

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

May 8, 2017 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, May 8, 2017 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 5, 2017.

ROLL CALL

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

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
Robert J. Falzarano, Borough Administrator (arrived 7:35 p.m.)
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

Mayor Harris asked Council Member Helfrich to proceed with Resolution #17-172.

Council Member Helfrich read resolution #17-172.

PROCLAMATION

RESOLUTION #17-172

PARENTS WHO HOST, LOSE THE MOST DON'T BE A PARTY TO TEENAGE DRINKING CAMPAIGN

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being; and

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems; and

WHEREAS, it is illegal to give or allow your teen's friends to drink alcohol in your home, even with their parents' permission, and anyone found guilty of providing alcohol to youth can face up to a \$1,000 fine and six months in jail in addition to any civil action that can be brought as a result of damages or injury related to the offense; and

WHEREAS, adults have the authority and responsibility to provide our youth with alternative opportunities by creating alcohol free activities; and

WHEREAS, the Drug-Free Action Alliance, through the "Parents Who Host, Lose The Most: Don't be a Party to Teenage Drinking" campaign provides the educational materials to raise community awareness regarding this illegal and unhealthy practice;

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby proclaim the month of June 2017 to be the Parents Who Host, Lose The Most: Don't be a Party to Teenage Drinking Month in the Borough of Chatham; and

BE IT FURTHER RESOLVED, that Borough officials not only discourage the use of alcohol by those below the legal age of consumption, but also urge all Borough citizens to refuse to provide alcoholic beverages to underage youth and to continue to take the necessary steps to discourage this illegal and unhealthy activity.

Council Member Helfrich made a motion to approve Resolution #17-172. Council Member Collander seconded the motion. A vote was taken and Resolution #17-172 was unanimously approved.

Mayor Harris presented Kelly Loofbourrow, Chair, and Vince Fiorito, Co-Chair, of the Municipal Alliance Committee of the Chathams with the Resolution.

Ms. Loofbourrow and Mr. Fiorito thanked Mayor Harris and the Council for their continued support of the Municipal Alliance Committee of the Chathams over the past 9 years. Ms. Loofbourrow mentioned that the Municipal Alliance of the Chathams is working with the school district, the Madison Chatham Coalition, local law enforcement, and Chatham Township and Chatham Borough officials in promoting preventative drug and alcohol programs. She welcomed anyone who is interested to join them.

Mayor Harris asked Council Member Collander to proceed with Resolution #17-173.

Council Member Collander read resolution #17-173.

RESOLUTION #17-173

DESIGNATING THE WEEK OF MAY 21-27, 2017 AS NATIONAL EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, Emergency Medical Services are a vital public service, providing lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, the Emergency Medical Services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, Emergency Medical Services are now firmly established as a key component of the medical care continuum and EMS practitioners serve a vital role in saving lives from sudden cardiac arrest and trauma; in getting people to the hospitals best equipped to treat heart attacks and strokes; and in showing caring and compassion to their patients in their most difficult moments; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the all-volunteer Chatham Emergency Squad has primary responsibility for responding to medical emergencies in the Chathams and provides CPR training and First Aid training to residents of the Chathams to improve preparedness for medical emergencies; and

WHEREAS, our community is fortunate to be served by such dedicated volunteers who give their time in service of the Chatham Emergency Squad and engage in hundreds of hours of specialized training to enhance lifesaving knowledge and skills; and

WHEREAS, National Emergency Medical Services Week brings together local communities and medical personnel to publicize safety and honor the dedication of those who provide the day-to-day lifesaving services of medicine's "front line."

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they do hereby proclaim the week of May 21-27, 2017 as Emergency Medical Services Week in the Borough of Chatham and give a heartfelt thanks to the dedicated volunteers of the Chatham Emergency Squad; and

BE IT FURTHER RESOLVED that residents are encouraged to join the Chatham Emergency Squad and become part of an organization, which has proudly served the Chathams since 1936.

Council Member Collander made a motion to approve Resolution #17-173. Council Member Helfrich seconded the motion. A vote was taken and Resolution #17-173 was unanimously approved.

Council Member Collander thanked the Chatham Emergency Squad for the vitally important services it provides to the community and applauded the volunteers for their dedication of service.

Mr. Steve Davenport, Operations Lieutenant with the Chatham Emergency Squad, accepted the Resolution from Mayor Harris and thanked him and the Borough Council for recognizing the Chatham Emergency Squad. He also recognized and thanked the Police, Fire and Public Works Departments, as well as the Administration for their support and partnerships.

Mayor Harris thanked all volunteer members of the Chatham Emergency Squad for their extraordinary service to the community.

Mayor Harris proceeded with Resolution #17-174.

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:

April 24, 2017

May 1, 2017 Special Meeting

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:

May 1, 2017 Special Meeting

Council Member Resto made a motion to approve Resolution #17-174. Council Member Lonergan seconded the motion. A vote was taken and Resolution #17-174 was approved unanimously.

DISCUSSION ITEMS

2017-2018 School District of the Chathams Budget – Dr. Michael LaSusa, Superintendent of the School District of the Chathams, and Ms. Jill Critchley Weber, President of the Board of Education, presented an overview of the proposed 2017/2018 school district budget.

Dr. LaSusa opened the presentation by reporting on the three major factors that affected the 2017/2018 school budget: State aid, increases in student enrollment, and rising health insurance costs. He reported that the funding formula used by the state to allocate state aid, disproportionately and negatively affects the school district. He reported that while student enrollment continues to increase, state aid funding has continued to decrease.

The School District of the Chathams per pupil budgetary cost is \$14,858, which was reported to be lower than similar school districts such as Princeton, Millburn, Summit and Madison. Dr. LaSusa further reported that 4,206 students are currently enrolled district-wide. Approximately 600 students are enrolled in the special needs program (15% of total student enrollment). Student classroom size averages about 25 students.

Ms. Critchley Weber reported that health insurance costs increased 14.5% for the school district. She reported that the school district continues to address the rising cost of healthcare plan benefits by examining healthcare plan options with its broker and now offers two health plans. Incentives are provided to those employees who select the high deductible POS healthcare plan. She mentioned that collective bargaining negotiations have been successful in limiting “richer” plans previously given and confirmed that all employees contribute to their health insurance premiums in accordance with Chapter 78.

Ms. Critchley Weber then reported that the school district’s 2017/2018 Local Tax Levy is \$61,921,960, representing a 2.95% increase. The estimated school tax impact for a home assessed at \$670,694 in the Borough would increase \$280.75.

The Council inquired how the Board of Education would be paying for the recently approved \$2.6 million central office building. Ms. Critchley Weber responded that the funding for the construction of the new central office building will come from its capital reserves plus and additional \$500,000 will come from from excess surplus. Dr. LaSusa further explained that the Board of Education offices have outgrown its facilities, and the red barn building has been deemed inhabitable. The new central office building will house all administrative staff and files at one secure location.

Mayor Harris and the Borough Council thanked Dr. LaSusa and Ms. Critchley Weber for their informative presentation.

In the interest of the late hour, Mayor Harris changed the order of the agenda and proceeded with opening the meeting to the public for comments.

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.

Rosanne Maraziti, 50 Inwood Road, expressed her support of the artwork on the traffic signal box on the corner of Fairmount Avenue and Watchung Avenue. She proposed that the Public Arts Council work with the homeowner to determine artwork for the traffic signal box that would be mutually-agreeable and requested that the Mayor and Council postpone Resolution #17-178 until a compromise can be achieved.

April Kabbash, 60 Watchung Avenue, praised the “Green Takes Back Grey” initiative and expressed her support for the artwork that was begun on the traffic signal box at the corner of Fairmount Avenue and Watchung Avenue. She stated that children walking to and from school have learned more about the artistic process by seeing the artist’s day-by-day progress. She commented that her young son, Caston, added that he enjoys the traffic signal box because it is nice and shows the artist’s feelings about the spring season.

Ethan Wagner, grandson of artist, Jennifer Duteil, asked why the homeowner wants to paint the traffic signal control box gray again.

Jennifer Duteil, introduced herself as the crossing guard at corner of Watchung Avenue and Fairmount Avenue and the artist who has been designated by the Public Arts Council to paint the traffic signal control box at that intersection. She mentioned that the Public Arts Council obtained all approvals from the county, the Chatham Jaycees donated money for the art supplies, and artists and volunteers donated much time to the project. She also commented about her experience painting this traffic control signal box and the abrupt encounter with the homeowner while painting.

Amy Wagner, 129 Fairmount Avenue, commented that she believed adequate notice was provided to residents about the “Green Takes Back Grey” project. She stated that the Public Arts Council presented the proposed project to the Mayor and Council in November and a Resolution was subsequently passed in December approving the project. She mentioned that the agendas for both meetings were available on the Borough website. Lastly, she questioned whether the Public Arts Council would need to obtain permission from the county to repaint the traffic signal control box gray.

Michael Dean, 181 N. Passaic Avenue, thanked Council Member Hoffman for asking relevant questions during the 2017-2018 School District of the Chathams budget discussion and commented that Borough officials must consider impacts to student enrollment with the proposed redevelopment project. He reserved further questions about the proposed redevelopment project until the Post Office Plaza Preliminary Investigation Study has been presented to the Mayor and Council.

Roger Eveleth, 133 Fairmount Avenue, expressed his support to promote beautification projects throughout the Borough and encouraged the Mayor and Council to continue to approve future public art projects.

George Sweetin, 19 Cornell Place, thanked Mr. Falzarano for his years of service to the Borough and commented about several safety concerns he witnessed during the May 6th Spring Clean event so that they do not occur next year. He further commented that young volunteers are over-mulching the tree and shrubbery beds, which can eventually smother and kill the trees and shrubs.

Seeing no one else wishing to comment, Mayor Harris closed the meeting to the public and proceeded with the Post Office Plaza Preliminary Investigation Study discussion item.

Post Office Plaza Preliminary Investigation Study – Mr. John Hague, Esq., special legal counsel for the proposed redevelopment project, provided a brief overview of the redevelopment process and legal authority for redevelopment in the state of New Jersey. He reported that earlier this year, the Mayor and Borough Council adopted a Resolution directing the Planning Board to undertake a preliminary investigation to determine if certain properties qualify as a non-condemnation Area in Need of Redevelopment pursuant to the criteria in New Jersey’s Local Redevelopment and Housing Law (the “Redevelopment Law”).

Mr. Hague reported that the Planning Board retained the services of Mr. Phil Abrams, a planner with the firm Topology, a professional planning firm, to conduct the necessary investigations to determine whether the study area qualifies as an Area in Need of Redevelopment under the criteria set forth in the Redevelopment Law. Topology conducted such investigations and prepared a report of its findings entitled,

“Preliminary Investigation Post Office Plaza Chatham New Jersey” dated March 22, 2017 (the “Preliminary Investigation Report”).

Mr. Hague continued that on April 5, 2017, Mr. Abramson presented the Preliminary Investigation Report to the Planning Board and a public hearing was conducted. The Planning Board subsequently adopted a Resolution recommending to the Mayor and Borough Council that the Post Office Plaza study area (the “Study Area”) be designated as an Area in Need of Redevelopment.

Mr. Hague concluded by reporting that the current step in the redevelopment process is for the Mayor and Borough Council to accept, reject or modify the recommendations presented in the Preliminary Investigation Report. He turned the presentation over to Mr. Phil Abramson.

Mr. Abramson began his presentation by reporting that the redevelopment law allow municipalities to use planning and financial tools to remove deleterious conditions and make redevelopment possible. He mentioned that the Preliminary Investigation Report provides an analysis of the Study Area and recommended course of action.

The Study Area is adjacent to the Chatham train station and comprises 14 properties on 5.5 acres straddling Bowers Lane from Main Street to the Morris and Essex Railroad line. The Study Area includes a mix of single-use commercial and residential structures that lie in the B-4 (Community Business) District, AFD-4 (Affordable Housing) District, and B-3 (General Business) District. Properties in the Study Area include:

<u>Bowers Lane</u>	<u>South Passaic Avenue</u>	<u>Main Street</u>
Block 121, Lot 11	Block 121, Lot 10	Block 122, Lot 1
Block 121, Lot 17	Block 121, Lot 12	Block 122, Lot 2
Block 122, Lots 13, 14, 15, 16, 17 18	Block 121, Lot 13	
	Block 121, Lot 14	

Mr. Abramson reported that the preliminary investigation was to determine whether the designation of these properties qualify as a non-condemnation Area in Need of Redevelopment in conformance with the statutory criteria in N.J.S.A. 40A:12A-5. He confirmed that each of the property owners within the Study Area had been contacted and each expressed their interest in the proposed redevelopment. He noted that Block 121, Lot 14, a South Passaic Avenue storefront, would not be included in the proposed Area in Need of Redevelopment.

Mr. Abramson then reported on the statutory criteria applicable to each of the parcels in the Study Area. He concluded his presentation by reporting that the next step is for the Mayor and Borough Council to accept, reject or modify the recommendations presented in the Preliminary Investigation Report and begin the planning process.

Mayor Harris thanked Mr. Hague and Mr. Abramson for their presentation and announced that the planning process phase for the proposed Post Office Plaza Redevelopment Project will begin with a community visioning session that is scheduled for June 15th at 7:00 p.m. at Borough Hall and encouraged public participation.

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Due to the late hour and additional business to conduct, the Borough Council agreed to forego its Liaison Reports.

Council Member Collander mentioned, however, that the Shade Tree Commission will now be holding monthly meetings instead of bi-monthly effective this month.

MAYOR'S REPORT

Mayor Harris reported that the Milton Avenue School polling location has been moved to the Chatham Middle School. The Borough Clerk's office has mailed notifications to the affected registered voters.

ADMINISTRATOR'S REPORT

Mr. Falzarano reported that flowers have been planted at Liberty Park and the paver pathway installed. He further reported that the Department of Public Works is constructing the new façade and roof on the pavilion located in Shepard Kollock Park and that the backstop and fencing at the ball fields have been installed.

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 #17-175 through Resolution #17-182 have been placed on the Consent Agenda.

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

Council Member Resto requested that Resolution #17-178 be removed from the Consent Agenda for separate discussion and a vote.

Council Member Helfrich requested that Resolution #17-181 be removed from the Consent Agenda for separate discussion and a vote noting that he would need to recuse himself from voting on this Resolution.

Mayor Harris proceeded with Resolution #17-178.

RESOLUTION #17-178

RESOLUTION DIRECTING THAT THE TRAFFIC CONTROL CABINET LOCATED AT THE INTERSECTION OF WATCHUNG AVENUE AND FAIRMOUNT AVENUE IN THE BOROUGH OF CHATHAM BE RESTORED TO ITS ORIGINAL CONDITION

WHEREAS, by Resolution #16-342 adopted on December 12, 2016, the Borough Council granted permission to the Public Arts Council (Advisory Committee) ("PAC") to paint three traffic control cabinets located at the intersections of Watchung Avenue and Hillside Avenue, Watchung Avenue and Fairmount Avenue, and Watchung Avenue and Washington Avenue with environmental themes for its "Green Takes Back Grey Project;" and

WHEREAS, upon further information and discussion by the Mayor and Council at its meeting held on April 24, 2017, it was concluded that the traffic control box located at the intersection of Watchung Avenue and Fairmount Avenue should be removed from the PAC "Green Takes Back Grey Project" and restored to its original condition.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the traffic control box located at the intersection of Watchung Avenue and Fairmount Avenue be removed from the PAC "Green Takes Back Grey Project" and restored to its original condition by the Department of Public Works; 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.

Mayor Harris asked if there was discussion on Resolution #17-178.

Council Member Resto and Council Member Collander both were supportive of the Public Arts Council's "Green Takes Back Grey" project and suggested that representatives of the Public Arts Council meet with the homeowners to come to a mutually-agreed upon compromise that would allow the traffic signal box to be painted with artwork.

Council Member Lonergan mentioned that "art is in the eye of the beholder." He expressed his support for the Public Arts Council and suggested that the coloring of the artwork proposed for the traffic signal box at the Fairmount and Watchung Avenues intersection be modified to blend in more with the surroundings.

Council Member Hoffman stated that it was his opinion that art belongs in public parks and in front of public buildings, and in public gathering spaces and that it is a very different standard of proof when artwork is presented in front of someone's home. He inquired if there was another location in town where that artwork could be recreated. He suggested that the traffic signal box be restored to its original finish until such time in the future that the homeowner and Public Arts Council come to an agreement on a different design.

Mayor Harris mentioned that a vote to restore this traffic signal box to its original condition is not at all a denigration of the Public Arts Council, nor a commentary on how we feel about public art. Instead, he stated that it is more of a reflection of the balance of private interests and public interests. He highlighted the many public art initiatives undertaken by the Public Arts Council and thanked them for their incredible contributions to the Borough over the years.

Council Member Helfrich stated he was hesitant to take action and stated that he would have made a motion to table Resolution #17-178 but a motion has already been made.

Mayor Harris confirmed that Council Member Resto asked to remove Resolution #17-178 from the Consent Agenda and put it on the floor for discussion and action. He then moved the Resolution and the motion was seconded by Council Member Hoffman.

Council Member Helfrich questioned whether a Council Member who intends to vote "no" is allowed to make the motion.

Mayor Harris stated that if there is a concern whether or not it has been properly moved, then someone else can make a motion to move Resolution #17-178. Mr. Lott concurred and advised that it did not matter how the person making the motion intends to vote on the motion. He further confirmed that there wasn't any procedural irregularity.

Council Member Hoffman made a motion to approve Resolution #17-178. Council Member Lonergan seconded the motion.

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		
Hoffman	X		X			
Harris [voted due to a tie vote]			X			

Mayor Harris was required to vote to break the tie vote of the Borough Council and voted in favor of Resolution #17-178. Resolution #17-178 was approved.

Mayor Harris proceeded with Resolution #17-181.

RESOLUTION #17-181

RESOLUTION APPOINTING SUMMER POOL STAFF FOR THE 2017 SEASON

WHEREAS, the Chatham Borough Recreation Program has a need to hire summer pool staff for the 2017 season; and

WHEREAS, the Recreation Coordinator recommends hiring the following individuals pending completion of all paperwork requirements prior to any employment:

Boylan, Luke	\$8.38	Staff
Britt, Eric	\$9.00	Staff
Brown, Avery	\$8.38	Staff
Brown, Bryant	\$8.50	Staff
Byrd, Connor	\$8.75	Staff
Byrd, Jack	\$8.75	Staff
First, Nicole	\$9.00	Staff
LeMon, Tristen	\$9.25	Staff
Mascolo Rachel	\$9.00	Staff
Mascolo, Nick	\$8.75	Staff
McKenna, Julianna	\$9.00	Staff
Helfrich, Andrew	\$12.50	Staff - Assistant Manager
Nauta, Amy	\$21.00	Staff - Manager
Babiak, Thomas	\$8.50	Substitute
Hobbis, Julie	\$8.50	Substitute
LeMon, Graham	\$8.50	Substitute
Mascolo, Amanda	\$9.50	Substitute
Nauta, Janet	\$8.38	Substitute
O'Reilly, Brendan	\$8.38	Substitute
Plunkett, Julia	\$8.38	Substitute
Stuart, Elizabeth	\$8.38	Substitute
Tomaro, Quinn	\$8.38	Substitute
Boehmer Taylor	\$10.00	Substitute - Assistant Manager
McMahon Kara	\$10.00	Substitute - Assistant Manager
Schaeffer, Laura	\$10.00	Substitute - Assistant Manager

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Recreation Coordinator and hereby approve the hiring of the individuals referenced herein as pool staff for the 2017 season at the respective positions and rates of pay, contingent upon the Recreation Coordinator verifying that all paperwork requirements have been completed prior to employment; 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.

There was no Council discussion.

Council Member Lonergan made a motion to approve Resolution #17-181. Council Member Collander seconded the motion. A vote was taken and Resolution #17-181 was approved. Council Member Helfrich recused himself.

Mayor Harris proceeded with the Consent Agenda.

CONTRACTS

RESOLUTION #17-175

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH RIKER DANZIG SCHERER HYLAND & PERRETTI, LLP FOR SPECIAL EMPLOYMENT COUNSEL

WHEREAS, there exists a need to enter into a non-fair and open contract for Special Employment Counsel for the Borough of Chatham for the remainder of calendar year 2017; and

WHEREAS, the legal services to be performed as Special Employment Counsel are professional services exempt from public bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Borough Chief Financial Officer has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the law firm Riker, Danzig, Scherer, Hyland & Perretti LLP possesses the experience necessary to serve as Special Employment Counsel and the Mayor and Council have determined that the award of contract to Riker, Danzig, Scherer, Hyland & Perretti LLP would be in the best interests of the Borough; and

WHEREAS, Riker, Danzig, Scherer, Hyland and Perretti, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit Riker, Danzig, Scherer, Hyland and Perretti, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Current Fund Account # 7-01-20-155-201 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that a non-fair and open professional services contract is hereby awarded to Riker, Danzig, Scherer, Hyland and Perretti, LLP for Special Employment Counsel for the Borough of Chatham for the remainder of calendar year 2017 and that the Mayor and Borough Clerk are hereby authorized to execute a professional services contract with same on behalf of the Borough; and

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

FINANCE

RESOLUTION #17-176

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 #17-177

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LICENSE AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION FOR A PARCEL OF LAND LOCATED IN THE BOROUGH OF CHATHAM ALONG THE MORRISTOWN RAIL LINE, M.P. 23.00, ADJACENT TO 102 SUMMIT AVENUE (RECYCLING CENTER)

WHEREAS, New Jersey Transit Corporation (“NJ Transit”) owns a rectangular parcel of land in the Borough of Chatham (the “Borough”) that is approximately 7,525 square feet along the Morristown Line, M.P. 23.00, adjacent to 102 Summit Avenue, which the Borough uses as a recycling center (the “License Area”); and

WHEREAS, the Borough desires to renew its lease with NJ Transit for the Licensed Area with a lease term of five years effective July 1, 2017 through June 30, 2022, in accordance with the terms and conditions of the renewed license agreement; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Solid Waste Utility Fund Account #7-07-55-502-201 for the lease payment and that sufficient funds will be included in future Budget year submissions for Borough Council approval.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to sign the renewed lease agreement between the New Jersey Transit Corporation for the herein referenced property with a lease term of five years effective July 1, 2017 through June 30, 2022, in accordance with the terms and conditions of the renewed license agreement.

PUBLIC ARTS

RESOLUTION #17-178

Resolution #17-178 was removed from the Consent Agenda for separate discussion and vote.

PERSONNEL

RESOLUTION #17-179

RESOLUTION TO HIRE CORY CLEMENT AS A PART-TIME SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works has a need to hire summer seasonal help; and

WHEREAS, the Borough of Chatham publicly advertised the job opening for the part-time summer seasonal position in the Department of Public Works and solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works found that Cory Clement is the best-qualified candidate and has recommended that he be hired for the part-time seasonal position in the Department of Public Works at the rate of \$15.00 per hour and with an effective starting date of May 9, 2017.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Director of Public Works and hereby approve the hiring of Cory Clement as a part-time seasonal employee in the Department of Public Works at the rate of \$15.00 per hour and with the effective starting date of May 9, 2017.

RESOLUTION #17-180

RESOLUTION TO HIRE BRIAN AGNEW AS A PART-TIME SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works has a need to hire summer seasonal help; and

WHEREAS, the Borough of Chatham publicly advertised the job opening for the part-time summer seasonal position in the Department of Public Works and solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works found that Brian Agnew is the best-qualified candidate and has recommended that he be hired for the part-time seasonal position in the Department of Public Works at the rate of \$15.00 per hour and with an effective starting date of May 16, 2017.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Director of Public Works and hereby approve the hiring of Brian Agnew as a part-time seasonal employee in the Department of Public Works at the rate of \$15.00 per hour and with the effective starting date of May 16, 2017

RECREATION

RESOLUTION #17-181

Resolution #17-181 was removed from the Consent Agenda for separate vote.

SHARED SERVICES

RESOLUTION #17-182

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT FOR LOCAL PUBLIC HEALTH SERVICES WITH THE TOWN OF WESTFIELD

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.*, permits a local unit of the State to enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Chatham and the Town of Westfield (“Westfield”), in consultation with their respective Boards of Health, desire to contract with one another, whereby the Westfield Regional Health Department shall provide shared local public health services to the Borough in accordance with *N.J.S.A. 26:3A2-1 et seq.* and in compliance with *N.J.A.C. 8:52-1.1 et seq.*, Public Health Practice Standards for Local Boards of Health in New Jersey, for the period commencing July 10, 2017 and ending December 31, 2020; and

WHEREAS, the Borough Council of the Borough of Chatham have determined that a shared services arrangement for local public health services with Westfield offers a beneficial opportunity to improve the efficiency of public health services for the Borough while protecting the health, safety and welfare of Borough residents and reducing the costs of delivering these services.

BE IT RESOLVED by the Council of the Borough of Chatham, in the County of Morris and the State of New Jersey, that the Mayor and Borough Clerk are authorized to enter into a shared services agreement for local public health services with Westfield for the period commencing July 10, 2017 and ending December 31, 2020; 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 Collander moved to approve Resolution #17-175 through Resolution #17-177, Resolution #17-179, Resolution #17-180, and Resolution #17-182. [Resolutions #17-178 and #17-181 were removed from the Consent Agenda for separate discussion and vote.] Council Member Lonergan seconded the motion. A vote was taken and Resolution #17-175 through Resolution #17-177, Resolution #17-179, Resolution #17-180, and Resolution #17-182 listed on the Consent Agenda were unanimously approved.

ADD-ON RESOLUTION(S)

Mayor Harris proceeded with the following Add-on Resolution:

RESOLUTION #17-184

RESOLUTION ACCEPTING THE RESIGNATION OF NADIA BRIGATI FROM THE POSITION OF DEPUTY CLERK/ADMINISTRATIVE ASSISTANT

WHEREAS, by letter dated April 28, 2017, Nadia Brigati served the Borough Clerk and Borough Administrator with her written resignation from the position of Deputy Clerk/Administrative Assistant to be effective May 12, 2017; and

WHEREAS, Nadia Brigati worked effectively and served the Borough of Chatham with exceptional service.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby accept Ms. Brigati's resignation from the position of Deputy Clerk/Administrative Assistant effective May 12, 2017; and

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

Council Member Helfrich moved to approve Resolution #17-184. Council Member Lonergan seconded the motion. A vote was taken and Resolution #17-184 was approved unanimously.

Mayor Harris asked Council Member Helfrich to proceed with Resolution #17-183.

Council Member Helfrich read Resolution #17-183.

RESOLUTION #17-183

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:

1. Personnel Matters – Mayor Harris

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 Helfrich moved to approve Resolution #17-183. Council Member Collander seconded the motion. A vote was taken and Resolution #17-183 was approved unanimously.

ADJOURNMENT

Having no other business to be conducted, Mayor Harris adjourned the public meeting. The Borough Council convened into Closed Session.

Meeting adjourned at 10:21 p.m.

Respectfully Submitted:

Robin R. Kline

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