

AGENDA
April 24, 2017

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 official 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 was filed with the Borough Clerk, all on January 5, 2017.

ROLL CALL

Mayor Bruce A. Harris
Council Member James J. Collander
Council Member James Lonergan
Council President 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

PROCLAMATION

RESOLUTION #17-158

CELEBRATING NATIONAL ARBOR DAY APRIL 28, 2017

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this special day, called Arbor Day, was first observed with the planting of more than one million trees in the State of Nebraska; and

WHEREAS, Arbor Day is now observed on the last Friday in April throughout the nation and the world each year; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees also increase property values, enhance the economic vitality of our business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, that April 28, 2017 shall be celebrated as National Arbor Day in the Borough of Chatham and all citizens are encouraged to join together to celebrate the benefits of community trees and to support all efforts to protect our trees and woodlands for the well-being of present and future generations.

RESOLUTION #17-159

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:

April 11, 2017

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:

April 11, 2017

DISCUSSION ITEMS

1. Green Takes Back Grey Project – Council Member Len Resto
 2. Farmers' Market Update – Janice Piccolo
 4. Administrative Code – Mr. James Lott
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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.

ORDINANCE FOR SECOND READING

Mayor Harris asks Council Member Lonergan to proceed with Ordinance #17-04.

Council Member Lonergan reads Ordinance #17-04 entitled:

ORDINANCE #17-04

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on March 27, 2017.

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 #17-04 was

introduced and passed on first reading at the March 27, 2017 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on April 24, 2017 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 Lonergan: 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.

RESOLUTIONS (NON-ROUTINE REQUIRING SEPARATE ACTION)

RESOLUTION #17-160

RESOLUTION TO READ THE 2017 OPERATING BUDGET BY TITLE

WHEREAS, N.J.S.A. 40A 4-8, as amended, provides that the municipal budget shall be read in full at the public hearing, or that it may be read by its title only if at least one week prior to the date of the hearing, and during the public hearing, complete copies of the budget were made available at no charge to each person requesting one; and

WHEREAS, the Borough Clerk has certified that the budget summary was published in the official newspapers upon approval by the Borough Council at its March 27, 2017 meeting, and that copies of the municipal budget were made available at no charge to each person requesting one in accordance with N.J.S.A. 40A:4-8.

BE IT RESOLVED, by the Council of the Borough of Chatham that it hereby declares that the conditions of N.J.S.A. 40A:4-8, as amended, have been met and therefore the municipal budget shall be read by title only at the public hearing.

RESOLUTION #17-161

RESOLUTION TO ADOPT THE 2017 MUNICIPAL BUDGET

WHEREAS, the Mayor and Council introduced and approved the 2017 Municipal Budget on March 27, 2017; and

WHEREAS, the approved budget was advertised as required by law on March 30, 2017 with notice of the public hearing scheduled for April 24, 2017.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the municipal budget for the year 2017:

Municipal Budget

Revenues

General Revenues	\$ 5,907,679.70
Local Tax for Muni Purposes	\$ 7,857,326.34
Minimum Library Tax	\$ 816,372.16
	<u>\$14,581,378.20</u>

Appropriations

Municipal Purposes	\$12,836,378.20
Reserve for Uncollected Taxes	<u>\$ 1,745,000.00</u>
Total General Appropriations	\$14,581,378.20

Water Operating Budget

Revenues

Rents and Fees	\$ 1,412,780.00
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Appropriations

Expenses	\$ 1,412,780.00
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Solid Waste Budget

Revenues

Rents and Fees	\$ 597,750.00
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Appropriations

Expenses	\$ 597,750.00
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Open Space Budget

General Revenues	\$ 73,651.45
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Open Space Tax	\$ 104,073.00
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Mayor Harris: The meeting is now open for a public hearing on the 2017 Municipal Budget 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 Lonergan: I offer the Resolution #17-161 and move its adoption:

BE IT RESOLVED, that this Budget Resolution 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						

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 Leonard Resto
Public Works Planning/Community Services	Council President Victoria Fife
Shared Services & 3 rd Party Agreements	Council Member 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 #17-162 through Resolution #17-169 have been placed on the Consent Agenda.

CONTRACTS

RESOLUTION #17-162

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE PRICING AGREEMENT WITH THE UNION COUNTY COOPERATIVE PRICING COUNCIL

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish cooperative pricing systems and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Union County Cooperative Pricing Council has offered voluntary participation in its cooperative pricing system for the purchase of goods and services; and

WHEREAS, the Union County Cooperative Pricing Council shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey; and

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

WHEREAS, the Director of the Public Works Department and the Chief Financial Officer recommend participation in the Union County Cooperative Pricing Council; and

WHEREAS, the Council of the Borough of Chatham wishes to become a participating member of the Union County Cooperative Pricing Council.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute the Cooperative Pricing Agreement with the Union County Cooperative Pricing Council; 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.

FINANCE

RESOLUTION #17-163

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 #17-164

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that an overpayment was made at the time of the mortgage refinance closing 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>
3/11	Langford, Guy 71 Fairview Avenue Make check payable & mail to: Mr. Guy Langford 71 Fairview Avenue Chatham, NJ 07928	\$2,777.21	2009/3Qtr.

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.

LAW AND PUBLIC SAFETY

RESOLUTION #17-165

RESOLUTION AUTHORIZING THE PURCHASE OF MOBILE AUDIO/VIDEO CAMERA SYSTEMS AND ELECTRONIC EQUIPMENT UNDER STATE CONTRACT #A81311 FOR THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase of goods or services is made through a New Jersey State Contract vendor; and

WHEREAS, the Chatham Borough Police Department has a need to purchase and have professionally installed the following mobile audio/video camera systems and electronic equipment:

- Six (6) L3 Mobile-Vision In Car Flashback HD system, 16GBSD OZ cam, VLX, Std-Mon.;
- Six (6) Flashback, In-Car Video System, with extended 5 Year Warranty;
- One (1) Kit: Bravo 4201 Disc Publisher with work station and accessories;
- Two (2) Kit: Outdoor AP-802 Wireless Access Point with 11n over a or a frequency, includes antenna, Power over Internet injector, Power over Internet Converter, Access Point mounted to antenna;
- Installation of New Flashback system, includes removal of (6) Flashback2 systems and installation of (6) Flashback High Definition systems to be performed by Triangle Communications;
- Installation of (2) Wire Access Points to be installed by Central Alarm;
- On-site and remote professional services;
- Installation of Operating System and Digital Evidence System Application on Customer Provided Equipment.

And

WHEREAS, the purchase and installation of the above-referenced audio/video and electronic equipment is available through New Jersey State Contract #A81311 from L-3 Mobile-Vision, Inc., 400 Commons Way, Rockaway NJ 07866 in the amount of \$42,917.50 as provided in its quote dated March 8, 2017; and

WHEREAS, the Chief Financial Officer has provided a certification of availability of funds in the amount not to exceed \$42,917.50 from General Capital Fund accounts # C-04-55-916-604 and C-04-55-917-606.

BE IT RESOLVED, by the Council of the Borough of Chatham that it hereby authorizes the purchase and installation of the herein referenced audio/video and electronic equipment through New Jersey State Contract #A81311 to L-3 Mobile-Vision, Inc. in the amount of \$42,917.50 as provided in its quote dated March 8, 2017; 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 #17-166

RESOLUTION AUTHORIZING THE SUSTAINABILITY FAIR TO BE HELD ON SATURDAY, SEPTEMBER 9, 2017

WHEREAS, our residents desire a healthy, stable, and sustainable future for themselves and future generations and have the desire to take steps to sustain their quality of life over the long term; and

WHEREAS, since 2008, the Chatham Borough Environmental Commission and the Chatham Township Environmental Commission have organized and co-hosted the *Green Fair of the Chathams*, a collaborative effort promoting eco-friendly organizations, companies and products that offer wide-ranging, affordable environmental solutions to sustain our community; and

WHEREAS, the Mayors' Wellness Campaign of the Chathams Committee, a joint committee with Chatham Township, in collaboration with the Chatham Borough Farmers' Market Advisory Committee, has been working with the Mayors and key leaders promoting healthier lifestyles for all citizens in their communities by championing practices and organizing programs that promote active living; and

WHEREAS, the Chatham Borough Environmental Commission, the Chatham Township Environmental Commission, the Mayors' Wellness Committee and the Chatham Borough Farmers' Market Advisory Committee wish to collaboratively organize and hold a *Sustainability Fair* on Saturday, September 9, 2017 at the Chatham Borough Farmers' Market, Railroad Plaza South, from the hours of 8:00 a.m. to 1:00 p.m.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby support the collaborative initiative and authorize the *Sustainability Fair* to be held on Saturday, September 9, 2017 at the Chatham Borough Farmers' Market, Railroad Plaza South, from the hours of 8:00 a.m. to 1:00 p.m., subject to compliance and approval of police and public safety directives; 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.

RESOLUTION #17-167

RESOLUTION AUTHORIZING THE DONATION OF EMERGENCY RESPONSE EQUIPMENT TO THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, a municipality may solicit and accept donations, by gift, bequest, or devise, of real property, funds, personal property, in-kind items, or services by private persons to the soliciting governmental entity or agency, for public purposes by adoption of a resolution authorizing the solicitation; and

WHEREAS, the Guardian Foundation, a non-profit 501(c)(3) charitable organization based out of Bayonne, New Jersey, wishes to donate emergency response equipment to the Chatham Borough Police Department; and

WHEREAS, the Mayor and Borough Council support this initiative by the Guardian Foundation and wish to authorize acceptance of this and any future donations, if any, to the Chatham Borough Police Department.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham hereby accept the Guardian Foundation's donation of emergency response equipment to the Chatham Borough Police Department and extends their gratitude to the Guardian Foundation for its generous charitable donation; 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.

RESOLUTION #17-168

RESOLUTION APPROVING THE APPLICATION FOR A MONUMENT/MEMORIAL SUBMITTED BY THE CHATHAM HISTORICAL SOCIETY

WHEREAS, the Mayor and Borough Council have received a request from the Chatham Historical Society seeking to plant one commemorative red oak tree on the south front lawn of Borough Hall and to install a memorial stone at the base of the tree with a bronze plaque listing the names of the five Chatham soldiers who lost their lives in battle in France during the Great War (World War I); and

WHEREAS, in 1919, five red oak trees were planted in front of what was then Public School #1, now Borough Hall, in honor of the five young Chatham men who lost their lives in battle during the Great War: Lt. Eugene P Hubbard, Sgt. Van Horn D. Wolfe, Private Paul Van Fleet, Private Fred Reinhold Pihlman and Private Frederick Percy Parcells; however, the trees have been lost; and

WHEREAS, the year 2017 marks the centennial of the United States of America's participation in World War I and the Chatham Historical Society wishes to rededicate one red oak in honor and remembrance of these five young men who fought so heroically for our freedom 100 years ago; and

WHEREAS, the Chatham Historical Society will fund the red oak tree and memorial stone, and has submitted an *Application for Monument/Memorial* to the Mayor and Council for consideration; and

WHEREAS, the Chatham Borough Shade Tree Commission has approved the request to plant the red oak tree on the south front lawn of Borough Hall and has provided its guidance on site placement; and

WHEREAS, the Mayor and Council wish to approve this request.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham hereby approves the Chatham Historical Society's request to plant one commemorative red oak tree on the south front lawn of Borough Hall and install a memorial stone at the base of the tree with a bronze plaque listing the names of the five Chatham soldiers who lost their lives in battle in France during the Great War (World War I); 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 #17-169

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A NEW JERSEY HISTORIC TRUST HISTORIC SITE MANAGEMENT GRANT APPLICATION FOR THE HISTORIC RIVERSIDE TRAIL PROJECT

WHEREAS, the Borough of Chatham is desirous of submitting an Historic Site Management Grant application to the New Jersey Historic Trust for the Historic Riverside Trail Project; and

WHEREAS, the grant application seeks funding in the amount of \$50,000.00 for the development and installation of a visitor's center, four free-standing interpretative kiosks highlighting the Borough's historic past, fitness markers, printing of brochures and technology development to enhance the experience of visitors; and

WHEREAS, to be eligible for an Historic Site Management Grant, applicants must demonstrate the ability to match 25% of the total project cost for which the grant is requested; and

WHEREAS, the Borough Engineer has estimated the total project cost to be \$133,710.00 with the Borough contributing up to \$20,000.00 from the 2018 Capital Improvement Budget and \$93,710.00 in matching funds from the Morris County Trail Grant; and

WHEREAS, the Department of Public Works will be responsible for the installation of the visitor's center, kiosks and fitness markers, which will exceed \$20,000.00 in-kind labor costs for the project; and

WHEREAS, the Borough Administrator has confirmed that sufficient funds will be included in the 2018 Capital Budget submission for Borough Council approval upon the award of the grant; and

WHEREAS, the Historic Site Management Grant application must be submitted to the New Jersey Historic Trust on or before May 3, 2017.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute a Historic Site Management Grant application with the New Jersey Historic Trust for the Historic Riverside Trail Project as herein referenced; 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 #17-162 through #17-169.

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 #17-

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:

And,

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