

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

**July 14, 2014 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, July 14, 2014 at 7:30 p.m. in the Council Chambers in the Municipal Building, 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 regarding Adequate Notice of Meeting:

Adequate notice of this meeting had been provided on January 2, 2014 in accordance with N.J.S.A. 10:4-10, by including same in the Annual Meeting Notice, a copy of which was posted on the Municipal Bulletin Board located on the main floor in the Municipal Building, was e-mailed to the Independent Press, the Morris County Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and The Alternative Press, and such Annual Meeting Notice was filed with the Borough Clerk.

**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 Member John Holman  
Council President Victoria Fife  
Council Member Gerald J. Helfrich  
Council Member Alida Kass  
Robert J. Falzarano, Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Robin R. Kline, Municipal Clerk

Mayor Bruce A. Harris read the following Resolution:

**RESOLUTION TO ADOPT COUNCIL MEETING MINUTES  
RESOLUTION #14-224**

**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:

June 9, 2014

**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:

June 9, 2014 Closed Session

Council Member Holman moved to approve Resolution #14-224, seconded by Council Member Collander. A voice vote was taken and Resolution #14-224 was approved unanimously.

## **DISCUSSION ITEMS**

Chatham Athletic Foundation Gala – Mr. Zeliff thanked the governing body for its continued support of the Chatham Athletic Foundation and spoke about the organization's upcoming annual gala event. In efforts to boost attendance and fundraising potential for this event, Mr. Zeliff respectfully requested the governing body to consider allowing the gala to run until 12:30 a.m. instead of 12:00 midnight. Mr. Zeliff briefly summarized some of the projects CAF has sponsored, and would continue to sponsor, due to its fundraising initiatives. Council Member Lonergan expressed the CAF has a tradition of engaging in wonderful community events over the past years and voiced his support. Upon discussion, the Borough Council requested a Resolution be placed on the July 28<sup>th</sup> agenda for consideration.

(MAIN) Library Program – Karen Brodsky, Library Director, presented an overview of the popular MAIN Library Program, which has been funded and supported by Morris County for many years. However, Ms. Brodsky informed the Mayor and Council that the Library of the Chathams and other member libraries have not received the level of technology support from the county as had been in place and are challenged with funding greater technology costs in order to meet public demand. Ms. Brodsky informed the Borough Council she has been investigating potential shared service opportunities as well as vetting vendor costs to provide technology support. The Borough Council voiced concern that the county plans to reduce and possibly eliminate technology support to the library. Mayor Harris agreed to write a letter to the Freeholders to express the Borough's concerns.

Capital Projects Update – Vincent DeNave, Engineer, stated the preconstruction meeting with the County for the Fairmount Avenue paving is scheduled for Thursday, July 17th. He understands the paving will be done before August. The pathway paving from South Passaic Avenue to Fuller Avenue has been completed. Road resurfacing has been completed on Summit Avenue, Fairview Avenue and Red Road; Road resurfacing still needs to be done on Harvard Street, Yale Street, Center Avenue, Duchamp Place and Edgehill Road. If Madison can finalize the curbing on their side of Division Avenue, that will be resurfaced also. The first of the five year sidewalk program will be started by doing 1 ¼ miles of sidewalk this year. Work on Post Office Plaza will be completed prior to school starting. The paving will be completed overnight to eliminate parking problems during the day. The resolution to award a contract to repair the roof on Borough Hall will be on the next agenda. Mr. DeNave stated 14 new homes have been constructed in the Borough since the beginning of the year. The Council will invite the Zoning Board of Adjustment to a council meeting in October to explain any changes to the zoning ordinances they would recommend.

Electric Vehicle Charging Station – Vincent DeNave, Engineer, reported the Borough received a \$20,000.00 grant to install a level 3 Electric Vehicle Charging Station (EVC). Total project costs are \$39,000.00, creating a \$19,000.00 funding short-fall. As an alternative, Mr. Denave stated the Borough might consider installing a level 2 EVC Station at a cost of \$11,000.00. The Borough Council questioned whether it makes sense to consider installing an older vehicle charging technology and further questioned why local government should become an electric vehicle energy provider.

Parking Permit Program – Council Member James J. Collander introduced Chief Crosson. Chief Crosson explained the caregiver and resident parking permit program. Each caregiver would receive one permit issued to a specific vehicle; if they are using a different vehicle they will have to notify the

parking enforcement officers. The caregiver permit can be transferred to another caregiver. Residents residing in an area with time-restricted parking can obtain a permit. There will be a onetime \$10 fee. The Council discussed changing the style of the railroad station parking tags; they would like them to be smaller. Parking Officer Bochniak will check the cost.

## **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.

Fran Drew, 32 Inwood Road, voiced concern about the potential devastation of ash trees in the Borough that may be caused by the infestation of the emerald ash borer. Mrs. Drew urged the governing body to bring public awareness to this matter in efforts to help preserve Chatham Borough's tree canopy. The Borough Council requested that the Shade Tree Commission to review this matter at its July 15<sup>th</sup> meeting and present its recommendation on a course of action to help address this pending threat.

Seeing no one else wishing to speak Mayor Harris closed the meeting to the public.

## **REPORTS**

### **Board & Commission Members & Liaison Reports**

#### Affordable Housing Advisory Committee

Mayor Bruce A. Harris reported he, Mr. Falzarano and others will participate in a webinar overview of the new COAH regulations on July 15<sup>th</sup>.

#### Traffic & Pedestrian Safety Advisory Committee

Council Member James J. Collander stated the next meeting will center around Washington Avenue School's addition to their parking lot.

#### Chamber of Commerce

Council President Victoria Fife had nothing new to report.

#### Clean Chatham Advisory Committee

Council President Victoria Fife had nothing new to report.

#### Mayor's Wellness Committee

Council President Victoria Fife reported the Committee is working on the Health Fair which will be held on Saturday September 13<sup>th</sup>.

#### Planning Board

Council President Victoria Fife stated the M District subcommittee presented the draft ordinance to the full Planning Board on June 18<sup>th</sup>.

#### Project Community Pride

Council President Victoria Fife had nothing new to report.

Public Arts Council Advisory Committee

Council President Victoria Fife had nothing new to report.

Senior Center of the Chathams

Council President Victoria Fife had nothing new to report.

Cares & Shares Advisory Committee

Council Member James Lonergan had nothing new to report.

Communications & Technology Advisory Committee

Council Member James Lonergan stated there will be a Communications & Technology meeting on July 24<sup>th</sup>.

Joint Recreation Advisory Committee

Council Member James Lonergan stated they are into the summer travel season. The fields in the Borough and Township are all in good shape.

Overnight Parking Advisory Committee

Council Member James Lonergan had nothing new to report.

Municipal Pool Advisory Committee

Council Member James Lonergan reported membership is down from last year, but they still predict breaking even. Council Member Lonergan encouraged resident to become members of the pool.

Board of Health

Council Member John Holman had nothing new to report.

Farmers' Market Advisory Committee

Council Member John Holman reported the Market is doing well. The Committee is in need of volunteers; applications are on the Borough website or you can contact Janice Piccolo.

Joint Community Gardens Advisory Committee

Council Member John Holman reported the garden is doing well.

Madison Chatham Joint Meeting

Council Member John Holman stated the next meeting will be on July 21<sup>st</sup>.

Board of Education

Council Member Gerald J. Helfrich had nothing new to report.

9/11 Memorial Advisory Committee

Council Member Gerald J. Helfrich had nothing new to report

Environmental Commission

Council Member Alida Kass had nothing new to report.

Historic Preservation Commission

Council Member Alida Kass had nothing new to report.

Open Space & Historic Preservation Trust Advisory Committee

Council Member Alida Kass had nothing new to report.

### Shade Tree Commission

Council Member Alida Kass stated the Commission will discuss the proposed Shade Tree Ordinance at the July 15<sup>th</sup> meeting.

### **MAYOR'S REPORT**

Mayor Bruce A. Harris applauded the organizations and volunteers who helped to organize the annual Fishawack Festival and Train Centennial held on June 28<sup>th</sup>. Mayor Harris further recognized the Chatham Fire Department for organizing the annual July 4<sup>th</sup> Parade and fireworks.

Mayor Harris informed the Council that a Chatham Borough Eagle Scout candidate has been researching varieties of bee-friendly plants, which will be planted at the Bee Garden as part of his Eagle Scout project.

### **ADMINISTRATOR'S REPORT**

Robert J. Falzarano reported that Bob Venezia will be at the September 22<sup>nd</sup> Council Meeting to explain the fall leaf collection. Mr. Falzarano and Mr. Codey have finalized the policy for OPRA requests for the Construction Office. The frequently asked questions for the web site are nearly complete; there will be a meeting held to discuss putting them on the website. Mr. Falzarano stated the energy saving programs have saved the Borough approximately \$19,000.00 a year each year since 2011. He anticipates a savings in 2014 of approximately \$50,000.00. The rust inhabitation process the DPW has started should save the Borough because they will not have to replace the truck bodies because of rust.

Mayor Harris further asked Mr. Falzarano to briefly inform the Council about a resident's request to install additional tree plantings at Lum Field as a possible solution to shield the lighting at the field during use. Mr. Falzarano stated Mr. Venezia did not think they would be able to plant trees on the field that would block the lights from the homes on Chatham Street because of the steep drop off around the field.

### **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 #14-225 through Resolution #14-243.

### **FINANCE**

#### **RESOLUTION #14-225**

#### **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 Borough 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 Director of Finance.

#### **RESOLUTION #14-226**

#### **RESOLUTION INSERTING AN ITEM OF REVENUE IN THE ADOPTED 2014 MUNICIPAL BUDGET**

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

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

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Borough of Chatham hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the adopted 2014 Municipal Budget in the sum of \$500.00, which items are now available as a revenue from a grant received from the Chatham Jaycees Inc. pursuant to the provisions of the herein referenced statute; and

**BE IT FURTHER RESOLVED**, that the sum of \$500.00, be made and the same is hereby appropriated under the caption of: JAYCEES SHADE TREE GRANT-2014, Account # G-01-41-708-201, amount \$500.00; and

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

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

#### **RESOLUTION #14-227**

#### **RESOLUTION AUTHORIZING CANCELLATION OF PROPERTY TAXES AND REFUND OF PROPERTY TAX OVERPAYMENTS**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised her office received a 100% Permanent and Total Disability Evaluation notification from the U.S. Department of Veterans Affairs declaring a Chatham Borough property owner to have a service-related disability effective as of May 23, 2013; and

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.30 et seq., Disabled Veteran's Exemption, any citizen and resident of this State who has been declared by the United States Veterans Administration or its successor to be a total or 100% permanent disabled veteran shall be exempt from property taxes; and

**WHEREAS**, the Tax Collector has further advised property taxes are to be cancelled and refunded for property tax payments made as follows:

<b>BLK/LOT</b>	<b>OWNERS &amp; PROPERTY ADDRESS</b>	<b>AMOUNT</b>	<b>YEAR/QTR</b>
112/1	Schwartz, Vincent	\$ 672.99	2013/3 Qtr. (prorated)
	52 Watchung Avenue	\$2,378.03	2013/4 Qtr.
		<u>\$2,442.88</u>	2014/1 Qtr.
		\$5,493.90	Total

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to cancel the property taxes for the referenced qualified property owner declared to be a 100% disabled veteran as of May 23, 2013 and to process a refund for the payment of property taxes made in accordance with the provisions of N.J.S.A. 54:4-3.30 et seq.

#### **RESOLUTION #14-228**

#### **RESOLUTION AUTHORIZING THE REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that a duplicate payment was made by the seller's mortgage lender and purchaser's mortgage lender at the date of closing resulting in an overpayment of property taxes; and

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

BLK/LOT	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
98/34	Palmeri, Vincent J. & Janice A. 28 Edgehill Avenue	\$3,187.27	2014/2 Qtr.

Check payable to:  
Palmeri, Vincent J. & Janice A.  
c/o A Absolute Escrow Settlement Co.  
PO Box 769  
55 Essex Street  
Millburn, NJ 07041-1314

**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 #14-229**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM  
AUTHORIZING THE SETTLEMENT OF 2013 TAX APPEAL ENTITLED  
MELISSA WALKER V. BOROUGH OF CHATHAM FILED IN THE TAX COURT OF  
NEW JERSEY, DOCKET NO. 010977-2013 CONTESTING THE REAL PROPERTY  
ASSESSMENT OF BLOCK 86, LOT 14, KNOWN AS 14 LINCOLN AVENUE, IN THE  
BOROUGH OF CHATHAM, MORRIS COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013, involving Block 86, Lot 14, has been filed by the taxpayer, Melissa Walker; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor, the Municipal Tax Attorney and Appraiser; and

**WHEREAS**, the Morris County Tax Board affirmed the Borough's position in the underlying property tax appeal matter; and

**WHEREAS**, settlement of said matter as more fully set forth below is in the best interest of the Borough of Chatham.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham, Morris County, New Jersey, that the settlement of the referenced 2013 tax appeal is hereby authorized as follows:

14 Lincoln Avenue

<u>Year 2013</u>	<u>Original Assessment</u>		<u>County</u>	<u>Board</u>	<u>Judgment</u>
	<u>Settlement Amount</u>				
Land:	\$503,000	\$503,000		\$404,000	
Imprvts:	\$146,000	\$146,000		\$103,500	
Total:	\$649,000	\$649,000		\$507,500	

**BE IT FURTHER RESOLVED**, the provisions of the N.J.S.A.54:51A-8 ("Freeze Act") shall be applicable to the taxpayer's 2014 Assessment only; and

**BE IT FURTHER RESOLVED**, any and all refunds as a result of the settlement due to the taxpayer shall be in the form of a credit to the taxpayer; and

**BE IT FURTHER RESOLVED**, all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Municipal Tax Attorney to enter into the Stipulation of Settlement as provided by taxpayer.

**RESOLUTION #14-230**

**RESOLUTION EXTENDING THE PAYMENT OF THIRD QUARTER PROPERTY TAX  
BILLS FROM AUGUST 1, 2014 TO AUGUST 18, 2014**

**WHEREAS**, N.J.S.A. 54:4-64 requires municipal property tax bills to be mailed at least 47 days prior to August 1<sup>st</sup> of each year; and

**WHEREAS**, due to the delay in the certification of the Borough's tax rate by the Morris County Tax Board, the mailing of the 2014 tax bills will be delayed; and

**WHEREAS**, N.J.S.A. 54:4-64 further mandates that property taxpayers shall be given adequate notice of the date when taxes are due before interest is charged on delinquent tax payments; and

**WHEREAS**, by law the taxpayer has 25 days from the date of mailing of the tax bill to pay property taxes due without interest or penalty; and

**WHEREAS**, the taxpayer would have less than the required 25-day period from the date of mailing of the tax bill to the third quarter August 1, 2014 due date to pay property taxes due without interest or penalty.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that tax payments due on August 1, 2014 will not be considered delinquent until August 18, 2014, after which date interest will be charged from August 1, 2014 to the date of payment.

**APPOINTMENTS**

**RESOLUTION #14-231**

**RESOLUTION APPROVING AND CONFIRMING MAYORAL APPOINTMENTS TO  
THE ENVIRONMENTAL COMMISSION**

**WHEREAS**, there exists two Regular Member vacancies on the Environmental Commission; and

**WHEREAS**, Chapter 11, §11-2 of the Code of the Borough of Chatham sets forth that the Mayor shall appoint members to the Chatham Borough Commission with the advice and consent of the Council; and

**WHEREAS**, Kate Murphy, an Alternate #1 Member of the Environmental Commission has expressed interest in being appointed as a Regular Member; and

**WHEREAS**, Leonard Resto, an Alternate #2 Member of the Environmental Commission has expressed interest in being appointed as a Regular Member; and

**WHEREAS**, Mayor Bruce Harris wishes to appoint Kate Murphy as a Regular Member to the Chatham Borough Environmental Commission, effective August 1, 2014, to fill an unexpired 3-year Regular Member position, with such term expiring December 31, 2015; and

**WHEREAS**, Mayor Bruce Harris wishes to appoint Leonard Resto as a Regular Member to the Chatham Borough Environmental Commission, effective August 1, 2014, to fill an unexpired 3-year Regular Member position, with such term expiring December 31, 2015.

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it hereby approves and confirms the Mayoral appointments referenced herein, which require the consent of the Council.



## **CONTRACTS**

### **RESOLUTION #14-232**

#### **RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF THE 2014 ROAD MICROSURFACING CONTRACT TO ASPHALT PAVING SYSTEMS, HAMMONTON, NEW JERSEY, IN THE AMOUNT NOT TO EXCEED \$50,164.14**

**WHEREAS**, bid specifications for the 2014 Road Microsurfacing Program were prepared by the City of Summit, acting as the lead agency in the Summit City Cooperative Pricing System (SCCPS); and

**WHEREAS**, the Borough of Chatham is a member of SCCPS; and

**WHEREAS**, the City of Summit awarded a contract for the 2014 Road Microsurfacing Program to Asphalt Paving Systems, the lowest responsible bidder, at its Council Meeting held on June 3, 2014; and

**WHEREAS**, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase is under a Cooperative Purchasing Program; and

**WHEREAS**, the Director of Public Works for the Borough of Chatham recommends that an award of the contract be made to Asphalt Paving Systems, PO Box 530, Hammonton, NJ 08037 in the amount not to exceed \$50,164.14 as follows:

Asphalt Paving Systems	Price \$2.29/square yard
PO Box 530	21,905.74 square yards material
Hammonton, NJ 08037	Total Cost: \$50,164.14

**WHEREAS**, the Director of Finance has provided a certification of availability of funds in the amount not to exceed \$50,164.14 in Account #C-04-55-914-108 for the 2014 Road Microsurfacing Program.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Director of Public Works and Borough Engineer and hereby authorizes an award of contract be made to Asphalt Paving Systems in the amount not to exceed \$50,164.14 in accordance with the specifications upon which bids were received and accepted by SCCPS; and

**BE IT FURTHER RESOLVED**, that the Director of Finance is hereby authorized and directed to approve and forward a Purchase Requisition to Asphalt Paving Systems in the amount not to exceed \$50,164.14 from Account #C-04-55-914-108.

### **RESOLUTION #14-233**

#### **RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, AUTHORIZING THE AWARD OF THE 2014 ROAD RESURFACING CONTRACT TO TILCON, INC., MT. HOPE ROAD, WHARTON, NEW JERSEY, IN THE AMOUNT NOT TO EXCEED \$150,000.00**

**WHEREAS**, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase of goods or services is made through the Morris County Cooperative Purchasing Program; and

**WHEREAS**, the Chatham Borough Engineering Department has scheduled milling and resurfacing of the following roadways as part of the Borough's 2014 Road Resurfacing program:

Red Road	Harvard Street	Center Avenue
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Fairview Avenue      Summit Avenue      Edgehill Road  
and;

**WHEREAS**, the Borough Engineer recommends that an award of the contract be made to Tilcon, Inc., Mt. Hope Road, Wharton, New Jersey, for the 2014 Road Resurfacing program, in the amount not to exceed \$150,000; and

**WHEREAS**, Tilcon, Inc. is a qualified vendor under the Morris County Cooperative Purchasing Program; and

**WHEREAS**, the Director of Finance has provided a certification of availability of funds in the amount not to exceed \$150,000.00 from the Capital Improvement Fund Account #4-01-44-901-903 for the 2014 Road Resurfacing Program.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Borough Engineer and hereby authorizes an award of contract be made to Tilcon, Inc. in the amount not to exceed \$150,000.00 in accordance with the specifications upon which bids were received and accepted by the Morris County Cooperative Purchasing Program; and

**BE IT FURTHER RESOLVED**, that the Finance Director is hereby authorized and directed to approve and forward a Purchase Requisition to Tilcon, Inc. in the amount not to exceed \$150,000.00 from the Capital Improvement Fund Account #4-01-44-901-903.

#### **RESOLUTION #14-234**

#### **RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH JAMES EBBINGHOUSEN OF CHRISTMAS DÉCOR, WOODLAND PARK, NEW JERSEY, FOR THE INSTALLATION AND REMOVAL OF WHITE LIGHTS ON MAIN STREET FOR THE 2014 HOLIDAY SEASON, IN THE CONTRACT AMOUNT NOT TO EXCEED \$10,768.03**

**WHEREAS**, the Borough of Chatham enjoys the festive tradition of decorating its Main Street and public library with white lights during the holiday season; and

**WHEREAS**, the Mayor and Council of the Borough of Chatham wish to continue this tradition for the 2014 holiday season; and

**WHEREAS**, the Borough Administrator recommends an award of the contract be made to James Ebbinghousen of Christmas Décor, Woodland Park, New Jersey, 07424 in the amount not to exceed \$10,768.03 for the installation and removal of white lights downtown on or about November 15, 2014, and for the removal of the white lights on or before January 15, 2015; and

**WHEREAS**, the Director of Finance has provided a certification of availability of funds in the amount of \$10,768.03 in Account T-17-56-000-213 for the referenced contract.

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it hereby concurs with the recommendation of the Borough Administrator and authorizes an award of contract be made with James Ebbinghousen of Christmas Décor, Woodland Park, New Jersey 07424 for the installation of white lights on Main Street and public library for the 2014 holiday season.

**BE IT RESOLVED**, the Mayor is hereby authorized to sign a contract with James Ebbinghousen of Christmas Décor for the installation and removal of white lights downtown, for the contract amount not to exceed \$10,768.03.

**BE IT RESOLVED**, that the Director of Finance is hereby authorized and directed to approve and forward a Purchase Requisition to James Ebbinghousen of Christmas Décor in the amount not to exceed \$10,768.03 from Account #C-04-55-914-108.

## **PERSONNEL**

### **RESOLUTION #14-235**

#### **RESOLUTION APPOINTING ROBIN R. KLINE AS ALTERNATE DEPUTY REGISTRAR FOR THE BOROUGH OF CHATHAM EFFECTIVE JUNE 10, 2014**

**WHEREAS**, there is a need for the appointment of an Alternate Deputy Registrar of Vital Statistics for the Borough of Chatham to assist in the normal day-to-day operation of the office and to act in the Registrar's and Deputy Registrar's place in case of their disability or absence; and

**WHEREAS**, in accordance with N.J.S.A. 26:8-17, the Local Registrar recommends the appointment of an Alternate Deputy Registrar; and

**WHEREAS**, Robin R. Kline is a Certified Municipal Registrar and has indicated a willingness to serve as an Alternate Deputy Registrar of Vital Statistics for the Borough of Chatham.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Local Registrar and hereby appoints Robin R. Kline as Alternate Deputy Registrar of Vital Statistics for the Borough of Chatham for such term effective June 10, 2014 and ending December 31, 2014 pursuant to state law.

### **RESOLUTION #14-236**

#### **RESOLUTION APPOINTING STEVE DAVENPORT AS A DEPUTY COORDINATOR FOR THE OFFICE OF EMERGENCY MANAGEMENT IN THE BOROUGH OF CHATHAM**

**WHEREAS**, William Nauta, Coordinator of the Office of Emergency Management recommends the appointment of Steve Davenport as a Deputy Coordinator for the Office of Emergency Management; and

**WHEREAS**, Steve Davenport has indicated a willingness to serve as a Deputy Coordinator for the Office of Emergency Management for the Borough of Chatham.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Coordinator of the Office of Emergency Management and hereby appoints Steve Davenport as a Deputy Coordinator for the Office of Emergency Management for the Borough of Chatham.

### **RESOLUTION #14-237**

#### **RESOLUTION APPOINTING TEMPORARY SUMMER EMPLOYEES FOR THE RECREATION DEPARTMENT**

**WHEREAS**, the Deputy Director of the Recreation Department has a need to hire additional temporary summer employees for the 2014 summer season; and

**WHEREAS**, the Deputy Director of the Recreation Department has recommended the hiring of three additional temporary Pool Staff/Substitute employees for the 2014 summer season.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it hereby concurs with the Deputy Director of Recreation's recommendation and appoints the following individuals as temporary summer employees for the Borough of Chatham at the respective rate of pay:

Julia Plunkett	Summer Pool Staff/Substitute	\$8.25
Abby DeBoer	Summer Pool Staff/Substitute	\$8.25
John Burkard	Summer Pool Staff/Substitute	\$8.25
Erik Britt	Summer Pool Staff/Substitute	\$8.25

## **RECREATION**

### **RESOLUTION #14-238**

#### **RESOLUTION AMENDING RESOLUTION #14-81 APPROVING CERTAIN HOURS FOR SCHEDULING ORGANIZED PLAY AT LUM FIELD TURF FIELD AND THE POSTING OF “NO PETS ALLOWED” SIGNAGE AND THE USE OF TEMPORARY LIGHTS**

**WHEREAS**, the governing body of the Borough of Chatham adopted Resolution #14-81 at its Reorganization Meeting held on January 6, 2014 establishing certain hours for scheduling of organized play at Lum Field, posting of “No Pets Allowed” signage, and setting forth the hours of permitted use of portable and temporary lighting at Lum Field for the football program; and

**WHEREAS**, football has become one of the many very popular sports programs with growing participation; and

**WHEREAS**, the Chatham Football Club, Inc. has requested additional scheduled use of temporary lights at Lum Field to three nights a week to better accommodate the growing number of player registrants and to ensure greater player safety during practices.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham hereby amends Resolution #14-81 adopted on January 6, 2014 and restates the authorized use of Lum Field for organized play limited to the following hours based upon a weekly schedule as follows:

**When ECLC is in session:**

Weekdays:	3pm-8 pm	no start of a new inning/quarter after 8 pm
Saturdays:	9am-6 pm	no start of a new inning/quarter after 6 pm
Sundays:	1pm-6 pm	no start of a new inning/quarter after 6 pm

**When ECLC is not in session:**

Weekdays:	9am-8 pm	no start of a new inning/quarter after 8 pm
Saturdays:	9am-6 pm	no start of a new inning/quarter after 6 pm
Sundays:	1pm-6 pm	no start of a new inning/quarter after 6 pm

**BE IT FURTHER RESOLVED**, that the foregoing hours of use are subject to weather and lighting conditions for safe play; and

**BE IT FURTHER RESOLVED**, that temporary light units will be allowed in 2014 on no more than three nights per week from 6:00 p.m. to 8:10 p.m. in the fall for football only and only as needed; and

**BE IT FURTHER RESOLVED**, play under the lights will not extend past 8:00 p.m.; and

**BE IT FURTHER RESOLVED**, the lights shall be turned off at 8:10 p.m.; and

**BE IT FURTHER RESOLVED**, the Borough Administrator is authorized to adjust the times and dates based on extenuating circumstances; and

**BE IT FURTHER RESOLVED**, that “NO PETS ARE ALLOWED” on Lum Field and appropriate signage will be placed at the field regarding this prohibition; and

**BE IT FURTHER RESOLVED**, that certain provisions of Chapter 79 entitled “Animal and Rabies Control,” specifically Section 79-10 entitled “Defiling or damaging property” and Section 79-11 entitled “Disposal of pet waste” as well as Section 79-18 entitled “Violations and penalties” are incorporated into this Resolution by reference.

## **OTHER**

### **RESOLUTION #14-239**

#### **RESOLUTION OF THE BOROUGH OF CHATHAM IN SUPPORT OF CHATHAM TOWNSHIP'S APPLICATION TO THE MORRIS COUNTY OPEN SPACE TRUST FUND FOR A GRANT TO HELP PURCHASE THE 165-ACRE GIRALDA FARMS PROPERTY**

**WHEREAS**, Chatham Township seeks to purchase the 165-acre Giralda Farms tract, a remnant of the former Geraldine R. Dodge Estate, located in the northwest portion of Chatham Township; and

**WHEREAS**, being a neighbor to Chatham Township with close proximity to Giralda Farms and the Loantaka Brook Reservation, our town will benefit significantly in Chatham Township's desire to preserve this parcel of land; and

**WHEREAS**, while the 165-acre Giralda Farms tract lies within Chatham Township, its proximity to Chatham Borough, as well as several other adjacent municipalities, truly makes Giralda Farms a regional open space purchase from which all town will reap benefits; and

**WHEREAS**, the Giralda Farms property is within walking distance to two major universities, Drew University and Farleigh Dickinson University, and only four miles from the Morristown Green; and

**WHEREAS**, the preservation of the Giralda Farms property would greatly complement and enhance public access and enjoyment of the adjacent 744-acre Loantaka Brook Reservation, a county park that includes eight miles of biking, hiking and running trails; and

**WHEREAS**, the purchase of the 165-acre Giralda Farms tract will permanently preserve one of the most significant tracts of open space in eastern Morris County and will help protect the critical Great Swamp watershed, home to more than 244 species of birds; and

**WHEREAS**, the purchase of the Giralda Farms property would be the largest conservation transaction ever completed in Morris County and one of the largest in New Jersey.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it joins with its neighbor Chatham Township in calling upon the Morris County Board of Chosen Freeholders and the Morris County Open Space Committee to support and approve the necessary open space funding to successfully secure the purchase of the 165-acre Giralda Farms tract for protection, preservation, and recreational enjoyment of present and future generations.

### **RESOLUTION #14-240**

#### **RESOLUTION TO RENEW ALCOHOLIC BEVERAGE PLENARY RETAIL DISTRIBUTION LICENSE 1404-44-004-005 FOR THE 2014-2015 LICENSE TERM**

**WHEREAS**, a completed liquor license renewal application has been made to the Borough of Chatham, County of Morris, for the renewal of plenary retail distribution liquor license 1404-44-004-005 for the 2014-2015 license term; and

**WHEREAS**, no objections were filed with the Municipal Clerk, either written or in person, with respect to the renewal of the referenced liquor license; and

**WHEREAS**, the Municipal Clerk certifies the liquor license renewal application filed by Srinidhi Liquors LLC for Plenary Retail Distribution Liquor License 1404-44-004-005 is complete in all respects, all required fees have been remitted and paid, the licensee has been qualified, and a Tax Clearance Certificate has been issued by the New Jersey Division of Taxation.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it is satisfied all rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, as amended and supplemented, have been duly complied with and the renewal of the herein referenced liquor license for the 2013-2014 license term is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is authorized to issue the herein referenced liquor license for the licensing term 2014-2015 on the form and certificate approved by the Alcoholic Beverage Control Commission in the State of New Jersey.

**RESOLUTION # 14-241**  
**RESOLUTION AUTHORIZING THE CHATHAM BOROUGH POLICE DEPARTMENT**  
**RIDE-ALONG PROGRAM.**

**WHEREAS**, the Mayor and Council of the Borough of Chatham wish to authorize a Borough Police Department Ride-Along Program; and

**WHEREAS**, the purpose of the Ride-Along Program is to improve police and public relations by familiarizing participants with the nature of police work.

**BE IT RESOLVED**, by the Mayor and Borough Council that it hereby authorizes the Borough Police Department Ride-Along Program; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator, in consultation with the Chief of Police, is hereby authorized to promulgate rules and regulations pertaining to the Ride-Along Program, as well as an application form and any other documents necessary to administer the program consistent with this Resolution; 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 POLICY**

**RESOLUTION #14-242**  
**RESOLUTION SUPPORTING NEW JERSEY ASSEMBLY BILL A-3378**  
**“GOVERNMENT CROWDFUNDING ACT”**

**WHEREAS**, New Jersey Assembly Bill A-3378 sponsored by Assemblywomen BettyLou DeCroce, 26<sup>th</sup> Legislative District (Essex, Morris and Passaic) and Assemblyman Daniel Benson, 14<sup>th</sup> Legislative District (Mercer and Middlesex), and co-sponsored by Assemblywomen Handlin, Assemblyman Gusciora and Assemblyman Caputo, seeks to establish the “Government Crowdfunding Act,” allowing government entities the opportunity to conduct fundraising to finance certain beneficial community projects; and

**WHEREAS**, crowdfunding is the practice of raising private funds for projects that benefit the public by giving government entities, including the state, counties, municipalities, school boards and authorities the opportunity to raise money via the internet, or other direct solicitation, for a variety of beneficial community projects that governments may be constrained from funding; and

**WHEREAS**, crowdfunding is used in several states, cities and school districts across the U.S. to finance public projects such as the purchase of shareable bicycles and bike stations in a downtown area, creation of bicycling parks and bike paths, installation of artificial turf ball fields, and distributing iPads and Bluetooth headsets to students; and

**WHEREAS**, New Jersey Assembly Bill A-3378 defines the process government entities must follow in New Jersey before starting a crowdfunding venture, including setting a specific fundraising target and implements a time limit on the fundraising activity; and

**WHEREAS**, Chatham Borough has received private funding for community projects such as bringing back the White Lights along Main Street, a proud holiday tradition in the Borough, and *Chatham Clean*, a volunteer-driven initiative helping to make Chatham great one community project at a time.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it enthusiastically supports New Jersey Assembly Bill A-3378 to be known as the “Government Crowdfunding Act” which would offer government entities the opportunity to conduct fundraising for certain beneficial community projects and urges all State Legislative Representatives to pass A-3378; and

**BE IT FURTHER RESOLVED**, certified copies of this Resolution shall be forwarded to Assemblywomen BettyLou DeCroce; Assemblyman Daniel Benson; Assemblywomen Handlin; Assemblyman Gusciora; Assemblyman Caputo; Chatham Borough’s 21<sup>st</sup> Legislative District Representatives, State Senator Thomas Kean, Jr.; Assemblyman Jon Bramnick; and Assemblywomen Nancy Munoz; and to the Executive Director for the New Jersey League of Municipalities.

**RESOLUTION #14-243**  
**RESOLUTION DESIGNATING MAYOR BRUCE A. HARRIS, COUNCIL PRESIDENT**  
**VICTORIA FIFE, COUNCIL MEMBER JAMES J. COLLANDER AND**  
**COUNCIL MEMBER GERALD HELFRICH TO REPRESENT CHATHAM BOROUGH**  
**ON THE PARK AVENUE CORRIDOR REGIONAL COALITION**  
**TRAFFIC STUDY WORKING GROUP**

**WHEREAS**, Morris County has convened a working group as part of the Park Avenue Corridor Regional Coalition Traffic Study to discuss regional traffic issues and potential solutions; and

**WHEREAS**, the Mayor and Council of the Borough of Chatham wish to designate Mayor Bruce A. Harris, Council President Victoria Fife, Council Member James J. Collander and Council Member Gerald Helfrich to represent the Borough’s interests in connection with this working group, provided that no more than three (3) members shall attend any working group session.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham they hereby designate Mayor Bruce A. Harris, Council President Victoria Fife, Council Member James J. Collander and Council Member Gerald Helfrich to represent the Borough’s interests in connection with the Park Avenue Corridor Regional Coalition Traffic Working Group, provided that no more than three (3) members shall attend any working group session; and

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

**CONSENT AGENDA VOTE:**

Mayor Harris asked Council Member Holman to proceed with the Resolution #14-225 through Resolution #14-243 listed on the Consent Agenda.

Council Member Holman moved to approve the Consent Agenda, seconded by Council Member Holman. A voice vote was taken and all Resolutions listed on the Consent Agenda were approved unanimously.

**RESOLUTION #14-244**  
**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:

Contracts:                   1. Project Community Pride - Council President Fife  
                                  2. Morris County JIF renewal – Mr. Falzarano  
                                  3. B & B Contract – Mr. Lott  
                                  4. MCJM Contract – Mayor Harris

Litigation:                 1. Tricare – Mr. Lott

**BE IT FURTHER RESOLVED**, that 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 Resolution #14-244, seconded by Council Member Collander. A voice vote was taken and Resolution #14-222 was approved unanimously.

**ADJOURNMENT**

Adjourn 8:50 p.m.

Respectfully Submitted:

*Robin R. Kline*

Robin R. Kline, MAS, RMC, CMR  
Municipal Clerk, Borough of Chatham