

**AGENDA**  
**September 26, 2016**

**Regular Meeting**  
**Mayor and Borough Council**

**Borough of Chatham**  
**54 Fairmount Avenue**  
**Chatham, NJ 07928**

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

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**SALUTE TO FLAG**

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**MOMENT OF SILENCE**

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**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.

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**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

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**PROCLAMATION**

**RESOLUTION #16-281**

**RESOLUTION SUPPORTING THE SUSAN G. KOMEN NORTH JERSEY TIE A RIBBON™  
CAMPAIGN AND PROMOTING THE MONTH OF OCTOBER 2016 AS NATIONAL BREAST  
CANCER AWARENESS MONTH**

**WHEREAS**, breast cancer is the leading cause of death of women between the ages of 35 and 64 and increased public awareness of this disease, its risk factors and symptoms may save lives of women and men across New Jersey; and

**WHEREAS**, the Susan G. Komen North Jersey Affiliate's Tie a Ribbon™ campaign aims to spread the lifesaving message that "Mammograms Save Lives" during the month of October, which is celebrated as National Breast Cancer Awareness Month, by placing six-foot-long, pink ribbons on trees throughout the Borough from October 1st through October 31<sup>st</sup>; and

**WHEREAS,** pink ribbons have become an internationally recognized symbol of courage, support, and hope for a cure; and

**WHEREAS,** the pink ribbons are a wonderful way to raise public awareness of breast cancer and promote the month of October 2016 as National Breast Cancer Awareness Month.

**BE IT RESOLVED,** by the Mayor and Council of the Borough of Chatham that they hereby support the Susan G. Komen North Jersey Affiliate's Tie a Ribbon <sup>TM</sup> campaign and authorize the placement of pink ribbons around Borough trees during the month of October to promote the month of October 2016 as National Breast Cancer Awareness Month and to honor those who have been touched by the disease; and

**BE IT FURTHER RESOLVED,** that the placement of any banners or signage must be reviewed and approved in advance of their posting on Borough property by the Borough's Zoning Officer and that all ribbons shall be removed from Borough trees on or before October 31, 2016.

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## **RESOLUTION #16-282**

### **RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

**BE IT RESOLVED,** by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

September 12, 2016

September 21, 2016 Joint Special Meeting

**BE IT FURTHER RESOLVED,** by the Council of the Borough of Chatham that the minutes from the following Closed Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:  
September 12, 2016.

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## **DISCUSSION ITEMS**

1. Tri-Town 55+ Program – Lisa Gulla, Health Officer
2. Jeff Davis' Ogden Street Maintenance Proposal – Mayor Harris
3. Leaf Pick-up Update – Tony Torello, Public Works Director
4. St. Patrick's Handicapped Parking Space – Council Member James J. Collander

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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.

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## **ORDINANCES FOR SECOND READING**

Mayor Harris asks Council Member Resto to proceed with Ordinance #16-09.

Council Member Resto reads Ordinance #16-09 entitled:

**ORDINANCE #16-09**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
DISCLAIMING THE BOROUGH'S INTEREST IN BLOCK 99, LOT 12**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on September 12, 2016.

Mayor Harris asks the Borough Clerk to give a summary of the legal notice.

The Borough Clerk states: A legal notice was published indicating that Ordinance #16-09 was introduced and passed on first reading at the September 12, 2016 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on September 26, 2016 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Harris: The meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

Mayor Harris: Seeing no one else wishing to be heard, I will now close the public hearing.

Council Member Resto: I offer the following Ordinance and move 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 \_\_\_\_\_ seconds the motion.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonergan						
Fife						
Helfrich						
Resto						
Hoffman						

Mayor Harris: I declare this Ordinance adopted and finally passed and request the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

Mayor Harris asks Council President Lonergan to proceed with Ordinance #16-10.

Council President Lonerger reads Ordinance #16-10 entitled:

**ORDINANCE #16-10**

**CAPITAL ORDINANCE OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE UNDERTAKING OF VARIOUS IMPROVEMENTS IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$347,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on September 12, 2016.

Mayor Harris asks the Borough Clerk to give a summary of the legal notice.

The Borough Clerk states: A legal notice was published indicating that Ordinance #16-10 was introduced and passed on first reading at the September 12, 2016 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on September 26, 2016 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Harris: The meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

Mayor Harris: Seeing no one else wishing to be heard, I will now close the public hearing.

Council President Lonerger: I offer the following Ordinance and move 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 \_\_\_\_\_ seconds the motion.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonerger						
Fife						
Helfrich						
Resto						
Hoffman						

Mayor Harris: I declare this Ordinance adopted and finally passed and request the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

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## **REPORTS**

### **Council Committees**

<b>Budget and Finance</b>	Council President James Lonergan
<b>Long Range Traffic &amp; Pedestrian Safety Planning</b>	Council Member James J. Collander
<b>Public Safety &amp; Emergency Services</b>	Council Member James J. Collander
<b>Personnel</b>	Council Member Leonard Resto
<b>Public Works Planning/Community Services</b>	Council Member Victoria Fife
<b>Shared Services &amp; 3<sup>rd</sup> Party Agreements</b>	Council Member Gerald Helfrich

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## **MAYOR'S REPORT**

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## **ADMINISTRATOR'S REPORT**

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### **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 #16-283 through Resolution #16-288 have been placed on the Consent Agenda.

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

#### **RESOLUTION #16-**

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### **FINANCE**

#### **RESOLUTION #16-283**

#### **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.

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### **LAW AND PUBLIC SAFETY**

#### **RESOLUTION #16-284**

#### **RESOLUTION APPOINTING ALEXANDER SWEETIN AS A FULL MEMBER OF THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT HOSE COMPANY NO. 1**

**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**, Alexander Sweetin was appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department Hose Company No. 1 on July 27, 2015 and has successfully completed his probationary term and has shown regular attendance at fire alarms, meetings and drills, and has completed the Fire Fighter 1 class at the Morris County Fire Academy; and

**WHEREAS**, the Fire Chief and the Lieutenant-Hose Company No. 1 have recommended that Alexander Sweetin be appointed as a full member of the Chatham Borough Volunteer Fire Department Hose Company 1.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Alexander Sweetin is hereby appointed as a full member of the Chatham Borough Volunteer Fire Department Hose Company 1; and

**BE IT FURTHER RESOLVED**, that Alexander Sweetin is to be thanked for his volunteer service to the Borough of Chatham.

#### **RESOLUTION #16-285**

#### **RESOLUTION APPOINTING COREY DUREN AS A FULL MEMBER OF THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT RESCUE 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**, Corey Duren was appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department Rescue Company on July 27, 2015 and has successfully completed his probationary term and has shown regular attendance at fire alarms, meetings and drills, and has completed the Fire Fighter 1 class at the Morris County Fire Academy; and

**WHEREAS**, the Fire Chief and the Lieutenant-Rescue Company have recommended that Corey Duren be appointed as a full member of the Chatham Borough Volunteer Fire Department Rescue Company.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Corey Duren is hereby appointed as a full member of the Chatham Borough Volunteer Fire Department Rescue Company; and

**BE IT FURTHER RESOLVED**, that Corey Duren is to be thanked for his volunteer service to the Borough of Chatham.

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#### **OTHER**

#### **RESOLUTION #16-286**

#### **RESOLUTION ESTABLISHING PARKING FEES AND RULES AND REGULATIONS REGARDING THE SALE OF PARKING PERMITS REQUIRED FOR PARKING LOTS OR AREAS DESIGNATED “FEE PARKING” PURSUANT TO CHAPTER 139, SECTIONS 61 AND 62 OF THE CODE OF THE BOROUGH OF CHATHAM**

**WHEREAS**, Chapter 139, Section 61 of the Code of the Borough of Chatham entitled “Fee parking spaces” specifies that the governing body shall establish by resolution the parking fees required to be paid in parking lots or other areas designated fee parking as well as rules and regulations governing the sale of parking permits; and

**WHEREAS**, Chapter 139, Section 62 of the Code of the Borough of Chatham entitled “Parking by permit” specifies that the governing body shall establish by resolution the rules and regulations governing the issuance and management of parking permits.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the following parking fees shall become effective on January 1, 2017:

1. In parking lots or areas designated as fee parking, a Smart Card fee of Five Dollars (\$5.00) for Borough residents and a Smart Card fee of Five Dollars and Fifty cents (\$5.50) for Non-Borough residents shall be paid between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays. The Daily Permit fee for cash or credit card customers is Five Dollars and Fifty cents (\$5.50).

In parking lots or areas designated as daily fee parking for motorcycles and scooters, a Smart Card, cash or credit card fee of Two Dollars and Seventy-five cents (\$2.75) shall be paid between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays

2. The following annual permit fees shall be established:

A. LOTS #1 & 2-RAILROAD NORTH & SOUTH	
Borough Residents Only	\$460.00
B. LOT #3-CENTER STREET-EAST –	
Borough Resident	\$265.00
Borough Business Owner/Borough Business Employee	\$240.00
C. LOT #4-CENTER STREET-WEST	
Borough Resident	\$265.00
Borough Business Owner/Borough Business Employee	\$240.00
D. LOT #5-BOWERS LANE LOT	
Borough Resident	\$265.00
Borough Business Owner/Borough Business Employee	\$240.00
E. LOT #6-DIVISION AVENUE LOT	
Borough Resident	\$265.00
Borough Business Owner/Borough Business Employee	\$240.00

And;

**BE IT FURTHER RESOLVED**, that the Borough of Chatham Parking Permits Rules and Regulations established and authorized by Resolution #13-129 shall remain in full force for calendar year 2017.

#### **RESOLUTION #16-287**

#### **RESOLUTION AUTHORIZING REFUND FOR WATER UTILITY CONNECTION AND TAP SERVICE FEE**

**WHEREAS**, the Chief Financial Officer for the Borough of Chatham has advised that a written request has been made for the refund of a new water utility connection and 1-inch water tap service fee in the amount of \$1,725.00 for property located at 64 Hedges Avenue; and

**WHEREAS**, the Chief Financial Officer has further advised that the Director of Public Works has confirmed that the existing water tap service will be utilized and a refund is due as follows:

<u>NAME/ADDRESS</u>	<u>REFUND AMOUNT</u>
Menza and Beissel Homes, Inc. 41 Stonehouse Road Basking Ridge, NJ 07920 Attention: Office Manager	\$1,725.00

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the request to refund the water utility connection and 1-inch water tap service fee as herein referenced is hereby approved the Borough's Utility Clerk is authorized to process a refund; 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 #16-288**

#### **RESOLUTION AMENDING RESOLUTION #16-264 AND APPROVING THE CORRECTIONS TO THE MATCHING FUND COSTS REFERENCED IN THE BOROUGH'S MORRIS COUNTY TRAIL CONSTRUCTION GRANT PROGRAM APPLICATION FOR THE CONSTRUCTION OF PHASE I OF THE HISTORIC RIVERSIDE TRAIL PROJECT**

**WHEREAS**, on July 11, 2016 the Borough Council of the Borough of Chatham adopted Resolution #16-247 authorizing the pursuit and future submission of a Morris County Trail Construction Grant Program Application and authorizing the Mayor to execute the Letter of Intent on behalf of the Borough; and

**WHEREAS**, on August 8, 2016 the Borough Council adopted Resolution #16-264 authorizing the Mayor to execute the Borough's completed Morris County Trail Construction Grant Program application for the construction of Phase I of the Historic Riverside Trail Project; and

**WHEREAS**, the estimated the total project cost for this project is \$154,460.00 and the amount requested in the Borough's grant application is \$93,710.00; and

**WHEREAS**, corrections to the matching fund costs referenced in Section 9, Engineering Cost Estimate, of the Borough's grant application, must be made to correctly reflect the Borough's matching fund contribution as follows:

	<b>Matching Funds</b>
<b>Matching Fund Source #1</b>	<b>(dollars)</b>
Signage (Kiosks) (Borough Capital Budget 2017)	\$12,000.00
<b>Matching Fund Source #2</b>	
Bog Bridges/Puncheon Bridges (Borough Capital Budget 2017)	\$15,000.00
<b>Matching Fund Source #3</b>	
Labor – Install Woodchips (Department of Public Works)	\$33,750.00.

And,

**WHEREAS**, the Borough Engineer has confirmed the referenced revised matching fund costs and the Chief Financial Officer has confirmed that sufficient funds have been included in the 2017 Capital Budget.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that they hereby approve the referenced corrections to the Borough's grant application hereby authorize the Mayor to execute the revised grant application; 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 Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #16-283 through #16-288.

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: \_\_\_\_\_.

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## ADD-ON RESOLUTIONS

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### ORDINANCE FOR FIRST READING

Mayor Harris asks Council President Lonergan to introduce Ordinance #16-13.

Council President Lonergan introduces Ordinance #16-13 by title as follows:

#### **ORDINANCE #16-13**

**REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF \$3,805,000 AGGREGATE PRINCIPAL AMOUNT OF OUTSTANDING BONDS OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROPRIATING A SUM NOT EXCEEDING \$3,850,000 TO PAY THE COST THEREOF AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,850,000 AGGREGATE PRINCIPAL AMOUNT OF REFUNDING BONDS OF SAID BOROUGH TO FINANCE SUCH APPROPRIATION.**

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

Council President Lonergan reads:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on September 26, 2016.

**BE IT RESOLVED**, that at the Council meeting to be held on October 11, 2016 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 Borough Hall and make copies available to members of the general public.

Council President Lonergan: I offer Ordinance #16-13 and move its adoption on first reading.

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						
Fife						
Helfrich						
Resto						
Hoffman						

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## **RESOLUTION #16-289**

### **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:                   1. Madison Health Services – Council Member Hoffman  
                                  2. Planning Services – Mayor Harris
- Public Safety:           1. Personal and Property Safety Tactics – Council Member Collander
- Personnel:               1. Community Services Staffing – Council Member Resto  
                                  2. Police Department Staffing – Council Member Resto

**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.

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## **ADJOURNMENT**