

AGENDA
July 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
Stephen W. Williams, Acting Borough Administrator
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

RESOLUTION #17-239

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 10, 2017

And,

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 10, 2017

DISCUSSION ITEMS

1. Westfield Regional Department of Health – Megan Avallone, Health Officer
 2. Train Station Parking Permits – Jack Grobert
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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

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 & 3rd 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 #17-240 through Resolution #17-243 have been placed on the Consent Agenda.

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

RESOLUTION #17-

FINANCE

RESOLUTION #17-240

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.

PERSONNEL

RESOLUTION #17-241

RESOLUTION ACCEPTING THE RESIGNATION OF KEVIN O'SHEA FROM THE POSITION OF POLICE EXECUTIVE ADMINISTRATIVE ASSISTANT IN THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, by letter dated July 3, 2017, Kevin O'Shea submitted his written resignation to Chief Philip Crosson, Jr. from the position of Police Executive Administrative Assistant in the Chatham Borough Police Department to be effective July 31, 2017; and

WHEREAS, Kevin O'Shea worked effectively and served the Borough of Chatham with exceptional service.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby accept Mr. O'Shea's resignation from the position of Police Executive Administrative Assistant in the Chatham Borough Police Department effective July 31, 2017 and wish him well in his future endeavors; 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 #17-242

RESOLUTION APPOINTING MICHAEL BOCHNIAK AS POLICE EXECUTIVE ADMINISTRATIVE ASSISTANT IN THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, the Chatham Borough Police Department has a need to fill the vacant Police Executive Administrative Assistant due to a recent resignation; and

WHEREAS, the Borough of Chatham advertised the job opening internally in the Chatham Borough Police Department and solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, Chief Philip Crosson, Jr. found that Michael Bochniak is the best-qualified candidate and has recommended that he be appointed to the full-time Police Executive Administrative Assistant position in the Chatham Borough Police Department.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Police Chief and hereby approve the appointment of Michael Bochniak as Police Executive Administrative Assistant in the Chatham Borough Police Department, effective as of August 1, 2017 at the salary of \$68,000.00 per year, pro-rated for the remainder of the calendar year; 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.

OTHER

RESOLUTION #17-243

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,
COUNTY OF MORRIS, URGING THE NEW JERSEY STATE LEGISLATURE TO EXTEND
THE 2% CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS**

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS, in July 2010 the Governor and the New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

WHEREAS, salary costs, to a great extent, drive property tax increases; and

WHEREAS, in December 2010 the Legislature unanimously approved, and the Governor enacted, a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and costs under control; and

WHEREAS, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June 2014 the Legislature unanimously approved, and the Governor enacted, an extension to December 31, 2017 for the 2% arbitration cap; however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date, and

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham, County of Morris, urges the New Jersey State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Governor and the Lieutenant Governor of State of New Jersey, State Senator Thomas H. Kean, Jr., 21st Legislative District Senate representative, Assemblyman Jon M. Bramnick and Assemblywoman Nancy F. Munoz, 21st Legislative Assembly representatives, the Commissioner of the Department of Labor, and The New Jersey Conference of Mayors and the New Jersey State League of Municipalities.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #17-240 through #17-243.

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 #17-244

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:

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|-------------|---|
| Contracts: | 1. PBA Collective Bargaining |
| Litigation: | 1. Joseph Kearney, Jr. v. Borough of Chatham, et al. – Mr. Lott |
| | 2. 4 Watchung Avenue LLC v. Borough of Chatham |
| | – Mr. Williams and 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