

AGENDA
October 9, 2018

Regular Meeting
Mayor and Borough Council

Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928

**CALL MEETING
TO ORDER**

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

SALUTE TO FLAG

MOMENT OF SILENCE

**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 TAPinto Chatham and was filed with the Borough Clerk, all on January 11, 2018.

ROLL CALL

Mayor Bruce A. Harris
Council Member James J. Collander
Council Member Victoria Fife
Council President Leonard Resto
Council Member Peter J. Hoffman
Council Member Robert A. Weber, Sr.
Council Member Thaddeus J. Kobylarz
Stephen W. Williams, Borough Administrator
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

PROCLAMATION

RESOLUTION #18-299

**RESOLUTION CELEBRATING SATURDAY NOVEMBER 24, 2018 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 create more than two-thirds of the net new jobs and generate close to half of the private gross domestic product; and

WHEREAS, 99 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 24, 2018 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.

APPOINTMENT

RESOLUTION #18-300

RESOLUTION APPOINTING JACOB MAHON AS A MEMBER OF THE JUNIOR FIREMEN'S AUXILIARY COMPANY OF THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT

WHEREAS, Chapter 15, Section 15-24 of the Code of the Borough of Chatham established a Junior Firemen's Auxiliary Company to the Chatham Fire Department; and

WHEREAS, Resolution #15-162 adopted by the Borough Council on April 13, 2015, established the rules and regulations governing the operations of the Junior Firemen's Auxiliary Company; and

WHEREAS, Jacob Mahon has expressed interest in becoming a member of the Junior Firemen's Auxiliary Company of the Chatham Borough Volunteer Fire Department; and

WHEREAS, the Fire Chief has recommended that Jacob Mahon be appointed as a member of the Junior Firemen's Auxiliary Company; and

WHEREAS, the Mayor and Council of the Borough of Chatham recognize the valuable contributions volunteer firefighters make to our community every day of every year.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Jacob Mahon is hereby appointed as a member of the Junior Firemen's Auxiliary Company of the Chatham Borough Volunteer Fire Department.

RESOLUTION #18-300.1

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 24, 2018

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 24, 2018

RECUSALS

Recusals or abstentions submitted for the record.

DISCUSSION ITEMS

1. Capital Projects Update – Mr. Vince DeNave
 2. 2019 Parking Rates – Council Member Peter Hoffman
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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.

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Affordable Housing Advisory Committee
Shade Tree Commission
Traffic & Pedestrian Safety Advisory Committee
Madison-Chatham Joint Meeting

Council Member James J. Collander
Council Member James J. Collander
Council Member James J. Collander
Council Member James J. Collander
Council Member Peter J. Hoffman

Farmers' Market Advisory Committee
Mayor's Wellness Advisory Committee
MyChathamNJ Advisory Committee
Project Community Pride
Public Arts Council Advisory Committee
Senior Center of the Chathams

Council Member Victoria Fife
Council Member Victoria Fife
Council Member Victoria Fife
Council Member Victoria Fife
Council Member Victoria Fife
Council Member Victoria Fife

Environmental Commission
Historic Riverside Trail Advisory Committee

Council President Leonard Resto
Council President Leonard Resto
Council Member Victoria Fife

Municipal Alliance of the Chathams
Pilgrim Pipeline Advisory Committee
Open Space & Historic Preservation Trust
Advisory Committee

Council President Leonard Resto
Council President Leonard Resto
Council President Leonard Resto

Planning Board
Joint Municipal Court

Council Member Peter J. Hoffman
Council Member Peter J. Hoffman
Council Member Thaddeus J. Kobylarz

9/11 Memorial Advisory Committee
Board of Education
Board of Health
Joint Recreation Advisory Committee

Council Member Robert A. Weber, Sr.
Council Member Robert A. Weber, Sr.
Council Member Robert A. Weber, Sr.
Council Member Robert A. Weber, Sr.

Communications & Technology Advisory Committee
Historic Preservation Commission
Joint Community Gardens Advisory Committee
Municipal Pool Advisory Committee

Council Member Thaddeus J. Kobylarz
Council Member Thaddeus J. Kobylarz
Council Member Thaddeus J. Kobylarz
Council Member Thaddeus J. Kobylarz

MAYOR'S REPORT

ADMINISTRATOR'S REPORT

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 #18-301 through Resolution #18-307 have been placed on the Consent Agenda.

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

RESOLUTION #18-

CONTRACT

RESOLUTION #18-301

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO U.S. TANK PAINTING FOR THE POWER WASHING AND PAINTING OF BOROUGH STANDPIPES

WHEREAS, the Director of Public Works solicited proposals from qualified contractors for the power washing and painting of Standpipe #1 and the power washing of Standpipe #2; and

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

<u>VENDOR</u>	<u>STANDPIPE #1</u>	<u>STANDPIPE #2</u>	<u>TOTAL CONTRACT AMOUNT</u>
U.S. Tank Painting	\$ 22,500.00	\$ 8,500.00	\$ 31,000.00
Alpine Painting & Sand Blast	\$101,900.00	\$21,200.00	\$123,100.00
Pittsburg Tank	\$ 83,950.00	\$23,950.00	\$107,900.00

And,

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

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

WHEREAS, the Qualified Purchasing Agent has reviewed and approved the quotation specifications and has reviewed all quotes that were received; and

WHEREAS, the Director of Public Works recommends that an award of the contract be made to U.S. Tank Painting, 900 Rike Drive, Millstone Township, NJ 08535 in the amount of \$31,000.00 subject to the review and approval by the Qualified Purchasing Agent; and

WHEREAS, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$31,000.00 and that funds are currently available for the purpose of awarding this contract from Capital Accounts #W-06-55-914-203 [Standpipe #1 in the amount of \$22,500.00] and #W-06-55-910-104 [Standpipe #2 in the amount of \$8,50.00]; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the Mayor to execute the contract with U.S. Tank Painting in the amount of \$31,000.00, in accordance with the specifications upon which quotations were received; and

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

FINANCE

RESOLUTION #18-302

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.

PERSONNEL

RESOLUTION #18-303

RESOLUTION TO HIRE RALEIGH HERBERT AS A FALL SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, the Borough Clerk publicly advertised the job opening and applications were solicited and received from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works has recommended that Raleigh Herbert should be hired for the fall seasonal position in the Department of Public Works at the pay rate of \$15.00 per hour and with an effective starting date of October 22, 2018.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve and authorize the hiring of Raleigh Herbert as a fall seasonal employee in the Department of Public Works at the pay rate of \$15.00 per hour and with the effective starting date of October 22, 2018.

RESOLUTION #18-304

RESOLUTION TO HIRE MIGUEL ANGEL ZARAGOZA, JR. AS A FALL SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, the Borough Clerk publicly advertised the job opening and applications were solicited and received from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works has recommended that Miguel Angel Zaragoza, Jr. should be hired for the fall seasonal position in the Department of Public Works at the pay rate of \$15.00 per hour and with an effective starting date of October 22, 2018.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve and authorize the hiring of Miguel Angel Zaragoza, Jr. as a fall seasonal employee in the Department of Public Works at the pay rate of \$15.00 per hour and with the effective starting date of October 22, 2018.

RESOLUTION #18-305

RESOLUTION TO HIRE ANTHONY P. ALBANESE AS A FALL SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, the Borough Clerk publicly advertised the job opening and applications were solicited and received from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works has recommended that Anthony P. Albanese should be hired for the fall seasonal position in the Department of Public Works at the pay rate of \$15.00 per hour and with an effective starting date of October 22, 2018.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve and authorize the hiring of Anthony P. Albanese as a fall seasonal employee in the Department of Public Works at the pay rate of \$15.00 per hour and with the effective starting date of October 22, 2018.

OTHER

RESOLUTION #18-306

RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO PLAN AND ORGANIZE THE 2019 FISHAWACK FESTIVAL

WHEREAS, the Fishawack Festival is an annual community event held on the second Saturday in the month June that has been enjoyed by the community for many years; and

WHEREAS, the Borough's Department of Community Services has planned, organized and conducted the Fishawack Festival for the past three years; and

WHEREAS, the Mayor and Borough Council wish to continue the Fishawack Festival as a public event in 2019.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Community Services is hereby authorized to begin to plan and organize the 2019 Fishawack Festival; and

BE IT FURTHER RESOLVED, that the Director of the Department of Community Services shall prepare a budget for the 2019 Fishawack Festival detailing the estimated revenues, expenses and Borough workforce staffing requirements for review and consideration by the Budget and Finance Committee for inclusion in the 2019 operating budget process; and

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

RESOLUTION #18-307

RESOLUTION GRANTING PERMISSION TO DEEP SET LLC, DBA REASONS WINE, TO DISPLAY AND SELL ITS WINE PRODUCTS AND TO PROVIDE FREE SAMPLES AT THE CHATHAM BOROUGH FARMERS' MARKET

WHEREAS, the New Jersey Department of Law and Public Safety, Division of Alcoholic Control, has issued Out of State Winery License Number 3404-41-684-001, to Deep Set LLC, doing business as Reasons Wine, ("Reasons Wine"); and

WHEREAS, Reasons Wine has registered as a vendor at the Chatham Borough Farmers' Market for the remaining 2018 season and wishes to display and sell its wine products, and provide free samples, at the Chatham Borough Farmers' Market from 8:00 a.m. to 4:00 p.m. on the following four Saturdays:

October 13, 2018; October 20, 2018; November 10, 2018; and November 17, 2018

And,

WHEREAS, the New Jersey Beverage Control Act, N.J.S.A. 33:1-10(2)(a) and N.J.S.A. 33:1-10(2)(b), provide that holders of an Out of State Winery License may display and sell its wine products in original containers for off-premises consumption at farmers' markets, and may provide free samples, provided that a valid Festival Permit is issued to the licensee from the Division of Alcoholic Beverage Control for each day indicated on the permit; and

WHEREAS, Reasons Wine has been issued the required Festival Permits for each of the dates as herein referenced and has provided a copy of each of the Festival Permits to the Borough Clerk and to the Director of Community Services; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Reasons Wine is hereby granted permission to display and sell its wine products in original containers for off-premises consumption, and may provide free samples of its products to the public, at the Chatham Borough Farmers' Market, for each of the dates as referenced herein and in accordance with the Festival Permits issued by the New Jersey Division of Alcoholic Beverage Control; and

BE IT FURTHER RESOLVED, that the Festival Permits issued by the New Jersey Division of Alcoholic Beverage Control must be conspicuously displayed on the permitted premises in accordance with law; and

BE IT FURTHER RESOLVED, that all 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:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #18-301 through #18-307.

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:_____.

ADD-ON RESOLUTION[S]

RESOLUTION #18-308

RESOLUTION TO ADJOURN INTO CLOSED SESSION

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

- | | |
|-------------------|---|
| Litigation: | 1. <u>4 Watchung LLC v. Borough of Chatham</u> – Mr. Lott |
| Contract Matters: | 1. Summit Fuel Shared Service Agreement – Mr. Williams |
| | 2. Library of the Chathams Maintenance – Mr. Williams |
| | 3. Class III SLEO-School District – Council Member Weber |

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.

ADJOURNMENT