

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

December 8, 2014 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, December 8, 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 of adequate notice:

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; 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 John Holman
Council President Member 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, Borough Clerk

Council Member James Lonergan was absent.

Mayor Bruce Harris opened the meeting by announcing the first order of business will be the appointment of a new probationary fireman for the Chatham Borough Volunteer Fire Department.

Mayor Bruce Harris asked Council Member James Collander to proceed with Resolution #14-340.

Council Member read Resolution #14-340 in full as follows:

APPOINTMENT

RESOLUTION #14-340

**RESOLUTION APPOINTING MARK L. SHADEK AS A NEW PROBATIONARY
FIREFIGHTER IN THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT,
ENGINE COMPANY NO. 2**

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; and

WHEREAS, Mark L Shadek has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department, Engine Company No. 2; and

WHEREAS, the Fire Chief and the Captain of Engine Company No. 2 have recommended that Mark L Shadek be appointed as a new Probationary Firefighter with the Chatham Borough Volunteer Fire Department, Engine Company No. 2.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Mark L Shadek's Application for Membership to the Chatham Borough Volunteer Fire Department, Engine Company No. 2 is hereby approved; and

BE IT FURTHER RESOLVED, that Mark L Shadek is hereby appointed as a new Probationary Firefighter for the Chatham Borough Volunteer Fire Department, Engine Company No. 2.

Council Member James Collander moved Resolution #14-340. Motion was seconded by Council President Victoria Fife. A voice vote was taken and Resolution #14-340 was approved unanimously.

ADMINISTRATION OF THE OATH OF OFFICE

The Borough Clerk administered the oath of office to Mark Shadek. Mr. Balcom Parcells, former Deputy Chief and current Captain of Engine Company 2, accompanied Mr. Shadek in his swearing in.

Mr. Shadek was congratulated by Mayor Harris, the Borough Council, and all in attendance.

Mayor Bruce Harris announced the Borough of Madison will be celebrating its 125th Year Anniversary at its Council Meeting tonight and had invited Borough officials to attend. He stated the Borough has a Resolution congratulating Madison on the occasion of its 125th year anniversary.

Mayor Harris asked Council President Victoria Fife to proceed with Resolution #14-341.

Council President Victoria Fife read Resolution #14-341 in full as follows:

RESOLUTION #14-341

RESOLUTION CONGRATULATING THE BOROUGH OF MADISON ON THE OCCASION OF ITS 125TH YEAR ANNIVERSARY

WHEREAS, the Mayor and Borough Council of the Borough of Chatham wish to extend their congratulations to the Borough of Madison on the occasion of Madison's 125th year anniversary; and

WHEREAS, the two towns share a common heritage in that both were once part of the Township of Chatham; and

WHEREAS, the Borough of Madison and the Borough of Chatham have enjoyed a tradition of cooperation dating back to 1910 when the Councils of Madison and Chatham created the Joint Meeting, the first public joint venture of its kind in the State of New Jersey, which is still in operation today serving our communities; and

WHEREAS, over the years, the Boroughs of Madison and Chatham have further strengthen their mutual cooperation and partnership through the strategic development and implementation of a number of shared services, including a Joint Municipal Court, community health services, information technology support services, and construction code services; and

WHEREAS, the sharing of these municipal services have resulted in significant cost savings to the taxpayers and have produced sustainable efficiencies in the delivery of those services.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that they hereby proudly pay tribute to the Borough of Madison upon the occasion of its 125th year anniversary; and

BE IT FURTHER RESOLVED that the Borough of Chatham expresses its thanks and gratitude to the Borough of Madison for being a valued partner and joins them in the celebration of their 125th year anniversary.

Council President Victoria Fife moved Resolution #14-341. Motion was seconded by Council Member Gerald Helfrich. A voice vote was taken and Resolution #14-341 was approved unanimously.

Mayor Bruce Harris asked Council Member Gerald Helfrich to proceed with Resolution #14-342.

Council Member Gerald Helfrich read Resolution #14-342 in full as follows:

RESOLUTION #14-342

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 24, 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:

November 24, 2014

Council Member Gerald Helfrich moved to approve Resolution #14-342. Motion was seconded by Council Member James Collander. A voice vote was taken and Resolution #14-342 was approved unanimously.

DISCUSSION ITEMS

Capital Projects Update – Mr. Vince DeNave, Borough Engineer provided a summary of capital projects accomplished in the year 2014.

- Kings Road completed;
- 2014 Curb and Sidewalk program. Zones 1 and 2 have been completed;
- Post Office Plaza improvement project. New lighting fixtures are being have been installed; one fixture remains to be installed and landscaping and appurtenances are scheduled for completion in 2015;
- Pedestrian Crossing Signal at Fairmount Avenue;

- Road drainage projects. Four drainage projects were completed by the Department of Public Works and three drainage projects were completed by contractors;
- Relocation of the Community Garden to Woodland Park;
- The Municipal Building Roof Replacement Project has been completed;
- Eight road resurfacing projects were completed in 2014;
- Morris County completed the Fairmount Avenue Road Resurfacing Project. The Borough completed the installation of concrete driveway aprons and handicap accessible curbs;
- Improvements were made to the Lum Field turf, tennis courts, and Rotary Park, which were completed by the Department of Public Works; and
- The Division Avenue Parking Lot is scheduled for completion in 2015.

Council Member James Collander inquired when drainage improvements to Coleman Avenue West will be scheduled. Mr. DeNave confirmed that the Department of Public Works has begun replacing pipe in sections damaged by tree roots. A drainage bypass project, which will direct storm water to an underutilized drainage line, will be constructed in 2015.

Borough Tax and Open Space Maps – Mr. Vince DeNave reported that Morris County has been providing mapping support services to the Borough through a shared service agreement. It is anticipated that updated tax maps will be certified by the state in the coming year. Tax maps were last updated in 2005. Mr. DeNave further reported a parcel map and zoning map have been updated and the Borough continues to work with the county in GIS mapping of open space, walking trails, water systems, well-protection lands, Borough-owned parcels and Historic District mapping. The mapping support services provided by the shared service agreement with the county have been cost-effective.

Alco test Equipment and Live Scan Agreement – Council Member James Collander reported three new state mandates now require local governments to purchase Alco test equipment (costing approximately \$17,000), live scan fingerprinting equipment (costing approximately \$33,000), and a palm reader (costing approximately \$19,000). The Borough and Madison have agreed to enter into a shared service agreement to share the costs of the equipment. The equipment will be housed in Madison where both the Madison and Chatham Borough Police Departments will utilize the equipment. Mr. Falzarano confirmed that the 2015 capital ~~B~~udget will include the Borough's share of equipment costs.

Memorial Plaque and Bench Program – Council President Victoria Fife reported that residents have been inquiring whether park benches could be donated to honor a loved one or acknowledge a special achievement of volunteer service. While the Borough's current policy governing monuments and memorials does not include the dedication of park benches, Council President Fife was in favor of expanding the policy. Mr. Falzarano confirmed an expanded policy has been drafted and will be distributed to the Mayor and Council for their review and the Borough attorney would draft an authorizing ~~R~~esolution pending Council approval.

Council Member Gerald Helfrich commented that the Council should discuss this matter in more detail and recommended that the matter be opened for public comment as well. Although he commended the idea, he cautioned that there may be a limited number of places in the Borough where park benches could be installed and questioned who would be responsible for repairs or replacement of damaged benches.

Council Member James Collander informed everyone that this matter had been previously discussed a few years back by the governing body and the Borough's policy was never updated due to a number of challenges in creating fair criteria.

Council President Victoria Fife stated there is a need for more park benches throughout the Borough and again expressed her desire that the policy be expanded to allow the dedication of park benches, which would be of a particular style. She stated that the Council would need to discuss and establish a policy regarding personalized plaques that can be mounted on a park bench.

Mr. Falzarano reported the Borough's current policy governs monuments and memorials. Monuments recognize individuals who have given their life in the service to our country or in the line of duty to the Borough of Chatham. Memorials serve as a remembrance of an individual, such as a plaque, tree or bench. Mr. Falzarano offered that possibly the Council would like to discuss a third category.

Mayor Harris closed discussion of this matter pending the Council's review of the updated draft policy to be distributed by Mr. Falzarano.

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, introduced herself as a member of the Chatham Shade Tree Commission, who is responsible for the Commission's public awareness and education initiatives. She provided a summary of educational initiatives the Shade Tree Commission has undertaken over the past year and reported she recently attended the New Jersey Tree Federation convention and received a lot of good educational information. Mrs. Drew presented a proposal to install banners on street lamps, similar to those used for promoting the Borough's Farmer's Market, to promote public awareness on the benefit of trees and requested the Mayor and Council for permission for their installation. Banners would be purchased through the collection of donations, not through the Shade Tree Commission's budgeted funds, and would be installed on the street lamps prior to Arbor Day. She asked the Mayor and Council to approve the proposal at tonight's meeting, which would allow the Shade Tree Commission to proceed with the project.

Mr. Lott advised the Mayor and Council that under local budget regulations, if the proposal includes the acceptance of donations for a dedicated purpose, a Chapter 159 resolution is required for approval by the governing body and a dedication by rider trust account would need to be established by the Borough before proceeding. Mr. Lott further advised that the Shade Tree Commission should coordinate the with Borough's Chief Finance Officer Council in the event this project is considered early next year when the Borough is operating under a temporary budget.

Council Member Alida Kass, liaison to the Shade Tree Commission, clarified that the Shade Tree Commission had not yet fully vetted the banner proposal and a formal vote approving the initiative had not yet taken place.

Mayor Harris informed Mrs. Drew that the chairman of the Shade Tree Commission should make a request to the governing body on behalf of the Shade Tree Commission. The next meeting of the Mayor and Council is scheduled for January ~~16~~26, 2015.

Jack Drew, 32 Inwood Road, commented that Fran Drew is passionate about the preservation of trees and expressed his endorsement of the proposed tree banners. Mr. Drew urged the Mayor and Council to place an authorizing resolution approving the banners on its next regular meeting agenda.

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

ORDINANCE FOR SECOND READING

Mayor Harris asked Council Member John Holman to proceed with Ordinance #14-13.

Council Member John Holman read Ordinance #14-13 entitled:

ORDINANCE #14-13

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING DEDICATION OF A PORTION OF BLOCK 134, LOT 29 (APPROXIMATELY 1.8 ACRES)

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on November 24, 2014.

The Borough Clerk stated a legal notice was published indicating that Ordinance #14-13 was introduced and passed on first reading at the November 24, 2014 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on December 8, 2014 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with law.

Mr. James Lott advised that several technical corrections and amendments have been made to the Ordinance. Technical corrections and amendments made include:

1. The property to be subdivided is approximately 51,231 sq. ft. or 1.17 acres;
2. Grantor's attorney is to prepare and provide a recordable Bargain and Sale Deed to the Borough for the portion of the property to be dedicated;
3. Borough officials are authorized to take any and all steps necessary to effectuate the purposes of the Ordinance, including the execution of the referenced deed and other documents, subject to the review and approval of the Borough attorney;
4. The Borough's acceptance of the dedication is contingent on the Grantor demonstrating sufficient evidence of environmental due diligence to the reasonable satisfaction of the Borough Attorney;
5. The Grantor must deliver an unencumbered, clear and marketable title to the portion of the ~~P~~property to be dedicated by delivering a Bargain and Sale Deed with covenants against Grantor's Acts to Buyer;
6. The Grantor shall provide the Borough with a fee title insurance policy in the amount of \$468,000.00 at Seller's own cost and expense;
7. The Grantor must grant the Borough an access easement across its property from Commerce Street to the portion of the ~~p~~property to be dedicated;

8. The Grantor must grant the Borough an easement acceptable to the Borough across the remainder of its ~~Pp~~property along the Passaic River for use as a pedestrian trail; and
9. The Grantor must reimburse the Borough for all legal and engineering costs in connection with this dedication and grant of easements required pursuant to the Ordinance.

Mr. Lott confirmed that the Grantor's attorney has approved these technical corrections and amendments to the Ordinance and recommended that a motion should be offered by a Member of the Council to accept the technical corrections and amendments as provided.

Motion to Accept the Technical Corrections and Amendments to Ordinance #14-13

Council Member John Holman moved to accept the technical corrections and amendments to Ordinance #14-13. Motion was seconded by Council Member James Collander. A voice vote was taken and the motion was approved unanimously.

Mayor Bruce Harris stated the Planning Board approved the subdivision at its last meeting so that the portion of the property to be donated to the Borough would be a separate parcel. Mayor Harris sought clarification on where easements would be established on adjoining properties. Mr. Lott confirmed that the exclusive use area easements would run through three adjoining properties, allowing for the continuation of a pedestrian trail.

Mayor Harris acknowledged some gaps would still exist before the pedestrian trail can be completed as a continuous path along the Passaic River. The acceptance of the dedication of this property and use easements allows the Borough to move a step closer in completing the larger planned pedestrian trail project.

Council President Victoria Fife sought confirmation from Mr. Lott that the contingency to obtain easements from adjacent property owners would no longer be an issue upon the Borough's acceptance of the land dedication. Mr. Lott confirmed the Borough's acceptance of the dedication is contingent on the Grantor providing the necessary easements under its control, which includes easements across its property from Commerce Street to the portion of the Property to be dedicated, and an easement across the remainder of its property along the Passaic River.

There being no further Council discussion, Mayor Harris opened the public hearing on Ordinance #14-13 and invited any member of the public to be heard. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council Member John Holman offered the following 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 and finally passed.

Council Member James Collander seconded the motion.

Mayor Harris asked the Borough Clerk for a Roll Call Vote.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander		x	x			
Lonergan						x
Holman	x		x			
Fife			x			
Helfrich			x			
Kass			x			

Mayor Harris declared Ordinance #14-13 adopted and finally passed 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 COMMITTEE REPORTS

Budget and Finance - Council Member James Lonergan was absent.

Long Range Traffic & Pedestrian Safety Planning - Council Member James J. Collander reported the Committee's next meeting is scheduled for December 10, 2014. The Committee will be wrapping up its 2014 accomplishments and begin establishing goals for 2015.

Public Safety & Emergency Services - Council Member James J. Collander reported the Fire Department Ordinance has been adopted and the Fire Department will be holding its elections later this month.

Personnel - Council President Victoria Fife asked Mr. Falzarano to provide a brief update on the relocation of Borough Hall offices to the main floor in the Municipal Building. Mr. Falzarano reported that the relocation of Borough Offices will begin at the end of the year and is anticipated to be completed early next year.

Public Works Planning - Council Member John Holman reported that the leaf collection operation is ending and equipment is being set up for snow removal operations. Saturday, December 6th, was the last day the Mulch Site was open and will remain closed until next spring.

Shared Services & 3rd Party Agreements - Council Member Gerald Helfrich reported the Committee continues to explore all shared service opportunities and referenced the earlier discussion led by Council Member Collander regarding the newest shared service agreement with Madison for the state-mandated Alco test and live scanning equipment.

MAYOR'S REPORT

Mayor Bruce A. Harris thanked the Department of Public Works for their leaf collecting efforts before winter weather sets in. Mayor Harris again announced that the Environmental Commission, the Library Board of Trustees, and other Committees, are looking for new members and encouraged interested residents to complete and submit a Borough Volunteer Application form.

Mayor Harris reported he received 27 letters since the November 24th meeting asking the Borough Council to oppose the Pilgrim Pipeline. Apparently these letters were collected in late October and early November by the organization Food & Water Watch, but only forwarded recently. He mentioned that the Council passed the Resolution opposing the pipeline project at the November 24th meeting and thanked everyone who took time to send a letter. He reminded the public that the Assembly State and Local Government Committee will meet on Thursday, December 11, 2014 at 2:00 PM in Trenton, to consider: AR-191, which opposes the Pilgrim Pipeline project in New Jersey. More information about the meeting can be found on the Borough's website. Another meeting to be held by the Alliance for Action, an organization supported by builders and developers, is being has been scheduled for next week as well.

Mayor Harris reported he and Council President Fife toured the Chatham High School and Middle School with School Superintendent Dr. LaSusa and Board of Education Member Matthew Gilfillan. The tour was helpful in understanding the School District's ~~position regarding the upcoming~~

referendum, capital improvement proposals.

Mayor Harris thanked Mr. Falzarano and Borough employees for their great team effort in accomplishing so much and looks forward to 2015.

Mayor Harris mentioned that NJ Transit and the Borough continue to discuss a proposed restaurant at the Chatham train station. Admittedly, he stated the process has been a slow one; however, NJ Transit has informed him that they expect to issue a new RFP.

Lastly, Mayor Harris informed everyone that the annual Volunteer Recognitions have been added to the Reorganization Meeting. In addition to recognizing those individuals who have volunteered over the year, special recognitions will be presented acknowledging the planning and celebration of the Train Station Centennial.

ADMINISTRATOR'S REPORT

Mr. Robert Falzarano reported that the Borough's draft 2015 Goals and Objectives will be distributed to the Mayor and Council this Friday and asked for the Mayor and Council's input. The Finance Committee continues to meet to discuss the 2015 Budget. Mr. Falzarano further reported he is in the process of preparing the Borough's 2014 Annual Report and was pleased to report that 84% of the 31 goals and objectives set for 2014 have been accomplished and provided a brief summary highlighting some of the completed goals.

Mr. Falzarano thanked the Mayor, Council, Borough staff, all Volunteers and Chatham Borough residents for their support and assistance throughout the year.

~~Mayor Harris thanked Mr. Falzarano and Borough employees for their great team effort in accomplishing so much and looks forward to 2015.~~

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CONSENT AGENDA

Mayor Bruce Harris announced 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 #14-343 through Resolution #14-351 have been placed on the Consent Agenda

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

None.

FINANCE

RESOLUTION #14-343

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 #14-344

RESOLUTION AUTHORIZING THE SETTLEMENT OF A 2013 TAX APPEAL ENTITLED DOREEN ACAMPORA V. BOROUGH OF CHATHAM FILED IN THE TAX COURT OF NEW JERSEY UNDER DOCKET NO.: 011593-2013 CONTESTING THE REAL PROPERTY ASSESSMENT OF BLOCK 109, LOT 5, KNOWN AS 87 WATCHUNG AVENUE, IN THE BOROUGH OF CHATHAM, MORRIS COUNTY, STATE OF NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax year 2013 involving Block 109, Lot 5, has been filed by the Taxpayer, Doreen Acampora; and

WHEREAS, the proposed Stipulation of Settlement has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; 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 that they hereby authorize the referenced settlement of the 2013 tax appeal as follows:

87 Watchung Avenue
Block 109, Lot 5
Year: 2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$366,800	\$366,800	\$366,800
Imprvts:	\$115,700	\$115,700	\$68,200
Total:	\$482,500	\$482,500	\$435,000

and,

BE IT FURTHER RESOLVED, that 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, that the parties agree that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year(s) 2014 and 2015, and therefore agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year(s) shall be the basis for application of the Freeze Act for any subsequent year(s); and

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

RESOLUTION #14-345

RESOLUTION AUTHORIZING TRANSFERS BETWEEN CERTAIN BUDGET APPROPRIATIONS IN THE 2014 CURRENT FUND BUDGET PURSUANT TO N.J.S.A. 40A:4-58

WHEREAS, N.J.S.A. 40A:4-58 provides that transfers may be made between appropriation accounts in the General Budget in the last two months of the fiscal year; and

WHEREAS, such transfers are made to cover expenses in accounts in excess of that anticipated and from accounts having expenses in lesser amounts than anticipated; and

WHEREAS, these transfers do not affect the total of the operations budget as originally approved in the 2014 Current Fund Budget.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, State of New Jersey, that the Chief Financial Officer is hereby authorized to make the following line-item transfers in the 2014 Current Fund Budget with an effective date of December 8th, 2014 in accordance with N.J.S.A. 40A:4-58:

Account Name	Account Number	Transfer To	Transfer From
TO			
DPW S&W	4-01-26-290-010	\$ 8,000.00	
DPW OE - Road Maintenance Mat.	4-01-26-290-200	\$ 7,000.00	
Human Resources OE	4-01-20-105-200	\$ 7,000.00	
Legal OE	4-01-20-155-200	\$ 18,000.00	
Tax Assessment OE	4-01-20-150-200	\$ 4,000.00	
FROM			
Parking S&W	4-01-25-245-010		\$ 4,500.00
Planning OE	4-01-21-180-200		\$ 3,500.00
Board of Adjustment OE	4-01-21-185-200		\$ 3,000.00
Police OE	4-01-25-240-200		\$ 15,000.00
Police S&W	4-01-25-240-010		\$ 15,000.00
Fire Dept OE	4-01-25-265-200		\$ 3,000.00
Totals		\$ 44,000.00	\$ 44,000.00
Difference			\$ -

and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution adopted by not less than a two-thirds (2/3) vote of the full membership of the governing body shall be forwarded to the Borough Administrator and to the Chief Finance Officer/Treasurer.

RESOLUTION #14-346

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 mortgage lender 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:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>YEAR/QTR.</u>
25/14	Kumar, Vivek & Tanu, Bansal 18 Essex Road	\$3,478.68	2014 2 nd Qtr
Make check payable and mail to: CitiMortgage, Inc., Attn: Recovery Dept. P.O. Box 23689 Rochester, NY 14692			

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

CONTRACT

RESOLUTION #14-347

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MELGAR CLEANING SERVICES, IN THE AMOUNT NOT TO EXCEED 20,400.00

WHEREAS, the Director of Public Works solicited proposals from four (4) qualified contractors for janitorial services for calendar year 2015 for Borough Hall and Fire Headquarters; and

WHEREAS, four (4) quotations were received as follows:

<u>VENDOR</u>	<u>QUOTE AMOUNT</u>
1. Melgar Cleaning Services	\$20,400.00
2. Cleaning USA	\$22,750.00
3. M.O. Cleaning Services LLC	\$27,000.00
4. Reliable Janitorial Services	\$30,000.00

and,

WHEREAS, the value of this contract will exceed 15% of the bid threshold, but will be less than the bid threshold of \$36,000.00, 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 Director of Public Works and the Qualified Purchasing Agent recommends that the award of the contract be made to Melgar Cleaning Services, 540 Main Street, Chatham N.J., in the amount of \$20,400.00; and

WHEREAS, Melgar Cleaning Services has completed and submitted a Business Entity Disclosure Certification certifying that they have not made any reportable contributions to a political and/or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit the contractor from making any reportable contributions through the term of this contract; and

WHEREAS, the Chief Finance Officer has confirmed that sufficient funds are available in Current Fund Account #5-01.-26-310-240 for the award of this contract; and

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 Qualified Purchasing Agent and hereby authorizes the Mayor to execute the contract with Melgar Cleaning Services, in the amount of \$20,400.00, in accordance with the specifications upon which quotations were received and accepted; 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 #14-348

RESOLUTION TO EMPLOY ADAM BOOTHBY AS A SERVICEPERSON FOR THE DEPARTMENT OF PUBLIC WORKS WITH AN ANNUAL SALARY OF \$39,603.00 AND PROPOSED EFFECTIVE DATE OF JANUARY 2, 2015

WHEREAS, the Borough of Chatham publicly advertised the job opening for the position of Serviceperson for the Department of Public Works and solicited resumes and applications from interested candidates; and

WHEREAS, the Public Works selection committee (the “Committee”) conducted interviews of interested and qualified candidates; and

WHEREAS, after considering all interested and qualified candidates the Committee finds that Mr. Adam Boothby is the best qualified candidate for the position of Serviceperson and has recommended his employment as a Serviceperson for the Department of Public Works with an annual salary of \$39,603.00 with a proposed effective start date of January 2, 2015.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Committee that Mr. Adam Boothby be employed as a Serviceperson for the Department of Public Works with an annual salary of \$39,603.00 with a proposed effective date of January 2, 2015; and

BE IT FURTHER RESOLVED, that the other terms and conditions of Adam Boothby’s employment are contained in a letter from the Director of Public Works dated November 12, 2014.

RESOLUTION #14-349

RESOLUTION ADOPTING A REVISED EMPLOYEE POLICIES AND PRACTICES MANUAL

WHEREAS, pursuant to Chapter 39, Article II, Sections 10 “Powers and Duties” and Section 11 “Authority Established,” the Mayor and Council of the Borough of Chatham vested the Borough Administrator with authority to provide the Borough with sound and lawful directives and policies regarding Borough officers and employees; and

WHEREAS, the Employee Policies and Practices Manual (the “manual”) is intended to provide guidelines covering public service by the Borough’s officers and employees and the provisions of this manual may be amended and supplemented from time to time to ensure the manual is current regarding best practices in the public employment sector; and

WHEREAS, the Borough Administrator has undertaken a review of the Borough’s Employees Policies and Practices Manual and has made revisions to the Health Benefits section of the manual, applicable to all employees hired after December 31, 2014 as follows:

- (1) The minimum weekly work hours to qualify for health benefits is increased from 25 hours per week to 30 hours per week.

and,

WHEREAS, the Borough Administrator recommends the adoption of the revised manual to the Mayor and Council.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Employee Practices Manual as revised and recommended for approved by the Borough Administrator on this date is hereby adopted.

RESOLUTION #14-350

RESOLUTION TO SET THE ANNUAL RATES OF COMPENSATION FOR BOROUGH EMPLOYEES FOR THE YEAR 2015

WHEREAS, Ordinance #14-12, adopted by the Mayor and Council of the Borough of Chatham on November 24, 2014, 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:

<u>Salary Employees</u>	<u>Name</u>	<u>2015 Salary</u>
1. Borough Administrator	Falzarano, Robert	\$ 165,685
2. Engineer	DeNave, Vince	\$ 114,408
3. Zoning Code Enforcement Officer/Zoning Official	DeNave, Vince	\$ 34,174
4. Chief of Police	Crosson, Phil	\$ 148,072
5. Director of Public Works	Venezia, Robert	\$ 118,742
6. Deputy Director of Public Works	Torello, Tony	\$ 104,559
7. Chief Financial Officer	Day, Tim	\$ 91,350
8. Municipal Clerk	Kline, Robin	\$ 81,200
9. Deputy Registrar of Vital Statistics	Kline, Robin	\$ 657
10. Police Executive Administrative Assistant	O'Shea, Kevin	\$ 75,781
11. Recreation Coordinator	Nauta, Carol	\$ 73,083
12. Media Programming Supervisor	Nauta, Carol	\$ 2,261

13. Accounts Payable Clerk	Mandal, Anne	\$ 37,239
14. Senior Assessing Clerk	Mandal, Anne	\$ 27,401
15. Registrar of Vital Statistics	Mandal, Anne	\$ 5,621
16. Director of Community Services	Piccolo, Janice	\$ 71,760
17. Farmers' Market Manager	Piccolo, Janice	\$ 6,240
18. Utility Billing Representative	Morris, Cheri	\$ 58,932
19. Deputy Registrar of Vital Statistics	Morris, Cheri	\$ 657
20. Tax Collector	Polidor, Madeline	\$ 54,735
21. Tax Search Officer	Polidor, Madeline	\$ 3,000
22. Police Secretary	Ciccarone, Mary Beth	\$ 52,767
23. Fire Coordinator	Williams, Steve	\$ 59,000
24. Assistant Borough Administrator	Williams, Steve	\$ 3,000 (stipend)
25. Administrative Assistant II	Baldwin, Catherine	\$ 52,500
26. Deputy Borough Clerk	Baldwin, Catherine	\$ 2,500
27. Parking Enforcement Officer	Sweetin, Robert	\$ 46,238
28. Parking Enforcement Officer	Bochniack, Mike	\$ 46,238
29. Minutes Clerk	Holler, Liz	\$ 37,855
30. Fire Chief	Glogolich, Peter	\$ 18,745
31. Emergency Management Coordinator	Nauta, Bill	\$ 13,192
32. Assessor	DePierro, Therese	\$ 18,404
Hourly Employees		
1. Fire Inspector/Fire Official (UFC)	Nugent, Walter	\$ 37.90 hr.
2. Assistant Finance Officer	Cittrich, Tyrina	\$ 35.56 hr.
3. Media Programming Manager	Grobert, John	\$ 26.41 hr.
4. Temporary Administrative Assistant	Lowe, Margie	\$ 15.00 hr.

IV

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.

SHARED SERVICES

RESOLUTION #14-351

RESOLUTION AUTHORIZING AN INTERLOCAL SHARED SERVICE AGREEMENT WITH THE BOROUGH OF SADDLE RIVER, BERGEN COUNTY, TO PROVIDE SERVICES OF QUALIFIED PURCHASING AGENT

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides that local units of government may enter into a contract for the joint provision of any service which either party to said agreement is empowered to render or perform within its own jurisdiction; and

WHEREAS, the Mayor and Borough Council desire to enter into a shared service arrangement with the Borough of Saddle River for the services of a Qualified Purchasing Agent; and

WHEREAS, the Borough of Saddle River is interested in providing such services to Chatham Borough in accordance with mutually-agreeable terms and conditions as set forth in a shared services agreement.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute a shared services agreement with the Borough of Saddle River for the services of a Qualified Purchasing Agent contingent upon the approval of the terms and conditions by the Borough Attorney; and

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

CONSENT AGENDA VOTE:

Mayor Bruce Harris asked Council Member John Holman to proceed with Resolution #14-343 through #14-351 listed on the Consent Agenda.

Council Member John Holman moved to approve the resolutions presented on the Consent Agenda. Motion was seconded by Council Member James Collander. A voice vote was taken and all Resolutions listed on the Consent Agenda were approved unanimously.

ADD-ON RESOLUTIONS

Mayor Bruce Harris proceeded with Resolution #14-339.

RESOLUTION #14-339

RESOLUTION AUTHORIZING THE CHATHAM ROTARY CLUB TO PLACE LIGHTED CHRISTMAS LUMINARIES AT REASONER PARK ON CHRISTMAS EVE

WHEREAS, the Chatham Rotary Club has requested permission to place lighted Christmas luminaries at Reasoner Park on Christmas Eve, which will be removed Christmas Day.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Rotary Club is hereby authorized to place lighted Christmas luminaries at Reasoner Park on Christmas Eve; and

BE IT FURTHER RESOLVED, that all Christmas luminaries shall be removed on Christmas Day.

Council Member James Collander moved to approve Resolution #14-339. Motion was seconded by Council Member Gerald Helfrich. A voice vote was taken and Resolution #14-339 was approved unanimously.

Mayor Bruce Harris proceeded with Resolution #14-353:

RESOLUTION #14-353

RESOLUTION AUTHORIZING ST. PATRICK SCHOOL TO HANG ONE BANNER AT THE CHATHAM TRAIN STATION PARKING LOT

WHEREAS, St. Patrick School has requested permission to hang a banner at the Chatham train station parking lot (the eastbound train lot facing Fairmount Avenue) for the period beginning Monday, January 1st through February 3rd, 2015 to coincide with the conclusion of its Catholic Schools Week celebration and St. Patrick School Open House.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that St. Patrick School is authorized to place one banner at the Chatham Train Station parking lot (the eastbound train lot facing Fairmount Avenue) for the period beginning Monday, January 1st through February 3rd, 2015; 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.

Council President Victoria Fife suggested that the Resolution should further provide the date when the banner is to be removed.

AMENDED RESOLUTION #14-353

RESOLUTION AUTHORIZING ST. PATRICK SCHOOL TO HANG ONE BANNER AT THE CHATHAM TRAIN STATION PARKING LOT

WHEREAS, St. Patrick School has requested permission to hang a banner at the Chatham train station parking lot (the eastbound train lot facing Fairmount Avenue) for the period beginning Monday, January 1st through February 3rd, 2015 to coincide with the conclusion of its Catholic Schools Week celebration and St. Patrick School Open House.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that St. Patrick School is authorized to place one banner at the Chatham Train Station parking lot (the eastbound train lot facing Fairmount Avenue) for the period beginning Monday, January 1st through February 3rd, 2015; and

BE IT FURTHER RESOLVED, that St. Patrick School shall remove the banner on, or by, February 4th, 2015; 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.

Council Member Gerald Helfrich moved to approve Resolution #14-353-as amended, with the amendment that representatives at St. Patrick School are required to remove the banner on or before February 3rd, 2015. Motion was seconded by Council Member Alida Kass. A voice vote was taken and Resolution #14-353, as amended, was approved unanimously.

Mayor Bruce Harris asked Council Member James Collander to introduce Resolution #14-352.

Council Member James Collander read Resolution #14-352 by title as follows:

RESOLUTION #14-352

RESOLUTION TO ADJOURN INTO CLOSED SESSION

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the

public in accordance with the provisions of R.S. 10:4-12b:

Contract Negotiation Matter: 1. Perrin Street Vacation – Mr. James Lott

Litigation: 1. TriCare Litigation Update – Mr. ~~Denis Driscoll~~ Owen Weaver

Contracts: 1. Professional Service Providers – Mr. Robert Falzarano

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 James Collander moved Resolution #14-352. Motion was seconded by Council Member John Holman. A voice vote was taken and Resolution #14-352 was approved unanimously.

The Mayor and Council adjourned into Closed Session.

ADJOURNMENT

Meeting adjourned 8:52 p.m.

Respectfully Submitted:

Robin R. Kline

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