

AGENDA
July 9, 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 #18-250

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:

Attorney-Client Privilege: 1. Redevelopment Planning – Mr. Goldsmith

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 reconvene in public session after this closed session.

RESOLUTION #18-251

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 25, 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 25, 2018

RECUSALS

Recusals or abstentions submitted for the record.

DISCUSSION ITEMS

1. Shepard Kollock Park – Council Member Fife and Council Member Weber

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 Collander to proceed with Ordinance #18-09.

Council Member Collander reads Ordinance #18-09 entitled:

ORDINANCE #18-09

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

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on June 25, 2018.

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 #18-xx was introduced and passed on first reading at the June 25, 2018 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on July 9, 2018 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 Collander: 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						
Fife						
Resto						
Hoffman						
Weber						
Kobylarz						

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

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Affordable Housing Advisory Committee

Shade Tree Commission

Traffic & Pedestrian Safety Advisory Committee

Madison-Chatham Joint Meeting

Council Member James J. Collander

Council Member James J. Collander

Council Member James J. Collander

Council Member James J. Collander

Council Member Peter J. Hoffman

Farmers' Market Advisory Committee

Mayor's Wellness Advisory Committee

MyChathamNJ Advisory Committee

Project Community Pride

Public Arts Council Advisory Committee

Senior Center of the Chathams

Council Member Victoria Fife

Council Member Victoria Fife

Council Member Victoria Fife

Council Member Victoria Fife

Council Member Victoria Fife

Council Member Victoria Fife

Environmental Commission

Historic Riverside Trail Advisory Committee

Council President Leonard Resto

Council President Leonard Resto

Council Member Victoria Fife

Municipal Alliance of the Chathams

Pilgrim Pipeline Advisory Committee

Open Space & Historic Preservation Trust

Advisory Committee

Council President Leonard Resto

Council President Leonard Resto

Council President Leonard Resto

Planning Board
Joint Municipal Court

Council Member Peter J. Hoffman
Council Member Peter J. Hoffman
Council Member Thaddeus J. Kobylarz

9/11 Memorial Advisory Committee
Board of Education
Board of Health
Joint Recreation Advisory Committee

Council Member Robert A. Weber, Sr.
Council Member Robert A. Weber, Sr.
Council Member Robert A. Weber, Sr.
Council Member Robert A. Weber, Sr.

Communications & Technology Advisory Committee
Historic Preservation Commission
Joint Community Gardens Advisory Committee
Municipal Pool Advisory Committee

Council Member Thaddeus J. Kobylarz
Council Member Thaddeus J. Kobylarz
Council Member Thaddeus J. Kobylarz
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 #18-252 through Resolution #18-259 have been placed on the Consent Agenda.

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

RESOLUTION #18-

CONTRACTS

RESOLUTION #18-252

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE 2018 ROAD
MICRO-SURFACING PROGRAM TO ASPHALT PAVING SYSTEMS**

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, bid specifications for the 2018 Road Micro-Surfacing Project were prepared by the City of Summit, acting as the lead agency in the Summit City Cooperative Pricing System #192SCCPS ("SCCPS"); and

WHEREAS, the Borough of Chatham is a member of SCCPS and realizes cost savings by purchasing services, equipment and materials through SCCPS; and

WHEREAS, the Director of Public Works recommends that the purchase of goods and services for the 2018 Road Micro-Surfacing Program be made through SCCPS to Asphalt Paving Systems, PO Box 530, Hammonton, NJ 08037 at the price of \$2.69 per square yard for a total cost in amount not to exceed \$65,000.00; and

WHEREAS, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$65,000.00 and that funds are currently available for the purpose of awarding the contract and shall be encumbered from Capital Account #C-04-55-918-004.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Director of Public Works and hereby authorizes an award of contract to Asphalt Paving Systems, in accordance with the specifications upon which bids were received and accepted by SCCPS, in the amount not to exceed \$65,000.00.

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.

RESOLUTION #18-253

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO M. SKY CONSTRUCTION CORPORATION FOR THE 2018 SIDEWALK IMPROVEMENT PROGRAM

WHEREAS, the Borough Engineer solicited proposals from qualified contractors for the 2018 Sidewalk Improvement Program; and

WHEREAS, the following two (2) quotations were received:

<u>VENDOR</u>	<u>QUOTE AMOUNT</u>
M. Sky Construction Corporation	\$ 35,115.00
S&L Contractors LLC	\$ 54,000.00

And,

WHEREAS, the value of this contract will exceed 15% of the bid threshold, but will be less than the bid threshold of \$40,000.00 and, therefore, may be awarded by soliciting competitive quotes without advertising for bids under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Qualified Purchasing Agent has reviewed and approved the quotation specification and has reviewed all quotes that were received with the Chief Financial Officer; and

WHEREAS, the Borough Engineer recommends that an award of the contract be made to M. Sky Construction Corporation, 830 Route 15 South, Lake Hopatcong, NJ 07849 in the amount of \$35,115.00; and

WHEREAS, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$35,115.00 and that funds are currently available for the purpose of awarding this contract from General Capital Account #C-04-55-918-003.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the Mayor to execute the contract with M. Sky Construction Corporation in the amount of \$35,115.00, in accordance with the specifications upon which quotations were received and accepted; 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.

FINANCE

RESOLUTION #18-254

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 #18-255

RESOLUTION AUTHORIZING PARTICIPATION IN THE SOURCEWELL COOPERATIVE PURCHASING SYSTEM [FORMERLY KNOWN AS THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE]

WHEREAS, *N.J.S.A. 40A:11-11(5)* authorizes that two or more contracting units may enter into a cooperative purchasing system agreement for the purchase of goods, materials and supplies in efforts to realize substantial cost-savings in the purchase of goods and supplies; and

WHEREAS, New Jersey P.L. 2011, c.139 allows local contracting units to utilize national cooperative contracts as a method of procurement to make the procurement process more efficient and provide cost savings; and

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

WHEREAS, the Borough of Chatham desires to participate in the Sourcewell cooperative purchasing system ("Sourcewell"), formerly known as the National Joint Powers Alliance Cooperative.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they do hereby authorize participation in Sourcewell for the year 2018; 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 #18-256

RESOLUTION INSERTING AN ITEM OF REVENUE IN THE ADOPTED 2018 MUNICIPAL BUDGET [CLEAN COMMUNITIES PROGRAM]

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 budget, and

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

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the Borough of Chatham hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the adopted 2018 Municipal Budget in the sum of \$15,624.28, which item is now available as a revenue from a Grant received from the State of New Jersey pursuant to the provisions of the herein referenced statute; and

BE IT FURTHER RESOLVED that the sum of \$15,624.28, be made and the same is hereby appropriated under the caption of: CLEAN COMMUNITITES - 2018, Account# G-01-41-770-201; and

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

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

RESOLUTION #18-257

RESOLUTION AMENDING THE 2018 FEE SCHEDULE

WHEREAS, by Resolution #18-64 adopted on January 2, 2018, the Borough of Chatham established a schedule of fees for calendar year 2018 to set rates for permits, fees, applications, and miscellaneous services of the Borough; and

WHEREAS, there is a need to amend the 2018 Fee Schedule for Commercial Canvassing, Solicitation and Peddling as follows:

Delete:

Commercial Canvassing, Solicitation and Peddling	Per day \$20.00
Commercial Canvassing, Solicitation and Peddling	Per week \$50.00
Commercial Canvassing, Solicitation and Peddling	Per month \$150.00
Commercial Canvassing, Solicitation and Peddling	Per year \$500.00

Add:

Commercial Canvassing, Solicitation and Peddling	\$75.00 per applicant
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BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the 2018 Fee Schedule shall be amended as referenced herein; 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 #18-258

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>
53/23.2	Sherman, Adrian & Matheson, Lisa 26 Hedges Avenue Chatham, NJ 07928 Please make check payable & mail to: Sherman, Adrian & Matheson, Lisa 26 Hedges Avenue Chatham, NJ 07928	\$ 3,083.77	2018/1st 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.

OTHER

RESOLUTION #18-259

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MORRIS COUNTY TRAIL CONSTRUCTION GRANT PROGRAM APPLICATION FOR THE CONSTRUCTION OF THE PASSAIC RIVER TRAIL PROJECT [A PORTION OF THE HISTORIC RIVERSIDE TRAIL – WATCHUNG AVENUE TO STANLEY PARK]

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

WHEREAS, trail project entails constructing a trail from Watchung Avenue to Stanley Park following the Passaic River; and

WHEREAS, the Borough Engineer has estimated the total project cost at \$136,400.00 with the Borough contributing \$27,280.00 from the 2019 Capital Improvement Budget and an In-Kind Services match of \$27,280.00; and

WHEREAS, the amount requested for the Morris County Trail Construction Grant Program for this project is \$109,120.00; and

WHEREAS, the Morris County Trail Construction Grant Program is a reimbursable grant program requiring municipalities to fund its proposed trail project(s) upfront; and

WHEREAS, if the Morris County Park Commission approves the grant, the Chief Financial Officer has confirmed that sufficient funds will be included in the 2019 Capital Budget submission for Borough Council approval; and

WHEREAS, the Trail Construction Grant Application must be submitted to the Morris County Park Commission on or before July 31, 2018.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute a Morris County Trail Construction Grant Program application for the construction of the Passaic River 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 #18-252 through #18-259.

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 #18-260

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: 1. Police Chief Position – 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