

AGENDA
March 14, 2016

Regular Meeting
Mayor and Borough Council

Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928

CALL MEETING TO ORDER The meeting will be called to order at 7:30 p.m.

SALUTE TO FLAG

MOMENT OF SILENCE

STATEMENT OF ADEQUATE NOTICE Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board on the main floor of Borough Hall, emailed to the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and The Alternative Press and filed with the Borough Clerk, all on January 11, 2016.

ROLL CALL Mayor Bruce A. Harris
Council Member James J. Collander
Council President James Lonergan
Council Member Victoria Fife
Council Member Gerald J. Helfrich
Council Member Leonard Resto
Council Member Peter Hoffman
Robert J. Falzarano, Borough Administrator
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

PRESENTATION

Historic Preservation Flag Award – Colleen Foley, Chairperson, Historic Preservation Commission

RESOLUTION #16-134

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:

February 22, 2016

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:

February 22, 2016

DISCUSSION ITEMS

1. 2016 Budget Presentation – Mr. Timothy Day, Chief Financial Officer
 2. Pilgrim Pipeline – Council Member Len Resto
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MEETING OPEN TO THE PUBLIC

NOTICE OF PUBLIC COMMENT TIME LIMIT

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

REPORTS

Board & Commission Members & Liaison Reports

Affordable Housing Advisory Committee

Mayor Bruce A. Harris
Council Member James J. Collander
Council Member Victoria Fife

Open Space & Historic Preservation Trust Advisory Committee

Mayor Bruce A. Harris
Council Member Leonard Resto

Traffic & Pedestrian Safety Advisory Committee Shade Tree Commission

Council Member James J. Collander
Council Member James J. Collander

Communications & Technology Advisory Committee Joint Recreation Advisory Committee Municipal Pool Advisory Committee

Council President James Lonergan
Council President James Lonergan
Council President James Lonergan

Farmers' Market Advisory Committee Mayors' Wellness Committee

Council Member Victoria Fife
Council Member Victoria Fife

MyChathamNJ Advisory Committee Planning Board Project Community Pride Senior Center of the Chathams

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

9/11 Memorial Advisory Committee Board of Education Joint Municipal Court Municipal Alliance of the Chathams

Council Member Gerald J. Helfrich
Council Member Gerald J. Helfrich
Council Member Gerald J. Helfrich
Council Member Gerald J. Helfrich

Environmental Commission Joint Community Gardens Advisory Committee Madison-Chatham Joint Meeting Pilgrim Pipeline Advisory Committee Public Arts Council Advisory Committee

Council Member Leonard Resto
Council Member Leonard Resto
Council Member Leonard Resto
Council Member Leonard Resto
Council Member Leonard Resto

Board of Health Historic Preservation Commission

Council Member Peter Hoffman
Council Member Peter Hoffman

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 #16-135 through Resolution #16-145 have been placed on the Consent Agenda.

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

RESOLUTION #16-

LAW & PUBLIC SAFETY

RESOLUTION #16-135

RESOLUTION APPOINTING MATTHEW PRIDHAM AS A FULL MEMBER OF THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT HOSE COMPANY

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, Matthew Pridham was appointed as a Probationary Firefighter with the Chatham Borough Volunteer Fire Department Hose Company in August 11, 2014; and

WHEREAS, Matthew Pridham has successfully completed his probationary term and has shown excellent attendance at fire alarms, meetings and drills; and

WHEREAS, the Fire Chief and Fire Coordinator have recommended that Matthew Pridham be appointed as a full member of the Chatham Borough Volunteer Fire Department Hose Company.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Matthew Pridham is hereby appointed as a full member of the Chatham Borough Volunteer Fire Department Hose Company; and

BE IT FURTHER RESOLVED, that Matthew Pridham is to be commended for his dedicated volunteer service to the Borough of Chatham.

FINANCE

RESOLUTION #16-136

RESOLUTION TO APPROVE PAYMENT OF VOUCHERS

WHEREAS, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

BE IT RESOLVED by the Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

RESOLUTION #16-137

RESOLUTION AUTHORIZING REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that an overpayment of property taxes was made by a service company that included a Chatham Township property tax payment resulting in an overpayment of property taxes; and

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

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR.</u>
110/7	Truppo, Jeffrey & Colleen 10 Overlook Road	\$2,607.09	2016 1st Qtr.

Please make check payable & mail to:
CoreLogic – Refund Unit
P.O. Box 961250
Fort Worth, TX 76161

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 overpayment of property taxes as herein referenced.

RESOLUTION #16-138

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 both the property owner and the mortgage service company resulting in an overpayment of property taxes; and

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

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR.</u>
6/19	Wittmer, Colin & Karen 30 Highland Avenue	\$5,883.77	2015 3rd Qtr.

Please make check payable & mail to:
Wittmer, Colin & Karen
30 Highland Avenue
Chatham, NJ 07928

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

RESOLUTION #16-139

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2012 TAX APPEAL ENTITLED FAUVER, JOHN & FRANCES V. BOROUGH OF CHATHAM, DOCKET NO. 012912-2012 OF THE TAX ASSESSMENT OF BLOCK 97, LOT 5, KNOWN AS 18 CHANDLER ROAD IN THE BOROUGH OF CHATHAM, MORRIS COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment on property located at 18 Chandler Road, Block 97, Lot 5 had been filed by John and Frances Fauver for tax year 2012; and

WHEREAS, a proposed Stipulation of Settlement has been reviewed and recommended by the Borough Tax Assessor and Municipal Tax Attorney; and

WHEREAS, the 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 the settlement of the 2012 tax appeal is hereby authorized as follows:

18 Chandler Road, Block 97, Lot 5

Year: 2012

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land: \$ 838,500	\$ 838,500	\$ 838,500
Imprvts: \$1,316,300	\$1,316,300	\$1,061,500
Total: \$2,154,800	\$2,154,800	\$1,900,000

And,

BE IT FURTHER RESOLVED, that the Municipal Tax Attorney is authorized to enter into the Stipulation of Settlement in this matter; and

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

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #16-140

RESOLUTION APPROVING THE BOROUGH OF CHATHAM THIRD FIVE-YEAR COMMUNITY MANAGEMENT FORESTRY PLAN

WHEREAS, the Shade Tree Commission for the Borough of Chatham, in conjunction with its Certified Tree Expert, John Linson, prepared the Borough's third five-year Community Forestry Management Plan in accordance with the New Jersey Shade Tree and Community Forestry Assistance Act, P.L. 1996, Chapter 135; and

WHEREAS, the Community Forestry Management Plan is an essential guide to successfully achieving a healthy and safe community forest; and

WHEREAS, the Shade Tree Commission recommends the adoption of the prepared third five-year Community Forestry Management Plan so that it may be submitted to the State of New Jersey, Department of Environmental Protection, Division of Parks and Forestry, Forest Service for its review and approval.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby adopt the third five-year Community Forestry Management Plan prepared by the Shade Tree Commission; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the Borough's third five-year Community Forestry Management Plan and that it be submitted to State of New Jersey, Department of Environmental Protection, Division of Parks and Forestry, Forest Service for its review and approval; and

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

PERSONNEL

RESOLUTION #16-141

RESOLUTION PROMOTING ANGELLO CAMPOS TO LEAD PERSON #1, IN THE DEPARTMENT OF PUBLIC WORKS UTILITIES DIVISION

WHEREAS, a promotional posting for Lead Person #1 in the Department of Public Works Utilities Division was advertised to solicit resumes and applications from interested candidates in accordance with the Department of Public Works collective bargaining unit contract; and

WHEREAS, one employee, Angello Campos, applied for the position; and

WHEREAS, the Public Works selection committee (the "Committee") conducted an interview with the employee and found that he is well-qualified for the position and has recommended his promotion to Lead Person #1 in the Department of Public Works Utilities Division, to be effective March 16, 2016 with an annual salary of \$71,219.00, which is to be pro-rated for the remainder of the calendar year.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Committee and hereby authorized the promotion of Angello Campos to Lead Person #1 in the Department of Public Works Utilities Division, to be effective March 16, 2016, with an annual salary of \$71,219.00, which is to be pro-rated for the remainder of the calendar year; and

BE IT FURTHER RESOLVED, that the terms and conditions of Angello Campo's promotion to Lead Person #1 in the Department of Public Works Utilities Division shall be in accordance with the Department of Public Works collective bargaining unit contract and in accordance with provisions set forth in a memo from Tony Torello, Director of Public Works to Robert Falzarano, Borough Administrator, dated February 23, 2016.

RESOLUTION #16-142

RESOLUTION TO HIRE SEAN LIGHTNER AS A SERVICE PERSON IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Chatham publicly advertised the job opening for the position of a Service Person in 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 found that Sean Lightner is the best-qualified candidate and has recommended that he be hired for the Service Person position in the Department of Public Works, to be effective March 16, 2016 with an annual starting salary of \$36,115.00, which is to be pro-rated for the remainder of the calendar year.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Committee and hereby authorize that Sean Lightner shall be hired as a Service Person in the Department of Public Works, to be effective March 16, 2016 with an annual starting salary of \$36,115.00, which shall be pro-rated for the remainder of the calendar year; and

BE IT FURTHER RESOLVED, that the terms and conditions of Sean Lightner's employment shall be in accordance with the Department of Public Works collective bargaining unit contract and in accordance with provisions set forth in the offer of employment letter from Tony Torello, Director of Public Works, dated February 23, 2016

RECREATION

RESOLUTION #16-143

RESOLUTION AUTHORIZING THE REFUND OF RECREATION FEES

WHEREAS, the Borough's Recreation Coordinator for the Chatham Joint Recreation Program has advised that a refund for certain recreation fees should be refunded as follows:

<u>Last Name</u>	<u>Amount</u>	<u>Activity</u>	<u>Reason</u>
Fortuna	\$178.00	Ski/Basketball	Medical
DiDio	\$75.00	Track	Transferred to another track program

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough's Recreation Coordinator for the Chatham Joint Recreation Program to process the herein referenced recreation fee refund; and

BE IT FURTHER RESOLVED, 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 #16-144

RESOLUTION AUTHORIZING THE EXECUTION OF THE JOINT RECREATION PROGRAM OF THE CHATHAMS SHARED SERVICES AGREEMENT WITH CHATHAM TOWNSHIP

WHEREAS, Chatham Township and Chatham Borough (the "Parties") participate in the Joint Recreation Program of the Chathams to provide for joint shared recreation and athletic services in order to avoid having to incur largely duplicative costs to upgrade their programs, facilities, and fields; and

WHEREAS, the Parties wish to enter into a Shared Services Agreement pursuant to the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., to provide for shared services related to the Program Coordinator, trust fund management and supervision of background checks for the Joint Recreation Program.

BE IT RESOLVED, by Council of the Borough of Chatham that the Mayor is hereby authorized to execute the herein referenced Joint Recreation Program of the Chathams Shared Services Agreement with Chatham Township; and

BE IT FURTHER RESOLVED, that this Resolution shall be effective as of the date that the Chatham Township Committee and the Chatham Borough Council shall adopt companion Resolutions; 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 #16-145

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT FOR COMMUTER BUS SERVICE WITHOUT PUBLIC BIDDING PURSUANT TO N.J.S.A. 40A:11-6

WHEREAS, NJ TRANSIT Rail Operations may face the prospect of a system wide shutdown should the membership of its rail union decide to engage in a work stoppage or strike; and

WHEREAS, the disruption or suspension of NJ TRANSIT rail service would greatly inconvenience the more than four hundred Chatham Borough (hereinafter the “Borough”) residents who regularly commute to New York City; and

WHEREAS, to reduce traffic congestion and to provide proper rail transit contingency planning during any period disruption or suspension of NJ TRANSIT rail service to New York City, the Borough Administrator has recommended the use of a commuter bus service on a “fee for service, first come, first serve” basis for Borough residents provided that no Borough funds are used to pay for this charter bus service; and

WHEREAS, the Borough Administrator has confirmed that Passaic Valley Coach Lines, Inc., 71 River Road, Chatham, New Jersey, 07928, is capable of providing charter commuter bus service to Borough residents during the period disruption or suspension of NJ TRANSIT rail service to New York City without use of Borough funds; and

WHEREAS, the Borough Administrator has submitted a certification setting forth the impracticability of engaging in public bidding pursuant to N.J.S.A. 40A:11-6 for temporary provision of commuter bus service under the circumstances set forth herein; and

WHEREAS, the Borough of Chatham and Passaic Valley Coach Lines, Inc. wish to enter into a contract to provide temporary commuter bus service under the circumstances set forth herein.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the award of an emergency contract to Passaic Valley Coach Lines, Inc. without public bidding pursuant to N.J.S.A. 40A:11-6; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the contract agreement, subject to the prior review and approval of the Borough Attorney; and

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

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #16-135 through #16-145.

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

RESOLUTION #16-146

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 Matter:	1. DPW – Mr. Falzarano
Litigation Matter:	1. Affordable Housing – Mr. Lott
Attorney-Client Privilege:	1. Oliver Street Vacation – 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