to provide copies of the Borough's federal employer identification number and Internal Revenue Service letter of determination recognizing its tax exempt status as required.

#### **RESOLUTION #17-296**

#### **RESOLUTION ACCEPTING THE BEQUEST IN THE AMOUNT OF \$5,000.00 FROM THE ESTATE OF JOHN M. KRUSKI TO THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, N.J.S.A. 40A:5-29 authorizes a municipality to accept bequests, legacies and gifts made to a local municipal unit; and

**WHEREAS**, the Chatham Borough Volunteer Fire Department is named as a beneficiary under Mr. John M. Kruski's will (the "Will") of a bequest in the amount of \$5,000.00; and

**WHEREAS**, the Notice of Probate that is required by law to be issued to all beneficiaries and next of kin, together with a copy of the decedent's Will, has been issued by the Morris County Surrogate's Court to the Chatham Borough Police Department; and

**WHEREAS**, the Mayor and Council wish to thank Mr. Kruski's estate for his generosity and accept the bequest as in the best interest of the Chatham Borough Volunteer Fire Department and the Borough.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby accept the bequest in the amount of \$5,000.00 from the Estate of John M. Kruski to the Chatham Borough Police Department; and

**BE IT FURTHER RESOLVED**, that Stephen W. Williams, Acting Borough Administrator, is authorized to acknowledge receipt of the Notice of Probate on behalf of the Chatham Borough Volunteer Fire Department and to provide copies of the Borough's federal employer identification number and Internal Revenue Service letter of determination recognizing its tax exempt status as required.

#### **RESOLUTION #17-297**

#### **RESOLUTION APPROVING AND AUTHORIZING THE REVISION AND AMENDMENT TO THE 2018 MUNICIPAL STATE AID GRANT APPLICATION SUBMITTED FOR THE HILLSIDE AVENUE ROAD IMPROVEMENT PROJECT**

**WHEREAS**, Resolution #17-284 adopted on September 25, 2017 authorized the submission of a grant application to the New Jersey Department of Transportation for the 2018 Municipal Aid Grant Program for the Hillside Avenue Road Improvement Project (the "Project"); and

**WHEREAS**, the cost estimate prepared by the Borough Engineer for the Project has been revised; and

**WHEREAS**, the Borough Engineer recommends that the Borough revise and amend its submitted 2018 Municipal Aid Grant Program application to reflect a revised grant request in the amount of \$203,303.33 and a municipal match in the amount of \$30,495.50 for the Project.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the Borough Engineer's recommendation and hereby approve and authorize the revision and amendment to the Borough's 2018 Municipal Aid Grant Program application submitted for the Hillside Avenue Road Improvement Project to reflect a revised grant request in the amount of \$203,303.33 and municipal match in the amount of \$30,495.50; 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.

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#### **CONSENT AGENDA VOTE:**

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #17-291 through #17-297.

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:\_\_\_\_\_.

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#### **ADD-ON RESOLUTIONS**

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## **RESOLUTION #17-298**

### **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. PBA Collective Bargaining – Mr. Williams

Litigation: 1. 4 Watchung Avenue LLC v. Borough of Chatham - 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.

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### **ADJOURNMENT**