

AGENDA
June 25, 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

RESOLUTION #18-237

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:

June 11, 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:

June 11, 2018

RECUSALS

Recusals or abstentions submitted for the record.

DISCUSSION ITEMS

1. Capital Projects Update – Vince DeNave
-

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 Peter J. Hoffman
Long Range Traffic & Pedestrian Safety Planning	Council Member James J. Collander
Public Safety & Emergency Services	Council Member James J. Collander
Personnel	Council President Leonard Resto
Public Works Planning/Community Services	Council Member Victoria Fife
Shared Services & 3rd Party Agreements	Council Member Robert A. Weber, Sr.

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 #18-238 through Resolution #18-248 have been placed on the Consent Agenda.

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

RESOLUTION #18-

FINANCE

RESOLUTION #18-238

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 #18-239

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>
15/2	Diaz-Saavedra/Chao, Joseph/In-Bey 16 Fairfax Terrace Chatham, NJ 07928	\$178.74	2018/1st Qtr.

Please make check payable & mail to:
Corelogic Tax Collection Services, LLC
P.O. Box 9236
Coppell, TX 75019-9801

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 #18-240

**RESOLUTION ACCEPTING THE RESIGNATION OF JAMIE BERLIN AS A CHATHAM
BOROUGH VOLUNTEER FIRE DEPARTMENT FIREFIGHTER**

WHEREAS, Jamie Berlin has notified Fire Chief Douglas Allan of his resignation as a firefighter with the Chatham Borough Volunteer Fire Department on April 7, 2018.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Jamie Berlin's resignation as a firefighter with the Chatham Borough Volunteer Fire Department is hereby accepted; and

BE IT FURTHER RESOLVED, that Mayor Harris and the Borough Council extend their sincere and grateful appreciation to Jamie Berlin for his volunteer service to the Borough of Chatham and wish him the very best and good health in the years to come; 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 #18-241

RESOLUTION ACCEPTING THE RESIGNATION OF RYAN BERLIN AS A CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT FIREFIGHTER

WHEREAS, Ryan Berlin has notified Fire Chief Douglas Allan of his resignation as a firefighter with the Chatham Borough Volunteer Fire Department on April 18, 2018.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Ryan Berlin's resignation as a firefighter with the Chatham Borough Volunteer Fire Department is hereby accepted; and

BE IT FURTHER RESOLVED, that Mayor Harris and the Borough Council extend their sincere and grateful appreciation to Ryan Berlin for his volunteer service to the Borough of Chatham and wish him the very best and good health in the years to come; 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 #18-242

RESOLUTION ACCEPTING THE RESIGNATION OF WILLIAM NAUTA AS THE EMERGENCY MANAGEMENT COORDINATOR FOR THE BOROUGH OF CHATHAM

WHEREAS, William "Bill" Nauta has tendered his written resignation as the Emergency Management Coordinator for the Borough of Chatham effective June 23, 2018; and

WHEREAS, Bill Nauta began his career with the Borough in June 1970, first serving as a Patrolman with the Chatham Borough Police Department and rising through the ranks to Detective, Sergeant, Lieutenant and Police Captain before retiring from the Police Department in November 2003; and

WHEREAS, Bill Nauta was first appointed as Emergency Management Coordinator for the Borough on January 1, 1999 and has continuously served the Borough in that capacity over the past 19 years; and

WHEREAS, throughout his distinguished career with the Borough, Bill Nauta has demonstrated the highest commitment to public service and his dedication, hard work and leadership have made the Borough a safer place; and

WHEREAS, the Mayor and Council wish to thank Bill Nauta for his 48 years of dedicated service to the community.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the resignation of Bill Nauta as the Emergency Management Coordinator for the Borough of Chatham, effective June 23, 2018, is hereby acknowledged and accepted.

BE IT FURTHER RESOLVED, that the Mayor and Council express their sincerest appreciation and gratitude to Bill Nauta for his many years of dedicated service to the Borough and wish him well in all his future endeavors.

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #18-243

RESOLUTION ESTABLISHING A TREE PLAN ADVISORY COMMITTEE

WHEREAS, N.J.S.A. 40A:60-7(d) authorizes Borough councils to create “advisory councils” in the municipality; and

WHEREAS, the Borough recognizes that the preservation and protection of trees within the Borough adds to the aesthetics and serves the health and general welfare of the citizens of the Borough of Chatham; and

WHEREAS, Ordinance #2018-06, entitled *Tree Protection and Preservation*, adopted by the Borough Council on June 11, 2018, set forth that a Borough Tree Plan shall be developed by an advisory committee to be established by the Mayor and Borough Council, and approved by the Borough Shade Tree Commission, for the planting and replanting of trees within the Borough; and

WHEREAS, in accordance with Ordinance #2018-06, the advisory committee shall consist of five (5) members appointed by the Mayor, with the advice and consent of the Borough Council, and may consist of Borough employees as well as Borough residents, property owners or business owners; and

WHEREAS, Mayor Bruce A. Harris wishes to appoint the following individuals to the Tree Plan Advisory Committee:

Tree Plan Advisory Committee

James J. Collander, Council Member and Liaison to the Shade Tree Commission

Colleen Truppo, Chair, Shade Tree Commission

Stephen W. Williams, Borough Administrator

Vince DeNave, Borough Engineer and Zoning Officer

Tony Torello, Director of the Department of Public Works and Enforcement Officer,
and Committee Chair

John Linson, Certified Tree Expert

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Tree Plan Advisory Committee is hereby established for the herein referenced purpose; and

BE IT FURTHER RESOLVED, by the Council of the Borough of Chatham that the Mayoral appointments as herein referenced are hereby approved with the advice and consent of the Council; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

RESOLUTION #18-244

APPOINTING JOSEPH TRELOAR AS THE 1ST ALTERNATE MEMBER ON THE CHATHAM BOROUGH ENVIRONMENTAL COMMISSION

WHEREAS, there exists a 1st Alternate Member vacancy on the Chatham Borough Environmental Commission with a 2-year term to expire on December 31, 2018; and

WHEREAS, Joseph Treloar has expressed interest in being appointed to the Environmental Commission and has submitted a volunteer application for consideration; and

WHEREAS, N.J.S.A. 40:56-1 sets forth that the appointment of Alternate Members to an Environmental Commission shall be made by the Council; and

WHEREAS, the Council of the Borough of Chatham wishes to appoint Joseph Treloar to the vacant 1st Alternate Member position on the Chatham Borough Environmental Commission.

BE IT RESOLVED, by the Council of the Borough of Chatham that Joseph Treloar is hereby appointed as the 1st Alternate Member on the Environmental Commission to fill the vacant unexpired 2-year term, with such term expiring December 31, 2018; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

PUBLIC ARTS

RESOLUTION #18-245

RESOLUTION GRANTING PRELIMINARY APPROVAL TO THE PUBLIC ARTS COUNCIL (ADVISORY COMMITTEE) TO DESIGN AND INSTALL A MURAL AT THE WASHINGTON AVENUE UNDERPASS IN THE BOROUGH OF CHATHAM

WHEREAS, the Public Arts Council (Advisory Committee) (“PAC”) seeks preliminary approval to design and install a mural at the Washington Avenue underpass that would complement the mural that the PAC designed and installed at the Fairmount Avenue underpass; and

WHEREAS, the PAC has confirmed that New Jersey Transit, owner of the Washington Avenue underpass structure, has provided its preliminary approval to the installation of the proposed mural; and

WHEREAS, the PAC has contacted the four property owners adjacent to the Washington Avenue underpass and has not received any objections to the proposed mural; and

WHEREAS, the PAC has advised that it will seek private donations for all materials and that artists who live or work in the Borough will volunteer their time in the designing and hand-painting the mural; and

WHEREAS, the Mayor and Borough Council support public art initiatives that promote public appreciation and knowledge of the fine arts and help to create a greater sense of community.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Public Arts Council (Advisory Committee) is hereby granted preliminary approval to design and install a mural at the Washington Avenue underpass that would complement the mural that was designed and installed at the Fairmount Avenue underpass; 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.

PERSONNEL

RESOLUTION #18-246

RESOLUTION APPOINTING SUMMER POOL STAFF FOR THE 2018 SEASON

WHEREAS, the Chatham Borough Recreation Program has a need to hire summer pool staff for the 2018 season; and

WHEREAS, the Recreation Coordinator recommends hiring the following individual pending completion of all paperwork requirements prior to any employment:

Name	Hourly Pay Rate	Position
Crimmins, Jordan	\$8.60	Staff

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Recreation Coordinator and hereby approve the hiring of the individual referenced herein as summer pool staff for the 2018 season at the respective position and rate of pay, contingent upon the Recreation Coordinator verifying that all paperwork requirements have been completed prior to employment; 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 #18-247

RESOLUTION GRANTING A RESERVATION OF BOROUGH FACILITIES USE PERMIT TO THE LIBRARY OF THE CHATHAMS

WHEREAS, the Library of the Chathams desires to hold three outdoor music concerts on the side lawn of the library on June 27, 2018, July 11, 2018 and July 25, 2018 from 7:00 p.m. to 8:00 p.m.; and

WHEREAS, the Library of the Chathams has submitted a Reservation of Borough Facilities Use Application to the Department of Community Services with all required documentation, including a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of \$1,000,000.00 for each of the three events; and

WHEREAS, the Mayor and Borough Council wish to authorize these events.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham do hereby grant permission to the Library of the Chathams to hold three outdoor music concerts on the side lawn of the library on June 27, 2018, July 11, 2018 and July 25, 2018 from 7:00 p.m. to 8:00 p.m.; 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 #18-248

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF INTENT FOR THE SUBMISSION OF A MORRIS COUNTY TRAIL CONSTRUCTION GRANT PROGRAM APPLICATION FOR THE CONSTRUCTION OF PHASE III OF THE PASSAIC RIVER TRAIL

WHEREAS, the Borough of Chatham is desirous of submitting a Morris County Trail Construction Grant Program application for the construction of Phase III of the Passaic River; and

WHEREAS, applicants are required to submit a completed Letter of Intent to the Morris County Park Commission on or before June 29, 2018, which verifies property ownership, estimates project costs, and approves the municipality's pursuit and future submission of a Morris County Trail Construction Grant Program Application; and

WHEREAS, the Borough Administrator has approved the Letter of Intent as prepared by the Director of the Department of Community Services and the Borough Engineer for submission.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby approve the Borough's pursuit and future submission of a Morris County Trail Construction Grant Program Application for the construction of Phase III of the Passaic River Trail, and authorize the Mayor to execute the Letter of Intent; 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 #18-238 through #18-248.

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

ORDINANCE FOR FIRST READING

Mayor Harris asks Council Member Collander to introduce Ordinance #18-09.

Council Member Collander introduces Ordinance #18-09 by title as follows:

ORDINANCE #18-09

**ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,
COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING
CHAPTER 199, PEDDLERS, SOLICITORS AND CANVASSERS**

Council Member Collander explains the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Collander reads:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on June 25, 2018.

BE IT RESOLVED, that at the Council meeting to be held on July 9, 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 Member Collander: I offer Ordinance #18-09 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 #18-249

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:

- | | |
|----------------------------|---|
| Personnel Matter: | 1. Police Chief Promotion – Mr. Williams |
| Attorney-Client Privilege: | 1. Commercial Solicitations -Mr. Lott |
| Litigation Matter: | 1. Kearney v. Borough of Chatham – 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