

AGENDA
August 10, 2015

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 7:15 p.m.

SALUTE TO FLAG

MOMENT OF SILENCE

**STATEMENT OF
ADEQUATE NOTICE**

Pursuant to the requirements of R.S. 10:4-10, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board on the main floor of the Municipal Building, emailed to the Independent Press, the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and The Alternative Press and filed with the Borough Clerk, all on January 2, 2015.

Notice of the change of meeting time was sent to the press on August 7, 2015 and said notice was posted on the Municipal Bulletin Board on the main floor of the Municipal Building and filed with the Borough Clerk.

ROLL CALL

Mayor Bruce A. Harris
Council Member James J. Collander
Council Member James Lonergan
Council Member John Holman
Council Member Victoria Fife
Council President Gerald J. Helfrich
Council Member Alida Kass
Robert J. Falzarano, Borough Administrator
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

RESOLUTION TO RECESS INTO CLOSED SESSION

RESOLUTION #15-261

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

Attorney-Client Privilege: 1. Property Tax Appeal Settlement – Mr. O'Donnell and Ms. DePierro
[Block 56, Lot 8.01 for tax years 2012, 2013, 2014 and 2015]

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 reconvene in public session after this closed session.

RESOLUTION #15-262

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:

July 27, 2015

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:

July 27, 2015

DISCUSSION ITEMS

1. Sunshine Striders Fun Run – Ms. Kelly Leach
 2. Doing Business in Chatham – Ms. Janice Piccolo
 3. Tree Windshield Survey – Mr. Tony Torello
-

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

Council Committees

Budget and Finance	Council Member James Lonergan
Long Range Traffic & Pedestrian Safety Planning	Council Member James J. Collander
Public Safety & Emergency Services	Council Member James J. Collander
Personnel	Council Member Victoria Fife
Public Works Planning	Council Member John Holman
Shared Services & 3rd Party Agreements	Council President Gerald Helfrich

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 #15-256 and Resolution #15-263 through Resolution #15-278 have been placed on the Consent Agenda.

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

RESOLUTION #15-

RESOLUTION #15-256 [Tabled from July 27, 2015]

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM AUTHORIZING THE SETTLEMENT OF 2012, 2013, 2014 AND 2015 TAX APPEAL ENTITLED IMANUEL, OFER AND IMANUEL/LIU, OFER/ZHOXIA V. BOROUGH OF CHATHAM FILED IN THE TAX COURT OF NEW JERSEY UNDER DOCKET NOS.: 019302-2012; 007770-2013; 005173-2014 AND 001378-2015 CONTESTING THE REAL PROPERTY ASSESSMENT OF BLOCK 56, LOT 8.01, KNOWN AS 76 NORTH PASSAIC AVENUE, IN THE BOROUGH OF CHATHAM, MORRIS COUNTY, STATE OF NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax years 2012, 2013, 2014 and 2015 involving Block 56, Lot 8.01, has been filed by the Taxpayer, Imanuel, Ofer and Imanuel/Liu, Ofer/Zhoxia; 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 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 Borough of Chatham, New Jersey, as follows:

1. Settlement of the 2012 tax appeal is hereby authorized as follows:

76 North Passaic Avenue

Block 56, Lot 8.01

Year: 2012

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$0.00	\$0.00	WITHDRAWN
Imprvts:	\$700,000	\$700,000	WITHDRAWN
Total:	\$700,000	\$700,000	WITHDRAWN

2. Settlement of the 2013 tax appeal is hereby authorized as follows:

76 North Passaic Avenue
Block 56, Lot 8.01

Year: 2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$369,400	N/A	WITHDRAWN
Imprvts:	\$775,300	N/A	WITHDRAWN
Total:	\$1,144,700	N/A	WITHDRAWN

3. Settlement of the 2014 and 2015 tax appeals are hereby authorized as follows:

76 North Passaic Avenue
Block 56, Lot 8.01

Years: 2014, 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$369,400	N/A	\$369,400
Imprvts:	\$775,300	N/A	\$665,600
Total:	\$1,144,700	N/A	\$1,035,000

4. 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.
5. 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.

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

RESOLUTION #15-263

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 Chief Financial Officer.

RESOLUTION #15-264

RESOLUTION TO DESIGNATE A NEW PETTY CASH FUND CUSTODIAN FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund; and

WHEREAS, Resolution #15-62 adopted on January 5, 2015 established Petty Cash Funds and designated Public Works Director Robert Venenzia as the custodian for the Public Works Department Petty Cash Fund; and

WHEREAS, due to the retirement of Public Works Director Robert Venezia it is the necessary to designate a new custodian for the Public Works Department Petty Cash Fund.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Erminio “Tony” Torello, Deputy Director of Public Works, shall be the designated custodian for the Public Works Department Petty Cash Fund; and

BE IT FURTHER RESOLVED, that all custodians of petty cash funds are to be bonded in an amount not less than \$1,000 and shall maintain said funds in accordance with the laws and regulations covering its operation.

RESOLUTION #15-265

RESOLUTION AUTHORIZING REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that a duplicate payment was made by the property owner an 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:

BLK/LOT	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
62=2	Nicole & Phil Kagan 6 Elm Place	\$4,290.65	2014/3Qtr.

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 #15-266

RESOLUTION AUTHORIZING PARTICIPATION IN THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE

WHEREAS, *N.J.S.A. 40A:11-11(5)* authorizes that two or more contracting units may enter into a cooperative purchasing system agreement for the purchase of goods, materials and supplies in efforts to realize substantial cost-savings in the purchase of goods and supplies; and

WHEREAS, New Jersey P.L. 2011, c.139 allows local contracting units to utilize national cooperative contracts as a method of procurement to make the procurement process more efficient and provide cost savings; and

WHEREAS, each year the Borough of Chatham realizes cost savings by purchasing equipment and materials through cooperative pricing systems; and

WHEREAS, the Borough of Chatham desires to participate in the National Joint Powers Alliance Cooperative; and

WHEREAS, it is the recommendation of the Borough Auditor that the Mayor and Council adopt a resolution authorizing participation in the National Joint Powers Alliance Cooperative.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham do hereby authorize participation in the National Joint Powers Alliance Cooperative for the year 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.

PERSONNEL

RESOLUTION #15-267

RESOLUTION TO ACCEPT THE RETIREMENT OF PUBLIC WORKS DIRECTOR ROBERT “BOB” VENEZIA

WHEREAS, by letter dated July 13, 2015, Public Works Director Robert “Bob” Venezia has notified Borough Administrator Robert Falzarano that he will be retiring from the Chatham Borough Public Works Department, effective November 1, 2015; and

WHEREAS, Bob Venezia began his service with the Chatham Borough Department of Public Works on August 23, 1993 as the Assistant Public Works Director and as result of his demonstrated ability, diligent work and outstanding leadership skills, he was appointed to the position of Director of the Borough’s Public Works Department on February 22, 2001; and

WHEREAS, as the Director of Public Works, Bob implemented a performance improvement and career development plans and annual performance evaluations for all members of the Public Works Department that distinguish the Chatham Borough Department of Public Works as a professional organization; and

WHEREAS, throughout his 23 years of service to the Borough, Bob demonstrated himself to be a well-qualified, conscientious and motivated public employee and answered the call for any need requested of him by the community; and

WHEREAS, Bob has further demonstrated a genuine concern for the Public Works staff and residents of Chatham Borough and will truly be missed for his dedicated service and daily interaction.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Public Works Director Bob Venezia’s retirement is hereby accepted with an effective date of November 1, 2015; and

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby extend their sincere and grateful appreciation to Bob Venezia for his 23 years of dedicated service to the Borough of Chatham and congratulate him on his well-earned retirement and wish him happiness and good health in the years to come.

RESOLUTION #15-268

RESOLUTION AUTHORIZING THE HIRING OF JENNIFER L. DUTEIL AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE AUGUST 19, 2015

WHEREAS, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham’s Police Department Crossing Guard roster; and

WHEREAS, the Chief of Police recommends the hiring of Jennifer L. Duteil to fill the vacancy.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the hiring of Jennifer L. Duteil as a Crossing Guard for the Borough of Chatham Police Department effective August 19, 2015, with an hourly rate of \$20.76.

RESOLUTION #15-269

RESOLUTION AUTHORIZING THE HIRING OF BERNARD CONLAN AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE AUGUST 19, 2015

WHEREAS, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham's Police Department Substitute Crossing Guard roster; and

WHEREAS, the Chief of Police recommends the hiring of Bernard Conlan to fill the vacancy.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the hiring of Bernard Conlan as a Crossing Guard for the Borough of Chatham Police Department effective August 19, 2015, with an hourly rate of \$20.76.

RECREATION

RESOLUTION #15-270

RESOLUTION AUTHORIZING REDUCED END OF SEASON POOL FEES FOR THE FINAL OPERATING MONTH AUGUST 11, 2015 THROUGH SEPTEMBER 7, 2015 (LABOR DAY)

WHEREAS, the Memorial Pool Advisory Committee has recommended the activation of reduced End of Season Pool Fees for the final operating month of the Borough Pool, effective Tuesday, August 11, 2015 through Monday, September 7, 2015 (Labor Day), for individuals and senior citizens age 65+; and

WHEREAS, the Borough Administrator has further recommended that the end of season pool registration for individuals and senior citizens age 65+ shall not be eligible for online registration; and

WHEREAS, Resolution #15-069, adopted on January 5, 2015 established Pool Fees for the 2015 summer season, which included End of Season Pool Fees for individuals and senior citizens age 65+ as follows:

2015 End of Season Pool Fees	
<u>Fees for Chatham Borough Residents:</u>	
Individual	\$100
Senior age 65+	\$65
<u>Fees for Chatham Township Residents</u>	
Individual	\$120
Senior age 65+	\$65

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation made by the Memorial Pool Advisory Committee to activate reduced End of Season Pool Fees for the final operating month of the Borough Pool, effective Tuesday, August 11, 2015 through Monday, September 7, 2015 (Labor Day), for individuals and senior citizens age 65+; and

BE IT FURTHER RESOLVED, that the end of season pool registration for individuals and senior citizens age 65+ shall not be eligible for online registration.

RESOLUTION #15-271

RESOLUTION APPOINTING A SUBSTITUTE POOL STAFF MEMBER FOR THE 2015 SUMMER SEASON

WHEREAS, the Chatham Borough Recreation Program has a need to hire substitute pool staff for the 2015 summer season; and

WHEREAS, the Department of Community Services recommends the hiring of the following individual pending completion of all paperwork requirements prior to any employment:

Pool Staff	Salary	Position
Michele Connelly	\$8.38/hour	Substitute
Zoe Kraus	\$8.38/hour	Substitute

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby appoints the herein referenced individual as substitute pool staff for the 2015 summer season at the respective position and rate of pay, pending completion of all paperwork requirements prior to employment; and

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

RESOLUTION #15- 272

RESOLUTION AUTHORIZING THE INSTALLATION OF ARTIFICIAL TURF AND NETTING AT LUM FIELD

WHEREAS, the Joint Recreation Advisory Committee advised that there is a need to create designated recreation space for training and skill development for youth soccer, as well as, other youth recreational sport programs; and

WHEREAS, the Joint Recreation Advisory Committee presented a proposal to the Mayor and Council recommending the installation of a 40' by 70' artificial turf space enclosed with netting adjacent to the lacrosse wall on Lum Field to be used for coaching instruction and skills development, alleviating the need to schedule field use otherwise needed for games and practice meets; and

WHEREAS, the funds to install the artificial turf and netting will be paid for by funds received from the Chatham Athletic Fund, Chatham Youth Soccer, and the Recreation Trust Fund Account.

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Chatham that they hereby approve the installation of a 40' by 70' artificial turf space enclosed with netting adjacent to the lacrosse wall on Lum Field; 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.

OTHER

RESOLUTION #15-273

RESOLUTION APPROVING EAGLE SCOUT PROJECT TO BE CONSTRUCTED AND INSTALLED ON BOROUGH-OWNED PROPERTY PROPOSED BY JACK DEAN, SCOUT TROOP #8

WHEREAS, Jack Dean of Scout Troop #8, has requested permission to construct and install his proposed Eagle Scout project on Borough-owned property; and

WHEREAS, Jack Dean proposes to build and install a 8' by 8' shed for the Chatham Community Beekeepers to store their apiary equipment, and a series of three rain barrels fitted to collect rain water from the gutters for watering of the existing bee gardens; and

WHEREAS, the Mayor and Council recognize that the proposed Eagle Scout project would be beneficial to the community and enjoyed by many residents.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the Eagle Scout project proposed by Jack Dean and hereby grant permission to Jack Dean construct and install his proposed Eagle Scout project on Borough-owned property; and

BE IT FURTHER RESOLVED, that the Mayor and Council commend Jack Dean for his efforts in designing and building a project that will benefit the Chatham Borough community.

RESOLUTION #15-274

RESOLUTION OF AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE SUSTAINABLE JERSEY® GRANT FUNDED BY WALMART FOR THE BOROUGH HALL WINDOW PRESERVATION REPLACEMENT PROJECT

WHEREAS, a sustainable community seeks to optimize the quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Chatham strives to save tax dollars, assure clean land, air and water, and to improve working and living environments; and

WHEREAS, the Borough of Chatham is participating in the Sustainable Jersey® Program and has achieved silver certification status in the Sustainable Jersey® Program; and

WHEREAS, one of the purposes of the Sustainable Jersey® Program is to provide funding resources to municipalities to help make progress on sustainability issues; and

WHEREAS, the Borough of Chatham seeks to be a municipal leader in sustainability in the State of New Jersey and desires to submit a grant application for a Sustainable Jersey® Grant Funded by Walmart for the Borough Hall Window Preservation Replacement Project, in the amount of \$19,978.00; and

WHEREAS, the grant will enable Chatham Borough to install energy-efficient replacement windows in its historic Borough Hall.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby support and authorize the submission of a grant application for a Sustainable Jersey® Grant Funded by Walmart for the Borough Hall Window Preservation Replacement Project, in the amount of \$19,978.00; and

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

RESOLUTION #15-275

RESOLUTION APPROVING THE RE-SUBMISSION OF THE 2014 GREEN COMMUNITY GRANT APPLICATION TO UPDATE THE CHATHAM BOROUGH COMMUNITY FORESTRY MANAGEMENT PLAN

WHEREAS, a Community Forestry Management Plan is an essential guide to successfully achieving a healthy and safe community forest and can help decrease tree maintenance and removal costs and decrease hazardous tree situations; and

WHEREAS, Community Forestry Management Plans outline management objectives for a five year period; and

WHEREAS, the Borough desires to update its 5-year Community Forestry Management Plan to plan and manage the Borough's tree resource; and

WHEREAS, by Resolution #14-263 adopted on August 11, 2014 authorized the Mayor to execute a 2014 Green Community Grant sponsored by the New Jersey Department of Environmental Protection's Forestry Division to help off-set the costs of retaining a forestry consultant to update the Borough's Community Forestry Management Plan; and

WHEREAS, the Borough's matching contribution of \$3,000.00 may include in-kind services at the accepted general volunteer rate of \$21.79/hour; and

WHEREAS, the Green Communities grant agreement was never fully executed by the New Jersey Department of Environmental Protection and a revised Green Communities grant agreement must be executed by the parties.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the resubmission of a 2014 Green Community grant application to help off-set the costs of retaining a forestry consultant to update the Borough's Community Forestry Management Plan; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to sign the revised 2014 Green Community Grant Program grant agreement.

RESOLUTION #15-276

RESOLUTION APPROVING OF THE INSTALLATION OF A MEMORIAL PLAQUE TO HONOR DONNA CALI-CHARLES TO BE LOCATED AT THE 9/11 MEMORIAL GARDEN

WHEREAS, the Mayor and Borough Council are in receipt of a request made by the Chatham Borough 9/11 Memorial Advisory Committee and the Chatham 9/11 Foundation, Inc. seeking approval for the installation of a memorial plaque to be located on the outside northern border of the 9/11 Memorial Garden to honor Donna Cali-Charles, a long-time Borough resident, for her many years of selfless service to Chatham Borough as the founding Chairperson of the Chatham Borough 9/11 Memorial Advisory Committee and Foundation, Member of the Chatham Borough Planning Board, Sign Committee, and numerous other municipal and community boards; and

WHEREAS, the proposed memorial plaque will be 8" by 8" bronze plaque mounted on a 9" by 9" granite base and will be installed on the outside northern border of the 9/11 Memorial Garden, the exact location shall be subject to the approval of the Borough Administrator; and

WHEREAS, privately donated funds will be used to cover the cost of purchasing and installing the memorial plaque and granite base; and

WHEREAS, the installation of memorials and/or monuments within the Borough requires approval by the Mayor and Council.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby whole-heartedly approve the request made by the Chatham Borough 9/11 Memorial Advisory Committee and the Chatham 9/11 Foundation, Inc. seeking approval for the installation of a memorial plaque to be located on the outside northern border of the 9/11 Memorial Garden to honor Donna Cali-Charles, a long-time Borough resident, in lasting appreciation for her many years of selfless service to our community; and

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

RESOLUTION #15-277

RESOLUTION APPROVING THE 2015 WATER UTILITY CAPITAL IMPROVEMENT PLAN

WHEREAS, on July 13, 2015, the Borough Engineer presented a report to the Mayor and Council to authorize needed to be made to the Borough's water utility; and

WHEREAS, the Borough Engineer has drafted a 2015 Water Utility Capital Improvement Plan; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the water operating surplus fund for the 2015 Water Utility capital improvements.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the 2015 Water Utility Capital Improvement Plan and authorize the funding for the 2015 Water Utility capital improvements to be appropriated from the water operating surplus fund; 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.

RESOLUTION #15-278

RESOLUTION DESIGNATING THE MONTH OF SEPTEMBER 2015 AS OVARIAN CANCER AWARENESS MONTH AND AUTHORIZING THE PLACEMENT OF TEAL COLORED RIBBONS AROUND BOROUGH TREES FOR THE MONTH OF SEPTEMBER

WHEREAS, Ovarian cancer is the fifth leading cause of cancer deaths among women and the leading cause of gynecologic cancer deaths in the United States; and

WHEREAS, the American Cancer Society estimates that 21,980 women will be diagnosed with ovarian cancer in 2015, with more than half of those women over the age of 62; and

WHEREAS, if detected in its early stages, survival from ovarian cancer is 90-95 percent, yet the five-year survival rate for the disease is only 28 percent because it is so difficult to detect early; and

WHEREAS, Ovarian cancer is called the "silent disease" because its symptoms are often vague or subtle; and

WHEREAS, the *Turn The Towns Teal*® campaign was launched by Gail MacNeil, of Chatham, NJ during her 10 year battle with ovarian cancer; and

WHEREAS, Turn The Towns Teal® Inc. and the National Ovarian Cancer Coalition (NOCC) are partnering to promote awareness of ovarian cancer through the *Turn The Towns Teal*® campaign.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham declare September 2015 as Ovarian Cancer Awareness month and encourage all citizens to support the *Turn The Towns Teal*® awareness campaign; and

BE IT FURTHER RESOLVED, that Mayor and Council authorize the placement of teal colored ribbons around Borough trees during the month of September and that the ribbons shall be removed by September 30th 2015; and

BE IT FURTHER RESOLVED, that the placement of banners and/or signage must be reviewed and approved in advance their posting on Borough property by the Chatham Borough Zoning Officer.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with Resolution #15-256 and Resolutions #15-263 through #15-278 listed on the Consent Agenda.

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 RESOLUTIONS

RESOLUTIONS REQUIRING SEPARATE ACTION**RESOLUTION #15-279****RESOLUTION AMENDING THE 2015 CY WATER UTILITY CAPITAL BUDGET
PURSUANT TO N.J.A.C. 5:30-4.4B**

WHEREAS, the local capital budget for the year 2015 was adopted by the Borough Council of the Borough of Chatham on the 10th day of August, 2015; and

WHEREAS, the Borough of Chatham deems it necessary and desirable to provide for a capital project not previously reflected in the 2015CY Water Utility Capital Budget; and

WHEREAS, N.J.A.C. 5:30-4.4B provides that the Water Utility Capital Budget of a governing body shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget.

BE IT RESOLVED by the Council of the Borough of Chatham, in the County of Morris, State of New Jersey, that the 2015CY Water Utility Capital Budget shall be amended to reflect the addition of \$170,000 not previously provided for in the Water Utility Capital Budget; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall file two certified copies of this resolution with the Office of the Division of Local Government Services, and one certified copy shall be filed with the Municipal Auditor, and one certified copy shall be filed with the Borough's Chief Financial Officer; 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.

The foregoing resolution was adopted by the following roll call vote:

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

RESOLUTION #15-280

2015 CAPITAL BUDGET AMENDMENT [Companion resolution to Ordinance #15-10]

WHEREAS, the local Capital Budget for the year 2015 was adopted by the Borough Council of the Borough of Chatham on the 27th day of April, 2015; and

WHEREAS, it is desired to amend said adopted capital budget.

BE IT RESOLVED, by the Council of the Borough of Chatham, County of Morris, that the following amendment to the adopted 2015 Capital Budget section of the Borough be adopted:

2015 CAPITAL BUDGET (Current Year Action)

PLANNED FUNDING SERVICES FOR CURRENT YEAR 2015			
CAPITAL			
<u>PROJECT</u>	<u>ESTIMATED TOTAL COST</u>	<u>IMPROVEMENT FUND</u>	<u>DEBT AUTHORIZED</u>
Electrical & Well Improvements - Water Utility	\$ 170,000.00	\$ 8,500.00	\$ 161,500.00
Total General Capital	\$ 1,700,640.00	\$ 83,895.00	\$ 1,593,996.00
TOTAL - ALL PROJECTS	<u>\$ 1,870,640.00</u>	<u>\$ 92,395.00</u>	<u>\$ 1,755,496.00</u>

<u>PROJECT</u>	<u>ESTIMATED TOTAL COST</u>	<u>ESTIMATED COMPLETION TIME</u>	<u>FUNDING AMOUNTS 2015 BUDGET YEAR</u>
Electrical & Well Improvements - Water Utility	\$ 170,000.00	2015	\$ 170,000.00
Total General Capital	\$ 4,041,090.00		\$ 1,700,640.00
TOTAL - ALL PROJECTS	<u>\$ 4,211,090.00</u>		<u>\$ 1,870,640.00</u>

<u>PROJECT</u>	<u>ESTIMATED TOTAL COST</u>	<u>IMPROVEMENT FUND</u>	<u>BONDS AND NOTES GENERAL</u>
Electrical & Well Improvements - Water Utility	\$ 170,000.00	\$ 8,500.00	\$ 161,500.00
Total General Capital	\$ 4,041,090.00	\$ 200,917.00	\$ 3,817,423.00
TOTAL - ALL PROJECTS	<u>\$ 4,211,090.00</u>	<u>\$ 209,417.00</u>	<u>\$ 3,978,923.00</u>

And,

BE IT FURTHER RESOLVED, that two certified copies of this resolution shall be filed with the Office of the Division of Local Government Services.

The foregoing resolution was adopted by the following roll call vote:

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

ORDINANCES FOR FIRST READING

Mayor Harris asks Council President Helfrich to introduce Ordinance #15-10.

Council President Helfrich introduces Ordinance #15-10 by title as follows:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$170,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Council President Helfrich explains the purpose of the Ordinance and moves for introduction on First Reading.

Council President Helfrich reads:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on August 10, 2015.

BE IT RESOLVED, that at the Council meeting to be held on September 14, 2015 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

BE IT FURTHER RESOLVED that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in the Municipal Building and make copies available to members of the general public. And I do so move.

Council Member _____ seconds the motion.

Mayor Harris asks the Borough Clerk for a Roll Call Vote:

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

Mayor Harris asks Council Member Alida Kass to introduce Ordinance #15-11.

Council Member Alida Kass introduces Ordinance #15-11 by title as follows:

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING CHAPTER 63 OF THE BOROUGH CODE AND ABOLISHING THE SHADE TREE COMMISSION OF THE BOROUGH OF CHATHAM

Council Member Kass explains the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Kass reads:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on August 10, 2015.

BE IT RESOLVED, that at the Council meeting to be held on September 14, 2015 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

BE IT FURTHER RESOLVED that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in the Municipal Building and make copies available to members of the general public. And I do so move.

Council Member _____ seconds the motion.

Mayor Harris asks the Borough Clerk for a Roll Call Vote:

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

RESOLUTION #15-281

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:

Pending Litigation: 1. I/M/O Chatham Borough Affordable Housing Declaratory
Judgment - Mr. Lott

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Borough Council will not return to public session after this closed session.

ADJOURNMENT