

AGENDA
November 12, 2018

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 TAPinto Chatham and was filed with the Borough Clerk, all on January 11, 2018.

ROLL CALL

Mayor Bruce A. Harris
Council Member James J. Collander
Council Member Victoria Fife
Council President Leonard Resto
Council Member Peter J. Hoffman
Council Member Robert A. Weber, Sr.
Council Member Thaddeus J. Kobylarz
Stephen W. Williams, Borough Administrator
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

APPOINTMENT

RESOLUTION #18-317

**RESOLUTION APPOINTING ROBERT W. KELLY AS A PROBATIONARY FIREFIGHTER
FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT**

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, Robert W. Kelly has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department; and

WHEREAS, the Fire Chief has recommended that Robert W. Kelly should be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Hook & Ladder Company.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Robert W. Kelly is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Hook & Ladder Company; and

BE IT FURTHER RESOLVED, that Robert W. Kelly's application for membership to the Chatham Borough Volunteer Fire Department is hereby approved.

RESOLUTION #18-318

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:

October 22, 2018

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:

October 22, 2018

RECUSALS

Recusals or abstentions submitted for the record.

DISCUSSION ITEMS

1. Topology Traffic Study – Michael Thompson
 2. Capital Projects Update – Vince DeNave
 3. Parking South Passaic Avenue – Chief Brian Gibbons and Vince Denave
 4. 3-Hour Parking Limit, South Passaic Avenue – Chief Brian Gibbons and Vince DeNave
 5. Weight Limits Borough Roads – Chief Brian Gibbons and Vince DeNave
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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	Council Member James J. Collander
Shade Tree Commission	Council Member James J. Collander
Traffic & Pedestrian Safety Advisory Committee	Council Member James J. Collander
Madison-Chatham Joint Meeting	Council Member James J. Collander
	Council Member Peter J. Hoffman
Farmers' Market Advisory Committee	Council Member Victoria Fife
Mayor's Wellness Advisory Committee	Council Member Victoria Fife
MyChathamNJ Advisory Committee	Council Member Victoria Fife
Project Community Pride	Council Member Victoria Fife
Public Arts Council Advisory Committee	Council Member Victoria Fife
Senior Center of the Chathams	Council Member Victoria Fife
Environmental Commission	Council President Leonard Resto
Historic Riverside Trail Advisory Committee	Council President Leonard Resto
	Council Member Victoria Fife
Municipal Alliance of the Chathams	Council President Leonard Resto
Pilgrim Pipeline Advisory Committee	Council President Leonard Resto
Open Space & Historic Preservation Trust Advisory Committee	Council President Leonard Resto
Planning Board	Council Member Peter J. Hoffman
Joint Municipal Court	Council Member Peter J. Hoffman
	Council Member Thaddeus J. Kobylarz
9/11 Memorial Advisory Committee	Council Member Robert A. Weber, Sr.
Board of Education	Council Member Robert A. Weber, Sr.
Board of Health	Council Member Robert A. Weber, Sr.
Joint Recreation Advisory Committee	Council Member Robert A. Weber, Sr.
Communications & Technology Advisory Committee	Council Member Thaddeus J. Kobylarz
Historic Preservation Commission	Council Member Thaddeus J. Kobylarz
Joint Community Gardens Advisory Committee	Council Member Thaddeus J. Kobylarz
Municipal Pool Advisory Committee	Council Member Thaddeus J. Kobylarz

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 #18-319 through Resolution #18-328 have been placed on the Consent Agenda.

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

RESOLUTION #18-

CONTRACTS

RESOLUTION #18-319

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO RIO SUPPLY, INC.
THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR THE
PURCHASE OF WATER METERS, RADIO READ ANTENNAS AND DATA COLLECTION
HARDWARE AND SOFTWARE**

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 cooperative purchasing program; and

WHEREAS, the Borough realizes cost savings by purchasing services, equipment and materials through the Morris County Cooperative Pricing Council; and

WHEREAS, the Utilities Division of the Public Works Department has a need to purchase water meters, radio read antennas, and data collection hardware and software; and

WHEREAS, the Public Works Director recommends that the purchase of these goods and services be made through the Morris County Cooperative Pricing Council, Contract #47, from Rio Supply, Inc., 100 Allied Parkway, Sicklerville, New Jersey, in the amount not to exceed \$50,875.00; and

WHEREAS, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$50,875.00 and that funds are currently available for the purpose of awarding the contract and shall be encumbered from Capital Account #W-06-55-918-003 and Capital Account #W-06-55-918-004.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Public Works Director and hereby authorizes the award of a contract for the purchase of water meters, radio read antennas, and data collection hardware and software through the Morris County Cooperative Pricing Council as herein referenced, in the amount not to exceed \$50,875.00; and

BE IT FURTHER RESOLVED, all 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 #18-320

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 #18-321

RESOLUTION INSERTING AN ITEM OF REVENUE IN THE ADOPTED 2018 MUNICIPAL BUDGET - \$10,000.00 CHATHAM FIRE DEPARTMENT ASSOCIATION DONATION

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Municipal Budget, and

WHEREAS, said Director may also approve the insertion of any item or appropriation for an equal amount; and

WHEREAS, the Chief Financial Officer has confirmed that the Borough has received a donation in the sum of \$10,000.00 after the adoption of the 2018 Municipal Budget from the Chatham Fire Department Association to be designated for maintenance and improvements to Kelley's Pond.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that they hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the adopted Chatham Borough 2018 Municipal Budget, which is now available as a revenue from the receipt of a donation in the sum of \$10,000.00 from the Chatham Fire Department Association pursuant to the provisions of the herein referenced statute; and

BE IT FURTHER RESOLVED that the sum of \$10,000.00 be made and appropriated in the Chatham Borough 2018 Municipal Budget under the caption: Parks Maintenance OE – 2018; and

BE IT FURTHER RESOLVED that the insertion of the item of revenue is the result of monies being provided to the Borough pursuant to N.J.S.A. 40A:4-87; and

BE IT FURTHER RESOLVED that two certified copies of this resolution shall be forwarded to the Office of the Director of Local Government Services as required by law.

RESOLUTION #18-322

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that both the mortgage company and the property owner made property tax payments for the herein referenced property 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>
59/8	Bolten, Kelley 116 Center Avenue Chatham, NJ 07928 Please make check payable and mail to: Wells Fargo Home Mortgage 1 Home Campus MAC X2302-04D Attn: Refunds/Financial Support Des Moines, IA 50328-0001	\$ 2,777.28	2018/3 rd Qtr.

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.

LAW AND PUBLIC SAFETY

RESOLUTION #18-323

RESOLUTION APPOINTING HUNTER J. NOVELLO AS A PROBATIONARY FIREFIGHTER FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT

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, Hunter J. Novello has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department; and

WHEREAS, the Fire Chief has recommended that Hunter J. Novello should be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine No. 1 Company.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Hunter J. Novello is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine No. 1 Company; and

BE IT FURTHER RESOLVED, that Hunter J. Novello's application for membership to the Chatham Borough Volunteer Fire Department is hereby approved.

RESOLUTION #18-324

RESOLUTION TO HIRE NANCY McMANUS AS A SUBSTITUTE CROSSING GUARD IN THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, the Chatham Borough Police Department has a need to hire substitute crossing guards and has solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates and upon conducting a background investigation, the Police Chief recommends hiring Nancy McManus as a crossing guard.

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 authorize the hiring of Nancy McManus as a substitute crossing guard in the Chatham Borough Police Department with an effective starting date of November 13, 2018 at the hourly rate of \$22.05.

RESOLUTION #18-325

RESOLUTION TO HIRE MICHAEL YEAKEL AS A SUBSTITUTE CROSSING GUARD IN THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, the Chatham Borough Police Department has a need to hire substitute crossing guards and has solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates and upon conducting a background investigation, the Police Chief recommends hiring Michael Yeakel as a crossing guard.

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 authorize the hiring of Michael Yeakel as a substitute crossing guard in the Chatham Borough Police Department with an effective starting date of November 13, 2018 at the hourly rate of \$22.05.

PUBLIC ARTS

RESOLUTION #18-326

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT WITH GROUNDS FOR SCULPTURE TO EXHIBIT THE OUTDOOR SCULPTURE ENTITLED “CRESCENT” IN THE BOROUGH OF CHATHAM

WHEREAS, the Borough of Chatham (the “Borough”) entered into an agreement with the Sculpture Foundation, Inc. dated May 5, 2010 to exhibit the outdoor sculpture entitled *Crescent* (the “Agreement”) in the Borough; and

WHEREAS, the Sculpture Foundation, Inc. transferred ownership of *Crescent* to Grounds for Sculpture, Inc. (“GFS”) as permitted under Section 4(b) of the Agreement; and

WHEREAS, the Borough, upon the recommendation of the Public Arts Council (Advisory Committee), wishes to re-enter into a License Agreement with GFS for the loan of the outdoor sculpture *Crescent* for the period December 31, 2018 to December 30, 2019 for public exhibition in the Borough; and

WHEREAS, the Mayor and Borough Council have determined that the continued exhibition of this sculpture promotes public appreciation and knowledge of public sculpture and the fine arts and desires to authorize the execution of the License Agreement.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a License Agreement with GFS for the loan of the outdoor sculpture *Crescent*, for the period December 31, 2018 to December 30, 2019 for public exhibition in the Borough; 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 #18-327

RESOLUTION AUTHORIZING THE CHATHAM ROTARY CLUB TO PLACE LIGHTED CHRISTMAS LUMINARIES AT REASONER PARK ON CHRISTMAS EVE

WHEREAS, it is a holiday tradition that the Rotary Club of Chatham (“Rotary Club”) places lighted Christmas luminaries at Reasoner Park on Christmas Eve or, in the event of rain, on the evening of Christmas Day; and

WHEREAS, the Rotary Club has again requested permission to place lighted Christmas luminaries at Reasoner Park on Christmas Eve or, in the event of rain, on the evening of Christmas Day.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Rotary Club is hereby authorized to place lighted Christmas luminaries at Reasoner Park on Christmas Eve or, in the event of rain, on the evening of Christmas Day; and

BE IT FURTHER RESOLVED, that all Christmas luminaries shall be removed on Christmas Day or, in the event of rain, on December 26th, 2018.

RESOLUTION #18-328

RESOLUTION AUTHORIZING NEWLY-ELECTED COUNCIL MEMBERS TO ATTEND CLOSED SESSION MEETINGS OF THE MAYOR AND COUNCIL

WHEREAS, municipal government is responsible for a variety of important services, which taxpayers expect to be delivered in a cost-effective manner; and

WHEREAS, there are many legal, financial and administrative considerations elected officials must be keenly aware of in order to effectively govern as legislators and policymakers; and

WHEREAS, it is vitally important for newly elected Council Members Carolyn Dempsey and Jocelyn Mathiasen to become acquainted and knowledgeable on a myriad of municipal government matters to better prepare themselves in undertaking the responsibility of governing and setting policy in those matters, which may include matters that are discussed in Closed Session meetings, subject to the exemptions under the Open Public Meetings Act.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the newly elected Council Members Carolyn Dempsey and Jocelyn Mathiasen to attend Closed Session meetings of the Mayor and Borough Council, subject to each of them signing a Confidentiality Agreement prepared by the Borough Attorney so that they may become acquainted and knowledgeable on matters that are discussed in Closed Session meetings.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #18-319 through #18-328.

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 RESOLUTION[S]

ORDINANCE FOR FIRST READING

Mayor Harris asks Council President Resto to introduce Ordinance #18-11.

Council –President Resto introduces Ordinance #18-11 by title as follows:

ORDINANCE #18-11

AN ORDINANCE TO AMEND THE SALARIES AND WAGES FOR CERTAIN MUNICIPAL POSITIONS OF THE BOROUGH OF CHATHAM FOR THE YEAR 2019

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

Council President Resto reads:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on November 12, 2018.

BE IT RESOLVED, that at the Council meeting to be held on November 27, 2018 at 7:30 p.m. prevailing time, at 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 Resto: I offer Ordinance #18-11 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						
Fife						
Resto						
Hoffman						
Weber						
Kobylarz						

RESOLUTION #18-329

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. Madison Chatham Joint Meeting Capital Project – Mr. Williams

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