

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

December 11, 2017

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, December 11, 2017 at 7:30 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

Mayor Harris and the 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
Stephen W. Williams, Acting Borough Administrator
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

Mayor Harris asked Council Member Resto to proceed with Resolution #17-329.

Council Member Resto read Resolution #17-329.

RESOLUTION #17-329

**RESOLUTION APPOINTING STEPHEN W. WILLIAMS AS CHATHAM BOROUGH
ADMINISTRATOR EFFECTIVE JANUARY 1, 2018**

WHEREAS, by Resolution #17-202 dated June 12, 2017, Stephen W. Williams was designated as Acting Borough Administrator; and

WHEREAS, the Mayor and Council of the Borough of Chatham designated Mr. Williams to serve as Acting Borough Administrator for an interim time period commencing on June 12, 2017 and

ending on December 31, 2017 with the understanding that Mr. Williams' performance as Acting Borough Administrator would be evaluated at the conclusion of that six-month period; and

WHEREAS, after a thorough assessment of Mr. Williams' performance as Acting Borough Administrator, the Mayor and Council have concluded that Mr. Williams has demonstrated the level of professional work-ethic, excellent interpersonal skills and has performed his duties in a dedicated manner; and

WHEREAS, such qualities are those which the Mayor and Council desire in a full-time Borough Administrator; and

WHEREAS, Section 2-36 of the Borough Code provides that the Administrator shall be appointed by the Mayor, with the advice and consent of the Council; and

WHEREAS, the Mayor wishes to nominate Mr. Williams to the position of Borough Administrator and the Council hereby consents to said appointment.

NOW, THEREFORE BE IT RESOLVED, that pursuant to Section 2-36 of the Borough Code, the Mayor, with the advice and consent of the Council, does hereby appoint Stephen W. Williams as Borough Administrator effective January 1, 2018 subject to the following:

1. Mr. Williams' appointment shall be governed by N.J.S.A. 40A:9-136 et seq. and Section 2-36 of the Borough Code.
2. As Borough Administrator, Mr. Williams shall be an at-will employee and shall report to the Mayor and Council.
3. In accordance with Section 2-36C, the Mayor and Council hereby waives the residency requirement for the position of Borough Administrator.
4. Unless otherwise stated herein, all terms and conditions of Mr. Williams' employment shall be governed by the Personnel Policies and Practices Handbook of the Borough of Chatham.
5. Mr. Williams' annual salary shall be fixed at \$136,000.00 for 2018. As Borough Administrator, Mr. Williams shall be exempt from the overtime provisions of the Fair Labors Standards Act and shall not be eligible for overtime compensation.
6. On the basis of Mr. Williams' service with the Borough, which commenced on May 23, 2011, Mr. Williams is entitled to 17 vacation days, 3 personal days and 12 sick days in 2018 in accordance with the Personnel Policies and Practices Handbook of the Borough of Chatham.
7. In each calendar year, Mr. Williams shall be entitled to five (5) vacation days in addition to the vacation leave otherwise provided by the Personnel Policies and Practices Handbook of the Borough of Chatham.
8. In each calendar year, Mr. Williams shall be entitled to five (5) bereavement days in the event of a death of a spouse or significant other, child, parent, sibling, in-laws, and any other relative living in his household and three (3) bereavement days in the event of the death of aunt, uncle, grandparent or step-relative.
9. Mr. Williams may carry up to 5 vacation days into the next calendar year provided he uses those days prior to March 31st of the next calendar year. Such vacation leave if not used by March 31st shall be cancelled. The carry-over of 5 days shall not occur in any two consecutive years. Any request to carry over more than 5 days shall be evaluated by the Mayor and Council on a case by case basis.

10. As of the date of this Resolution, Mr. Williams has accumulated 54 unused vacation days. As Borough Administrator, Mr. Williams shall retain these 54 unused vacation days, but shall not be entitled to compensation for these 54 days, or any remaining portion thereof, upon termination or separation from the Borough.
11. Mr. Williams shall be entitled the use of a Borough of Chatham owned vehicle in accordance with the Personnel Policies and Practices Handbook of the Borough of Chatham.

BE IT FURTHER RESOLVED, that the Mayor and Council congratulates Mr. Williams on his appointment as Borough Administrator.

Council Member Resto made a motion to approve Resolution #17-329. Council Member Collander seconded the motion. A vote was taken and Resolution #17-329 was approved unanimously.

Mr. Williams thanked Mayor Harris and the Borough Council for their trust and confidence and thanked Borough department heads, as well as municipal administrators in neighboring towns for their help and support during his transition serving as the Acting Borough Administrator. As Borough Administrator, he mentioned that he will continue to be a good steward of their tax dollars and will ensure that residents continue to receive the highest level of services possible. He wished everyone a happy and safe holiday season.

Mayor Harris stated that he and the Borough Council have been very satisfied with Mr. Williams performance and work ethic as the Acting Borough Administrator that he is pleased to appoint him as the new Borough Administrator.

Mayor Harris asked Council Member Collander to proceed with Resolution #17-330.

Council Member Collander read Resolution #17-330.

RESOLUTIONS (COMMENDATORY)

RESOLUTION #17-330

RESOLUTION RECOGNIZING COUNCIL MEMBER JAMES LONERGAN FOR HIS EXEMPLARY SERVICE TO CHATHAM BOROUGH

WHEREAS, on November 4, 2008, James Lonergan was elected by the voters of the Borough of Chatham to serve a 3-year term on the Borough Council; was re-elected to a second 3-year term by the voters on November 8, 2011; and on November 4, 2014 was re-elected to serve a third 3-year term; and

WHEREAS, during his nine years in elected office, Council Member James “Jim” Lonergan continually sought to improve the quality of life for all Borough residents and expertly demonstrated foresight, leadership, and fiscal responsibility in all policy decisions and operations of Borough government; and

WHEREAS, during his tenure on the Borough Council, Jim devoted innumerable hours chairing the Council’s Budget & Finance Committee, as well as serving on the Council’s Public Works Planning Committee, the Public Safety & Emergency Services Committee, the Personnel Committee, and serving as a member of the Madison Chatham Joint Meeting Operating Committee; and

WHEREAS, as an elected official over the past nine years, Council Member Lonergan further served in the role as Council liaison to the Board of Education, the Cares and Shares Advisory Committee (now known as Chatham, Bridging the Gap non-profit organization), the Shade Tree

Commission, the Joint Recreation Advisory Committee of the Chathams, the Municipal Pool Advisory Committee, and the Communications & Technology Committee; and

WHEREAS, Jim carried out his duties as an elected official and as a citizen of Chatham Borough with enthusiasm and in a conscientious, thoughtful and caring manner, and always dedicated himself to advancing the spirit of volunteerism that has helped make Chatham Borough the town we love; and

WHEREAS, Jim will always be remembered for his kindness, camaraderie and fairness when dealing with residents, businesses, and the Borough's workforce.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby recognize and commend Jim on his leadership, dedication and enthusiasm for our community as demonstrated throughout his tenure on the Borough Council; and

BE IT FURTHER RESOLVED, by the Mayor and Council, on behalf of the entire Chatham Borough community, that they hereby extend their grateful appreciation to Jim Lonergan for his nine remarkable years of service on the Chatham Borough Council and commend him for all he has achieved during his tenure on the Borough Council. We wish him and his family happiness and good health in the years to come. Jim, you will be missed!

Council Member Collander made a motion to approve Resolution #17-330. Council Member Resto seconded the motion. A vote was taken and Resolution #17-330 was approved unanimously.

Council Member Lonergan stated that he enjoyed serving the Borough as an elected official over the past nine years and praised the level of commitment and engagement from each of the members of the governing body and volunteers who serve on boards, commissions, advisory committees, the youth recreation programs, and the fire department and rescue squad. He further commended the Borough workforce on the quality of service provided, and particularly thanked the previous and current Borough Administrators, the Borough Engineer, the Police Department and the Department of Public Works. He also thanked his family for their patience and support while serving on the Borough Council.

Council Member Lonergan mentioned that every tax dollar spent gets the best return on investment than any other town in New Jersey and further mentioned that the School District of the Chathams is the best public school system in the state, while operating with one of the lowest per pupil costs. He also mentioned that the Borough is fortunate to have dedicated parents who get involved in the numerous youth sports clubs and commended local merchants who invest time and money into their businesses and our community.

In closing, he spoke of some of the present and future challenges the Borough faces, particularly the need to create a more vibrant downtown for shopping and dining and the need to seek solutions to curb growing traffic congestion. He encouraged all elected officials and residents to continue their hard work towards making positive changes to Chatham Borough.

Mayor Harris proceeded with Resolution #17-331.

Mayor Harris read Resolution #17-331.

RESOLUTION #17-331

RESOLUTION RECOGNIZING COUNCIL MEMBER GERALD J. HELFRICH FOR HIS EXEMPLARY SERVICE TO CHATHAM BOROUGH

WHEREAS, on November 8, 2011, Gerald J. Helfrich was elected by the voters of the Borough of Chatham to serve a 3-year term on the Borough Council and was re-elected by the voters on November 4, 2014 to serve a second 3-year term; and

WHEREAS, during his six years in elected office, Council Member Gerald J. Helfrich continually sought to improve the quality of life for all Borough residents and expertly demonstrated foresight, leadership, and fiscal responsibility in all policy decisions and operations of Borough government; and

WHEREAS, during his tenure on the Borough Council, Gerald devoted innumerable hours chairing the Council's Shared Services & 3rd Party Agreements Committee, and serving as a member of the Council's Public Safety & Emergency Services Committee, the Budget and Finance Committee, the Long Range Traffic and Pedestrian Safety Planning Committee, and served as the Chair and Vice-Chair of the Madison Chatham Joint Meeting Operating Committee, and as a member of the Madison Chatham Joint Meeting Finance and Personnel Committee; and

WHEREAS, Council Member Helfrich further served in the role as Council liaison to the Board of Education, the Joint Municipal Court, the Historic Preservation Commission, the Municipal Alliance Committee of the Chathams, and the 9/11 Memorial Advisory Committee; and

WHEREAS, Gerald carried out his duties as an elected official and as a citizen of Chatham Borough with enthusiasm and in a conscientious, thoughtful and caring manner, and always dedicated himself to advancing the spirit of volunteerism that has helped make Chatham Borough the town we love; and

WHEREAS, Gerald will always be remembered for his kindness, camaraderie and fairness when dealing with residents, businesses, and the Borough's workforce.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby recognize and commend Gerald on his leadership, dedication and enthusiasm for our community as demonstrated throughout his tenure on the Borough Council; and

BE IT FURTHER RESOLVED, by the Mayor and Council, on behalf of the entire Chatham Borough community, that they hereby extend their grateful appreciation to Gerald J. Helfrich for his six years of service on the Chatham Borough Council and commend him for all he has achieved during his tenure on the Borough Council. We wish him and his family happiness and good health in the years to come. Gerald, you will be missed!

Council Member Lonergan made a motion to approve Resolution #17-331. Council Member Resto seconded the motion. A vote was taken and Resolution #17-331 was approved unanimously.

Council Member Helfrich thanked Mayor Harris and the Borough Council for their willingness to listen and exchange thoughts before making decisions, which often resulted in better policy-making. He also thanked his wife for her patience and support while he served on the Borough Council.

Presentation of Commendation Resolutions and Parting Gifts

Mayor Harris thanked Council Member Lonergan and Council Member Helfrich for their years of elected service and expressed his pleasure in serving alongside them. He praised and thanked Council Member Lonergan for his professionalism and knowledge of fiscal management and further praised and thanked Council Member Helfrich for his acute insight that often prompted the governing body to make better informed decisions.

Mayor Harris presented a framed resolution commending Council Member Lonergan and Council Member Helfrich for their exemplary service to Chatham Borough, along with an old Council chair with an engraved name plate and the number of years they served on the Borough Council. The presentation

of a personalized framed “Chatham” graphic work was further gifted to both Council Members in appreciation of their service and Council Member Resto presented Council Member Helfrich with a Chatham Borough binder containing a copy of Closed Session resolutions that Council Member Helfrich read and presented during his six years on the Borough Council.

Mayor Harris proceeded with Resolution #17-332.

RESOLUTION #17-332

RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

BE IT RESOLVED, by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk’s office:

November 27, 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:

November 27, 2017

Council Member Helfrich made a motion to approve Resolution #17-332. Council Member Resto seconded the motion. A vote was taken and Resolution #17-332 was approved unanimously.

RECUSALS

Mayor Harris asked if there are any recusals or abstentions to be submitted for the record with respect to any item listed on the agenda.

There were no recusals presented on the record.

DISCUSSION ITEMS

Dixiedale Update – Mayor Harris reported that a meeting was held last week with the planner and engineer for the developer of the Dixiedale Farm property to discuss the Borough’s interests and concerns regarding the conceptual development plan. He further reported that the proposed development would allow much of the acreage to remain undeveloped for conservation and that Borough officials learned that steep slopes and wetlands prevented the construction of access roads onto River Road. However, he mentioned that the developer agreed to further investigate the feasibility of constructing an access road through to the southern end of the property to connect to River Road.

Mayor Harris further reported that the developer will be conducting traffic studies, which will include traffic counts and volume at the Watchung Avenue/Hillside Avenue and Watchung Avenue/River Road intersections. He mentioned that the developer has agreed to share all traffic study data with Borough officials. The Borough will also conduct independent traffic studies to help determine potential traffic concerns that may be associated with the proposed development.

Post Office Update - Mr. Williams reported that a meeting was held on Friday, December 8th with local and regional representatives from the United States Postal Service (USPS) to discuss the recent disruption of mail service. Local officials from the Borough and Chatham Township attended the meeting and were informed that the disruption in the mail delivery service was attributed to the assignment of a new Postmaster at the Chatham Post Office, as well as recent retirements of postal carriers and the reassignment of new employees who were unfamiliar with the sorting procedures for the postal routes.

Mr. Williams further reported that fifteen additional postal carriers have been temporarily assigned to alleviate the backlog of mail delivery and effective Monday, December 11th, the Post Office Sorting Facility will be open for the pick-up of bulk mail and packages from 8:00 A.M. to 4:00 P.M. Monday through Saturday with no closure during the lunch hour. Additionally, to deal with resident issues and complaints about mail service, a postal worker will be dedicated to work out issues with the public and be exclusively available from 11:00 A.M. to 3:00 P.M. at the Post Office Sorting Facility.

Mayor Harris mentioned that he had sent a letter to Congressman Frelinghuysen informing him of the unreliable mail delivery service in the Borough and thanked him for his assistance in facilitating the meeting with USPS representatives.

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.

Seeing no one wishing to comment, Mayor Harris closed the meeting to the public.

ORDINANCE FOR SECOND READING

Mayor Harris asked Council President Fife to proceed with Ordinance #17- 12.

Council President Fife read Ordinance #17-12 entitled:

ORDINANCE #17-12

ORDINANCE OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 165 OF THE CODE OF THE BOROUGH OF CHATHAM ENTITLED "LAND DEVELOPMENT REGULATIONS" RELATED TO THE BULK STANDARDS OF THE BOROUGH'S RESIDENTIAL DISTRICTS

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on November 27, 2017.

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 #17-12 was introduced and passed on first reading at the November 27, 2017 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on December 11, 2017 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 explained that the Ordinance establishes new bulk setback standards for front, side and rear yards in residential districts, and defines how lot width is to be measured for odd shaped lots. The new bulk setback standards would require a slight setback for the second story of a building on smaller lots and would require front facing garages be set back behind the front line of the house. The ordinance further establishes that detached garages shall not exceed 16 feet in height and all other accessory structures shall not exceed 10 feet in height.

Mayor Harris then reported that it was brought to his attention that the provision in the proposed ordinance to setback the upper story of a building an additional five feet from the side property line

would create an undue hardship. He agreed with the concern and asked that Section 3 E.(1)(a) of the proposed ordinance be amended to delete the language “In addition, to reduce upper story building mass and avoid privacy impacts on adjacent properties, an upper story must be setback an additional 5 feet from the side property line.” Accordingly, Mayor Harris asked for a motion to amend Ordinance #17-12.

Council President Fife made a motion to amend Ordinance #17-12 by deleting the following language in Section 3 E.(1)(a): “In addition, to reduce upper story building mass and avoid privacy impacts on adjacent properties, an upper story must be setback an additional 5 feet from the side property line”. Council Member Resto seconded the motion. A vote was taken and the motion to amend Ordinance #17-12 was approved unanimously.

Mayor Harris declared the meeting open for a public hearing on the Ordinance.

Janet Siegel, of Janet Siegel Architects in Chatham, thanked Mayor Harris for eliminating the additional 5-foot setback on upper stories, which she stated would impact approximately 75% of the residential lots in the Borough. She commented that she supports the proposed ordinance, as amended.

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

There was no further Council discussion.

Council President Fife offered the Ordinance, as amended, 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 as amended and finally passed.

Council Member Resto 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			
Fife	X		X			
Helfrich			X			
Resto		X	X			
Hoffman			X			

Mayor Harris declared Ordinance #17-12 adopted, as amended, and requested the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

REPORTS

COUNCIL COMMITTEES

Budget and Finance - Council Member Lonergan had nothing new to report.

Long Range Traffic & Pedestrian Safety Planning - Council Member Collander reported that a Traffic Safety Meeting is scheduled for Wednesday, December 13th at 6:45 p.m.

Public Safety & Emergency Services - Council Member Collander reported that the Chatham Borough Police Department and State Police set up a roadside inspection station along North Passaic Avenue to conduct safety inspections of construction trucks to and from the development site in Florham Park. He mentioned that the State Police issued 12 safety summonses to 20 trucks that were inspected and further mentioned that the Chatham Borough Police Department will continue to have a presence on North Passaic Avenue to monitor increased truck traffic going to and from the development site in Florham

Park.

Council Member Collander also reported that the Police Department is hiring two additional substitute crossing guards, which eliminates the need to utilize police personnel when crossing guards are not available.

Personnel - Council Member Resto reported that in addition to the appointment of Mr. Williams as Borough Administrator, which took place earlier in the meeting, the 2018 Salary Resolution is included on tonight's Consent Agenda for Council approval.

Public Works Planning/Community Services - Council President Fife had nothing new to report.

Shared Services & 3rd Party Agreements - Council Member Helfrich reported that authorizing resolutions to renew the Information Technology and Uniform Construction Code Shared Services Agreements have been included on tonight's Consent Agenda for Council approval. He further reported that a meeting was held on December 6th with all town representatives participating in the Joint Court to discuss the Joint Court's 2018 budget.

MAYOR'S REPORT

Mayor Harris reported that a meeting has been scheduled for January 11th with NJ Transit representatives to discuss the Borough's draft plan for a second train station on River Road. Mayor Harris noted that the Borough's draft plan for the second train station has already been submitted to NJ Transit and thanked Congressman Frelinghuysen for his assistance in contacting the Department of Transportation, which helped schedule the meeting with NJ Transit. Mayor Harris also mentioned that another benefit of a second train station is the possibility of adding a parking garage on River Road, providing needed parking for commuters and without increasing traffic congestion downtown.

Mayor Harris also reported that volunteers are needed to serve on the Board of Health, the Historic Preservation Commission, the Shade Tree Commission, and the Zoning Board of Adjustment and mentioned that volunteer opportunities also exist on the Chatham Joint Community Garden Advisory Committee, the Mayors' Wellness Advisory Committee, the Municipal Pool Advisory Committee, the MyChathamNJ Advisory Committee, and Farmers' Market Advisory Committee. He encouraged residents to get involved.

ADMINISTRATOR'S REPORT

Mr. Williams reported that the Borough received a \$31,453.78 payment from the New Jersey Department of Environmental Protection for the 2015 Recycling Tonnage Grant and noted that this amount was an increase over the previous year's Recycling Tonnage Grant payment of \$28,481.11. He thanked Janice Piccolo, Director of Community Services, and Stan Serbanica, the Borough's Recycling Coordinator, for their efforts in preparing the Recycling Tonnage reports and submitting the grant funding request.

Lastly, Mr. Williams asked that residents having curbside basketball hoops on the street remove them to help facilitate snow plowing operations on roadways during wintry weather conditions.

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 #17-333 through Resolution #17-346 have been placed on the Consent Agenda.

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

None

**CONTRACTS
RESOLUTION #17-333**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MELGAR CLEANING
SERVICES, IN THE AMOUNT NOT TO EXCEED \$22,080.00**

WHEREAS, the Director of Public Works solicited competitive quotes from three (3) qualified contractors for janitorial services for Borough Hall and the Firehouse for the calendar year 2018; and

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

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

<u>VENDOR</u>	<u>ANNUAL CONTRACT AMOUNT</u>
1. A Plus Services, Dover, NJ	\$25,800.00
2. Cleaning USA, East Hanover, NJ	\$22,200.00
3. Melgar Cleaning Services, Chatham, NJ	\$22,080.00

And,

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

WHEREAS, the Director of Public Works recommends that the contract be awarded to Melgar Cleaning Services, 540 Main Street, Chatham N.J., in the amount of \$22,080.00; and

WHEREAS, Timothy Day, Chief Financial Officer, has certified that sufficient funds are available in Current Fund Account #8-01-26-310-240 for the award of this contract, and that this certification is contingent upon, and will be subject to, appropriations in the 2018 Municipal Budget.

BE IT RESOLVED, by the Council of the Borough of Chatham that it concurs with the recommendation of the Director of Public Works and hereby authorizes the Mayor to execute a janitorial cleaning contract with Melgar Cleaning Services in accordance with the specifications upon which quotations were received and accepted, in the amount of \$22,080.00; 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 #17-334

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

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

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

WHEREAS, the Acting Borough Administrator recommends that a contract be awarded to American Alarm Systems, Inc. for the period of January 1, 2018 to December 31, 2018, in the amount not to exceed \$5,200.00; and

WHEREAS, Timothy Day, Chief Financial Officer, has certified that sufficient funds are available in Current Fund Account #8-01-26-310-240 for the award of this contract, and that this certification is contingent upon, and will be subject to, appropriations in the 2018 Municipal Budget.

BE IT RESOLVED, by the Council of the Borough of Chatham that it concurs with the recommendation of the Fire Coordinator and hereby authorizes the Mayor to execute the renewal Agreement with American Alarm Systems, Inc. for the period of January 1, 2018 to December 31, 2018.

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 #17-335

RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF MADISON FOR INFORMATION TECHNOLOGY SERVICES

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 (the "Borough") has a need for Information Technology services ("IT services"); and

WHEREAS, the Borough of Madison ("Madison Borough") has submitted a proposal to provide IT services to the Borough for the calendar year 2018; and

WHEREAS, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$30,000.00 and that funds are currently available for the purpose of awarding this contract from Current Fund Accounts #8-01-20-130-213 and #8-01-20-130-214, and that this certification is contingent upon, and will be subject to, appropriations in the 2018 Municipal Budget; and

WHEREAS, the Council of the Borough of Chatham have determined that a shared services arrangement for IT services with Madison Borough offers a beneficial opportunity to improve efficiencies and reduce the costs of having to independently contract for these services.

BE IT RESOLVED, by Council of the Borough of Chatham that the Mayor is hereby authorized to execute a shared service agreement with Madison Borough for IT support services, contingent upon approval of the contract terms and conditions by the Acting Administrator and Borough Attorney.

RESOLUTION #17-336

RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO THE INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF MADISON FOR UNIFORM CONSTRUCTION CODE SERVICES

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 (the “Borough”) has a need for Uniform Construction Code Services (“Services”); and

WHEREAS, the Mayor and Council of the Borough of Chatham have determined that a shared services arrangement for Uniform Construction Code Services with Madison Borough offers a beneficial opportunity to reduce the costs associated with providing the Services; and

WHEREAS, the Borough and the Borough of Madison (the “parties”) have previously executed an Interlocal Services Agreement (the “Agreement”) dated January 1, 2014 and an Amendment to the Agreement dated November 10, 2014, pursuant to which the Borough of Madison provides the Services for the Borough; and

WHEREAS, the Amended Agreement is set to terminate on December 31, 2017 and the parties wish to further amend the Interlocal Services Agreement to establish an additional 4-year term, effective January 1, 2018 through December 31, 2021, in accordance with N.J.A.C. 5:23-4.6(b)3 and to stipulate to certain matters as set forth in N.J.A.C. 5:23-4.6 through -4.8.

BE IT RESOLVED, by Council of the Borough of Chatham that the Mayor is hereby authorized to execute an Interlocal Services Agreement with Madison Borough for Uniform Construction Code Services for a four (4) year term beginning January 1, 2018 and terminating on December 31, 2021, contingent upon approval of the contract terms and conditions by the Borough Attorney.

FINANCE

RESOLUTION #17-337

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 #17-338

RESOLUTION APPROVING TAX APPEAL SETTLEMENT WITH ROBERT CRONHEIM FOR THE PROPERTY LOCATED AT 205 MAIN STREET (BLOCK 121, LOT 9)

WHEREAS, appeals of the real property tax assessment for tax years 2012, 2013, 2014, 2015, 2016 and 2017 for the property located at 205 Main Street (Block 121, Lot 9) have been filed by the taxpayer, Robert Cronheim, and are pending in the Tax Court of New Jersey; and

WHEREAS, a settlement has been negotiated with the taxpayer resolving the tax appeals for the subject property for all of the pending tax years; and

WHEREAS, as a result of the settlement, tax appeals for tax years 2012 and 2013 are withdrawn; and

WHEREAS, as a result of the settlement, the 2014 and 2015 assessments are reduced as follows:

<u>Original Assessment</u>	<u>Revised Assessment</u>
\$2,200,000.00	\$2,000,000.00

And,

WHEREAS, as a result of the settlement, the 2016 and 2017 assessments are reduced as follows:

<u>Original Assessment</u>	<u>Revised Assessment</u>
\$2,200,000.00	\$1,800,000.00

WHEREAS, the taxpayer has agreed to accept the refund of overpayment of taxes as a credit against future tax payments due; and

WHEREAS, the proposed Stipulation of Settlement has been reviewed and recommended for approval by the Borough Tax Assessor and Borough Appraisal Consultant; and

WHEREAS, upon the recommendation of the Borough Tax Assessor and Borough Appraisal Consultant, the Council believes that this settlement is in the best interest of the Borough and secures fairness and uniformity in the assessment process.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Council hereby approves of the above settlement; and

BE IT FURTHER RESOLVED, by the Council that the Borough Tax Counsel is hereby authorized and directed to enter into the Stipulation of Settlement and to file the Stipulation of Settlement and such other documents as required to implement this settlement with the Tax Court of New Jersey; and

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

RESOLUTION #17-339

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that a property tax payment for the herein referenced property was made by both the mortgage lender and title company resulting in an overpayment of property taxes; and

WHEREAS, the Tax Collector has further advised that a refund for the duplicate property tax overpayment is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
19/2	Adler, Bruce & Michelle 49 Meadowbrook	\$3,653.62	2017 4Qtr.

Please make check payable & mail to:

A Absolute Escrow Settlement Co.
55 Essex Street
Millburn, NJ 07041

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund for the duplicate overpayment of property taxes as herein referenced.

RESOLUTION #17-340

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that a property tax payment for the herein referenced property was made by both the mortgage lender and the property owner resulting in an overpayment of property taxes; and

WHEREAS, the Tax Collector has further advised that a refund for the duplicate property tax overpayment is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
45=14	Kahn-Viteri, Michael A. 115 North Hillside Avenue	\$2,521.56	2016 2Qtr.

Please make check payable & mail to:

Michael A. Kahn-Viteri
115 North Hillside Avenue
Chatham, NJ 07928

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund for the duplicate overpayment of property taxes as herein referenced.

RESOLUTION #17-341

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 November 30, 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>
28/33	Unknown/Lafayette Rear	\$ 19.34	2016
95/42	Unknown/Private Road off Watchung Avenue	\$125.71	2016

And,

WHEREAS, the Tax Collector has certified that the subject parcels and the delinquent tax amounts appearing on the tax rolls are deemed not collectible and should be cancelled and such certification is attached and made a part of this Resolution; 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.

RESOLUTION #17-342

RESOLUTION TO SET THE ANNUAL RATES OF COMPENSATION FOR BOROUGH EMPLOYEES FOR THE YEAR 2018

WHEREAS, Ordinance #17-10, adopted by the Mayor and Council of the Borough of Chatham on November 27, 2017, established the minimum and maximum rate of pay for the various positions in the Borough of Chatham; and

WHEREAS, specific rates of pay must be established for each individual employee of the Borough.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following rates of pay shall be established:

Title	Name	2018 Salary
Administrator	Williams, Steve	\$ 136,000.00
Engineer	DeNave, Vince	\$ 119,654.29
Zoning Official/Code Enforcement	DeNave, Vince	\$ 35,735.11
Police Chief	Crosson, Phil	\$ 154,835.21
Police Captain	Gibbons, Brian	\$ 149,877.95
Director Public Works	Torello, Tony	\$ 114,354.98
Chief Financial Officer	Day, Tim	\$ 95,522.67
Borough Clerk	Kline, Robin	\$ 89,629.58
Deputy Register	Kline, Robin	\$ 687.16
Executive Administrative Assistant	Bochniak, Mike	\$ 68,000.00
Recreation Coordinator	Nauta, Carolyn	\$ 57,316.04
Community Service Coordinator	Nauta, Carolyn	\$ 10,979.26
Pool Coordinator	Nauta, Carolyn	\$ 8,126.09
Media Program Supervisor	Nauta, Carolyn	\$ 2,363.94
Accounts Clerk	Mandal, Anne	\$ 38,940.48
Senior Assessing Clerk	Mandal, Anne	\$ 28,652.44
Registrar of Vital Statistics	Mandal, Anne	\$ 5,877.87
Community Service Director	Piccolo, Janice	\$ 74,668.29

Farmers Market Manager	Piccolo, Janice	\$ 3,214.50
Admin - Community Service	Lowe, Margie	\$ 38,214.50
Utility Billing Clerk	Morris, Cheri	\$ 61,623.70
Deputy Register	Morris, Cheri	\$ 687.16
Tax Collector	Polidor, Madeline	\$ 57,234.84
Tax Search Officer	Polidor, Madeline	\$ 3,137.37
Police Secretary	Ciccarone, Mary Beth	\$ 55,177.43
Administrative Assistant II	Baldwin, Catherine	\$ 57,512.95
Parking Enforcement Officer	Sweetin, Robert	\$ 48,349.53
Parking Enforcement Officer	Fricke, Jeffrey	\$ 40,000.00
Minutes Clerk	Holler, Liz	\$ 39,420.30
Fire Chief	Allan, Doug	\$ 15,163.09
Tax Assessor	DePierro, Therese	\$ 19,244.66
Emergency Mgmt. Coordinator	Nauta, William	\$ 13,591.00
Deputy Clerk/Administrative Asst.	Parikh, Shelini	\$ 43,645.00
Part Time Positions	Name	Hourly Rate
Fire Inspector / Fire Official	Nugent, Walter	\$ 39.64
Assistant Finance Officer	Cittrich, Tyrina	\$ 37.18
Media Programming Manager	Grobert, John	\$ 32.42
Electrician	Grobert, John	\$ 40.60
Tax Assistant	Opalewski, Leona	\$ 15.61
Fire Inspector / Fire Fighter Driver	Pridham, Matt	\$ 17.00

And,

BE IT FURTHER RESOLVED, that the hourly rate of pay of \$22.05 shall be established for the following school crossing guards:

David Achille	Jennifer Duteil	Nancy Renzulli
Thomas Boland	Maggie Grady	Beth Salinardi
Patricia Castellano	Barbara Jones	Mark Spinner
Marge Conlan	Daniel Langborgh	Julianna Stutchbury
William Conroy	Anthony Lombardi	Alexander Sweetin
Richard Crater	Janice Parcells	Jacqueline Sweetin
Kathleen Donnelly	Mario Rattravo	Lorraine Tortorella
		Grace Walsh

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.

PUBLIC ARTS

RESOLUTION #17-343

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

WHEREAS, the Borough of Chatham (the “Borough”) entered into an agreement with the Sculpture Foundation, Inc. dated May 5, 2010 to exhibit the sculptures entitled *Attic Trophy* and *Crescent* (the “Agreement”) in the Borough; and

WHEREAS, the Sculpture Foundation has transferred ownership of *Attic Trophy* to The Seward Johnson Atelier, Inc. (“TSJA”) and has transferred ownership of *Crescent* to Grounds for Sculpture, Inc. (“GFS”) as permitted under Section 4(b) of the Agreement; and

WHEREAS, the Borough, upon the recommendation of the Public Arts Council (Advisory Committee), wishes to enter into a Sculpture Loan Agreement with TJSA and GFS for the loans of *Attic Trophy* and *Crescent*, respectively, for a one-year period terminating on December 10, 2018; and

WHEREAS, the Mayor and Borough Council have determined that the continued exhibition of these sculptures promote public appreciation and knowledge of public sculpture and the fine arts and desires to authorize the execution of the Agreements.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a Sculpture Loan Agreement with TJSA and GFS for the loans of *Attic Trophy* and *Crescent*, respectively, for a one-year period terminating on December 10, 2018; 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.

PERSONNEL

RESOLUTION #17-344

RESOLUTION TO HIRE BARBARA C. JONES AS A CROSSING GUARD IN THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, the Chatham Borough Police Department has a need to hire crossing guards and has solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates and upon conducting a background investigation, the Police Captain recommends hiring Barbara C. Jones as a crossing guard.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Police Captain and hereby authorize the hiring of Barbara C. Jones as a crossing guard in the Chatham Borough Police Department with an effective starting date of December 12, 2017 at the hourly rate of \$22.05.

RESOLUTION #17-345

RESOLUTION TO HIRE DANIEL W. LANGBORGH AS A CROSSING GUARD IN THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, the Chatham Borough Police Department has a need to hire crossing guards and has solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates and upon conducting a background investigation, the Police Captain recommends hiring Daniel W. Langborgh as a crossing guard.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Police Captain and hereby authorize the hiring of Daniel W. Langborgh as a crossing guard in the Chatham Borough Police Department with an effective starting date of December 12, 2017 at the hourly rate of \$22.05.

OTHER

RESOLUTION #17-346

RESOLUTION SUPPORTING THE NEW JERSEY SAFE ROUTES TO SCHOOLS PROGRAM

WHEREAS, our residents desire a healthy, stable, and sustainable future for themselves and future generations and have the desire to take steps to sustain their quality of life over the long term; and

WHEREAS, each year the Borough undertakes a comprehensive evaluation of pedestrian improvements that may be needed throughout the community and incorporates these improvements into road improvement projects and the annual capital Curb and Sidewalk Program; and

WHEREAS, driving children to school by private vehicles, and the idling of vehicles in the vicinity of schools, contributes to traffic congestion and air pollution and can contribute to adverse effects on student health, including decreased lung development, allergies and asthma; and

WHEREAS, lack of physical activity also has a significant impact the health and well-being of children, resulting in higher rates of obesity, diabetes, and heart disease; and

WHEREAS, bicycling and walking to school can have positive physical and mental impacts on the health and well-being of children, and helps them to arrive at school ready to learn; and

WHEREAS, the Safe Routes to School Program is about promoting safe and easier ways for children to walk and making it a more attractive alternative for children going to and from school through educational programs, infrastructure improvements and public safety initiatives; and

WHEREAS, providing safer routes to and from schools aims to decrease pedestrian and bicycling related injuries, not just for students but for the entire community; and

WHEREAS, a successful Safe Routes to School Program involves schools, school boards, local government officials, and citizens collaborating in efforts to promote and encourage children, including those with disabilities, to walk and bicycle to school safely.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they support the Safe Routes to School Program and are proponents of developing and maintaining safe ways to walk and bicycle to school.

CONSENT AGENDA VOTE:

Council Member Resto made a motion to approve the resolutions placed on this evening's Consent Agenda. The motion was seconded by Council Member Collander. A vote was taken and Resolutions #17-333 through #17-346 were approved unanimously.

ADD-ON RESOLUTIONS

None.

Mayor Harris asked Council Member Helfrich to proceed with Resolution #17-347.

Council Member Helfrich read Resolution #17-347.

RESOLUTION #17-347

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:

1. Alcohol Beverage Control Matter – Mr. Lott
2. Anonymous Complaint to Prosecutor – 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 Helfrich made a motion to approve Resolution #17-347. Council Member Resto seconded the motion. A vote was taken and the motion to approve Resolution #17-347 was approved unanimously.

ADJOURNMENT

Having no other business to be conducted, Mayor Harris adjourned the public session and wished the public a happy holiday season.

The Mayor and Council convened into closed session.

Meeting adjourned at 8:41 p.m.

Respectfully Submitted:

Robin R. Kline

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