

**REGULAR MEETING OF THE  
MAYOR AND BOROUGH COUNCIL**

**March 26, 2018 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, March 26, 2018 at 7:30 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

Mayor Harris and the Borough Council led the assembled in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Harris asked for a moment of silence for those who have given their lives for our country.

**STATEMENT OF ADEQUATE NOTICE**

Robin R. Kline, Borough Clerk, read the following 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 Municipal 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 filed with the Borough Clerk, all on January 11, 2018.

**ROLL CALL**

On a call of the roll, the following officials were present:

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

Mayor Harris asked Council Member Collander to proceed with Resolution #18-147.

Council Member Collander read Resolution #18-147.

**PROCLAMATIONS**

**RESOLUTION #18-147**

**RESOLUTION CELEBRATING NATIONAL AUTISM AWARENESS MONTH IN THE  
MONTH OF APRIL**

**WHEREAS**, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it; and

**WHEREAS**, nearly a quarter century ago, the Autism Society launched a nationwide effort to promote autism awareness, inclusion and self-determination for all, and assure that each person with autism spectrum disorder is provided the opportunity to achieve the highest possible quality of life; and

**WHEREAS**, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 68 children nationally and 1 in 45 in New Jersey; and

**WHEREAS**, while there is no cure for autism, it is well-documented that if individuals with autism receive early and intensive treatment throughout their lives, they lead significantly improved lives; and

**WHEREAS**, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support families' resilience as they manage the psychological and financial burdens autism can present; and

**WHEREAS**, National Autism Awareness Month represents an excellent opportunity to promote autism awareness, autism acceptance and to draw attention to the tens of thousands of individuals facing an autism diagnosis each year.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they do hereby celebrate the month of April 2018 as National Autism Awareness Month in the Borough of Chatham and urge all citizens to become better educated about autism and to encourage family and friends to become partners in a movement toward acceptance and appreciation in our schools and communities that results in the true appreciation of the unique aspects of all people.

Council Member Collander made a motion to approve Resolution #18-147. Council President Resto seconded the motion. A vote was taken and Resolution #18-147 was approved unanimously.

Mayor Harris presented the proclamation to Bruce Litinger, Executive Director, ECLC of New Jersey. Mr. Litinger was accompanied by Jason Killian, Assistant Principal, ECLC Chatham School, and Amalia Durante, ECLC Public Affairs Director. Mr. Litinger thanked Mayor Harris and the Borough Council for the proclamation supporting National Autism Awareness Month and for bringing awareness to autism, a developmental disorder that affects many families.

Mayor Harris asked Council Member Weber to proceed with Resolution #18-148.

Council Member Weber read Resolution #18-148.

## **RESOLUTION #18-148**

### **RESOLUTION OBSERVING NATIONAL PUBLIC HEALTH WEEK APRIL 1-7, 2018**

**WHEREAS**, since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has been educating the public, policymakers, and public health professionals on issues important to improving the public's health; and

**WHEREAS**, during the first full week of April each year, communities across the United States observe National Public Health Week as a time to recognize the contributions of public health professionals and to highlight issues that are important to improving the health of our communities and nation; and

**WHEREAS**, some of the greatest achievements of public health include immunizing residents against diseases, identifying and controlling infectious diseases, preparing residents for public health emergencies, improving health for women and children, providing safer and healthier foods, implementing occupational health safety measures, and promoting healthy behaviors, including increased physical activity, good nutrition, and tobacco prevention and cessation; and

**WHEREAS**, public health is the foundation for a brighter tomorrow. When we invest in the safety and well-being of all people, we enrich our communities, bolster our economy, and strengthen our nation; and

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they do hereby thank all public health professionals and volunteers who are dedicated to improving the health and well-being of residents in our communities and nation to live healthier and longer lives and encourage all residents to observe the week of April 1 - 7, 2018 as National Public Health Week.

Council Member Weber made a motion to approve Resolution #18-148. Council President Resto seconded the motion. A vote was taken and Resolution #18-148 was approved unanimously.

Mayor Harris presented the proclamation to Lisa DeRosa, Chatham Borough Board of Health President. Ms. DeRosa thanked Mayor Harris and the Borough Council for the proclamation supporting National Public Health Week. She briefly summarized the responsibilities of the Board of Health and provided examples of common everyday activities to illustrate how the Board of Health enacts policies to address and protect public health.

Mayor Harris proceeded with Resolution #18-149.

## **RESOLUTION REQUIRING SEPARATE ACTION**

### **RESOLUTION #18-149**

#### **RESOLUTION THANKING THE BOROUGH OF MADISON FOR ALLOWING ITS ELECTRIC DEPARTMENT TO PERFORM REPAIRS IN CHATHAM BOROUGH TO DAMAGE ARISING FROM THE MARCH 7, 2018 STORM**

**WHEREAS**, Madison Borough and Chatham Borough have enjoyed a partnership to share municipal services for over a century, starting with the Joint Meeting sewage treatment plan; and

**WHEREAS**, over the years, that partnership has expanded to include a wide range of services, including construction department services, a joint municipal court, community health services, and information technology management services; and

**WHEREAS**, the storm of March 7, 2018 left half of Chatham without power and the utility responsible for providing power, JCP&L, was unable to perform timely repairs; and

**WHEREAS**, recognizing that the lack of power was a major inconvenience, and, in some cases, a health hazard, to Chatham residents and also required schools to remain closed for multiple days, the Borough of Madison generously offered to obtain permission from the Board of Public Utilities and JCP&L to supplement JCP&L's repair crews and perform repairs in Chatham; and

**WHEREAS**, with the assistance of Assemblyman Jon Bramnick, such permission was granted and the Madison Electric Department did perform numerous repairs in Chatham Borough, resulting in power being restored to all Chatham residents sooner than would have otherwise occurred;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham, acting on behalf of all residents of Chatham Borough, that we thank our partners in Madison for generously offering the services of their Electric Department and appreciate the work that was done; and

**BE IT FURTHER RESOLVED** that Madison's efforts not only reflect our partnership of more than a century but also demonstrated the importance of that partnership and strengthened it; and

**BE IT FURTHER RESOLVED** that all Chatham Borough officials are authorized to cooperate with Madison Borough in its efforts to seek to obtain permission permanently to perform repairs to the electrical system in Chatham Borough in emergencies.

Council Member Hoffman made a motion to approve Resolution #18-149. Council Member Collander seconded the motion. A vote was taken and Resolution #18-149 was approved unanimously.

Mayor Harris mentioned that the Resolution would be presented to Madison Borough. He further mentioned that Madison Borough had offered the services of their Electric Department during the following week's Nor'easter and were standing ready if needed.

Mayor Harris proceeded with Resolution #18-150.

### **RESOLUTION #18-150**

### **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:

March 12, 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:

March 12, 2018

Council Member Collander made a motion to approve Resolution #18-150. Council Member Fife seconded the motion. A vote was taken and Resolution #18-150 was approved unanimously.

### **RECUSALS**

Mayor Harris asked if there are any recusals or abstentions to be submitted for the record with respect to any item listed on the agenda.

There were no recusals presented on the record.

### **DISCUSSION ITEMS**

**2018 Goals & Objectives** – Mayor Harris said that the format of goal and objectives had been revised from previous years to be more concise and less of a “to do” list. Mr. Stephen Williams began his presentation by introducing the Department Heads who were in attendance and thanked each of them for their work. He mentioned that the Borough's governing body has been setting goals and objectives for many years. This year the goals have been organized into nine categories with a listing of objectives within each goal. The nine goals are:

- |                                      |   |
|--------------------------------------|---|
| 1. Finance                           | 6. Land Development                         |
| 2. Infrastructure                    | 7. Recreation/Promote Healthy Lifestyle     |
| 3. Sustainable Community             | 8. Public Safety                            |
| 4. Employee and Volunteer Training   | 9. Activities that Promote Community Spirit |
| 5. Open & Transparent Communications |   |

Mr. Williams proceeded to review each of the nine goals and the objectives that were summarized within each of the goals.

The members of the governing body thanked Mr. Williams for his presentation and expressed their support for the new format of the goals and objectives.

Mr. Williams mentioned that Resolution #18-162, approving the 2018 Goals and Objectives, has been placed on tonight's Consent Agenda.

**2018 Budget Presentation** – Council Member Hoffman, Chairman of the Budget and Finance Committee, reported that the 2018 Budget provides stable funding within the mandated 2% tax levy cap and continues to maintain all essential services, and supports the Borough's Triple-A bond rating. He mentioned that the estimated municipal tax rate would increase \$.003. Council Member Hoffman thanked both members of the Budget and Finance Committee, Council Member Collander and Council President Resto, as well as Mr. Williams and Mr. Day for their time and effort they put in during the budget process.

#### Budget Overview

Mr. Timothy Day, the Borough's Chief Financial Officer, reported that both the 2018 Budget and the Cost of Living Adjustment (COLA) Ordinance would be introduced at tonight's meeting. Adoption of the 2018 Budget and the COLA Ordinance has been scheduled for April 23<sup>rd</sup>.

Mr. Day reported that the total 2018 operating budget is \$14,514,351, which is \$67,000 less than the last year's budget. He further reported, however, that although the 2018 Budget came in under the 2% Tax Levy Cap by \$282,515, the municipal tax levy increased \$51,036 over last year's budget and the Library tax levy increased \$19,680. The increase in the tax rate is .72% (1.28 percent below the cap) and represents an increase in taxes of \$22.74 for an average assessed home of \$672,969.

Mr. Day further confirmed that the Borough's maximum allowable dollar amount under the state-mandated 2% Appropriations Cap is \$1,021,295. He reported that the 2018 Appropriations CAP Bank Ordinance would allow the Borough to bank the difference between the final appropriation, subject to the 2% CAP, and the 3.5% COLA for up to two years. The banked dollar amount would be available to the Borough in the event there was an emergent need.

Mr. Day further reported that last year approximately 60% of the Borough's revenues were received through property taxes, ranking the Borough the 2<sup>nd</sup> lowest percentage of its budget funded by tax revenues when compared to the seven surrounding municipalities. Only Madison Borough ranked lower, which was attributed to revenues generated by its electric utility. Council Member Hoffman further mentioned that the Borough's diversity of revenue streams, such as leases, grants, permits and fees, helps to offset the amount of funding needed to be raised by taxation.

With respect to the Reserve for Uncollected Taxes, Mr. Day stated that Chatham Borough continues to rank 6<sup>th</sup> highest in Morris County (out of 39 municipalities). He further stated that revenues for the sewer utility, leases and general accounts (e.g. parking, court, grants, permits and fees) are projected to remain flat in 2018. State aid would also remain flat in 2018.

Mr. Day also presented a listing of the four largest mandatory expense increases. These expenses include pensions, Library, Joint Meeting, and redevelopment costs, and added \$216,957 to the expense-side of the 2018 budget. Mr. Day confirmed that there were no increases in health care costs and mentioned that operating expenses remained flat for all Borough departments.

Lastly, Mr. Day presented a graph that summarized capital spending over the period 2010-2018. He mentioned that the governing body's goal to maintain capital spending to one million dollars per year would also stabilize the Borough's general debt service over the same period. A second graph was

presented, which summarized general debt service paid over the same period and reflected a stabilized trend.

In closing, Mayor Harris mentioned that the Borough's commitment in utilizing shared services with other municipalities has also greatly reduced the cost of government. Mr. Williams added that exploring new third-party agreements, such as animal control services, has also helped to reduce costs. Mayor Harris thanked Council Member Hoffman and the Budget and Finance Committee, as well as all department heads for holding down costs.

## **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.

Mayor Harris opened the meeting to the public.

Joseph Marts, residing at Coleman Avenue West and former Chatham Borough Mayor, inquired if all members of the Borough Council were satisfied with the 2018 Budget. He also inquired about the status of the Dixiedale redevelopment project in Chatham Township and potential traffic impacts to the Borough. He also inquired about the traffic impacts created by the continued development of the Sun Valley development in Florham Park. Mr. Marts also encouraged the Mayor and Borough Council to continue the Neighborhood Watch Program.

Mayor Harris informed Mr. Marts that the Dixiedale project is currently in court and further informed him that the Borough would undertake independent traffic studies to ensure the Borough's interests are fully addressed.

Council Member Collander further responded by informing Mr. Marts that as an added measure, the Chatham Borough Police Department has been compiling traffic data in all neighborhoods and would continue to do so. He also informed Mr. Marts that Borough officials have been monitoring the continued development of the Sun Valley development in Florham Park but there is little the Borough can do.

Seeing no one else wishing to comment, Mayor Harris closed the meeting to the public.

## **REPORTS**

### **BOARD & COMMISSION MEMBERS & LIAISON REPORTS**

**Affordable Housing Advisory Committee** - Council Member Collander had nothing new to report.

**Shade Tree Commission** - Council Member Collander reported that there are two vacancies on the Shade Tree Commission. Interested residents should submit a volunteer application. Council Member Collander also announced that several Arbor Day events are being planned next month.

**Traffic & Pedestrian Safety Advisory Committee** - Council Member Collander reported that the Committee is addressing on-street parking issues along John Street and that the Police Department will be conducting speed radar on all Borough streets. He also mentioned that the variable message sign installed on westbound Route 24 at the Springfield Avenue/Summit border is working. The messaging sign provides travel times to the Columbia Turnpike exit and Route 287 interchange and was installed at the request of Borough officials to help moderate the number of motorists exiting Route 24 onto Main Street.

**Madison-Chatham Joint Meeting** –Council Member Hoffman had nothing new to report.

**Farmers’ Market Advisory Committee** - Council Member Fife reported that the next Committee meeting is scheduled for April 23<sup>rd</sup>.

**Mayor’s Wellness Advisory Committee** - Council Member Fife reported that the Committee continues to work on the Urban Track program and mentioned that TransOptions will be participating in a Walkability Assessment on April 16<sup>th</sup> to identify pedestrian safety issues or ADA compliance barriers that may exist along the planned route.

**MyChathamNJ Advisory Committee** - Council Member Fife reported that the Borough’s Spring Clean event is scheduled for May 5<sup>th</sup> at 8:00 a.m.

**Project Community Pride** - Council Member Fife had nothing new to report.

**Public Arts Council Advisory Committee** - Council Member Fife had nothing new to report.

**Senior Center of the Chathams** - Council Member Fife announced that the organization’s bi-annual Glorious Garden Tour is scheduled for June 2<sup>nd</sup>. Advance tickets may be purchased online.

**Environmental Commission** - Council President Resto reported that the Environmental Commission continues to work towards achieving Silver re-certification on behalf of the Borough’s participation in the Sustainable Jersey program. He further reported that a meeting was held with local landscape contractors to discuss environmentally-friendly landscaping practices. Lastly, Council President Resto reported that local churches will rotate their participation in being a collection point for recycling plastic bags as part of the Trex Plastics Recycling program. He also reported that the Environmental Commission would be purchasing an electric leaf blower for use by the DPW as part of a “Quiet Communities” initiative they are exploring.

**Historic Riverside Trail Advisory Committee** - Council President Resto had nothing new to report and noted that the Committee needs to meet in the very near future.

**Municipal Alliance of the Chathams** - Council President Resto reported that the March meeting was cancelled due to weather. The next meeting will take place on April 11<sup>th</sup>.

**Open Space & Historic Preservation Trust Advisory Committee** - Council President Resto had nothing new to report.

**Pilgrim Pipeline Advisory Committee** - Council President Resto reported that Pilgrim Pipeline has engaged a Trenton lobbying firm. He confirmed that the Borough has authorized its continued participation the Municipal Pipeline Group (MPG) members and would encourage other MPG to continue their participation as well.

**Planning Board** - Council Member Hoffman reported that the winter storms caused two meeting cancellations this month and had nothing new to report.

**Joint Municipal Court** - Council Member Hoffman had nothing new to report.

**9/11 Memorial Advisory Committee** - Council Member Weber had nothing new to report.

**Board of Education** - Council Member Weber reported that the Board of Education adopted its preliminary 2018-2019 budget. He further reported that a Vaping Awareness Seminar would be held on March 27<sup>th</sup>.

**Board of Health** - Council Member Weber reported that the March 8<sup>th</sup> meeting was cancelled due to the weather and had nothing new to report.

**Joint Recreation Advisory Committee** - Council Member Weber reported that the Borough's Committee members have begun a Garden Avenue Park vision plan.

**Communications & Technology Advisory Committee** - Council Member Kobylarz announced that the next meeting is scheduled for April 10<sup>th</sup> in Borough Hall.

**Historic Preservation Commission** - Council Member Kobylarz reported that the Commission cancelled its March 20<sup>th</sup> meeting so that its members could attend the Post Office Plaza Redevelopment Public Presentation.

**Joint Community Gardens Advisory Committee** - Council Member Kobylarz announced that the Committee is in the process of completing its 2017 Annual Report.

**Municipal Pool Advisory Committee**- Council Member Kobylarz reported that the next Committee meeting is scheduled for April 2<sup>nd</sup>.

## **MAYOR'S REPORT**

Mayor Harris reported that the March 20<sup>th</sup> Post Office Plaza Redevelopment Planning Public Presentation will be rebroadcast on Cable Channel 21 and Fios Channel 32 during scheduled times and can also be viewed on Video on Demand on the Borough website. He further announced that he received a call from Senator Booker's office acknowledging receipt of the Borough's resolution encouraging federal and state gun reforms. Mayor Harris lastly reported that he has subscribed to the USPS Informed Delivery Service, a service that allows postal customers to digitally preview mail scheduled to arrive, and expressed that the service has helped him identify delivery problems.

## **ADMINISTRATOR'S REPORT**

Mr. Williams reported that the Department of Public Works crews have completed collecting tree limbs, branches and brush placed at curbside in Zones 5 and 6 (neighborhoods north of Main Street) and are currently working in Zones 4, 3, 2 and 1 (neighborhoods south of Main Street). Crews would continue collection until all brush is picked up. He also reminded residents that the Mulch Area would continue to be open to Borough residents Monday-Friday between the hours of 8:30 a.m. to 3:30 p.m. and Saturday between the hours of 12:00 p.m. and 4:00 p.m.

Mr. Williams further reported that PSE&G work crews would be commencing its steel pipe replacement schedule in the Borough. Utility workers will provide notices and door hangers to inform impacted residents. He also mentioned that this year's road micro-surfacing program, road surfacing, and drainage projects are being scheduled for the year. Mr. Williams also reported that the Stanley Park sign has been restored and the overgrown shrubs have been removed. with the planting of low-maintenance perennials will complete the project. Lastly, Mr. Williams provided the scheduled days and times for the rebroadcasting of the Post Office Plaza Public Presentation on Cable Channel 21 and Fios Channel 32. Information has been posted on the Borough website.

Mayor Harris asked Council Member Hoffman to proceed with Resolution #18-151.

Council Member Hoffman read Resolution #18-151.

## **RESOLUTION (NON-ROUTINE REQUIRING SEPARATE ACTION)**

### **RESOLUTION #18-151**

### **RESOLUTION TO INTRODUCE THE 2018 MUNICIPAL BUDGET**

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the municipal budget for the year 2018:

Municipal Budget

## Revenues

General Revenues	\$ 5,769,731.98
Local Tax for Muni Purposes	\$ 7,908,566.94
Minimum Library Tax	<u>\$ 836,052.12</u>
	\$14,514,351.04

## Appropriations

Municipal Purposes	\$12,770,351.04
Reserve for Uncollected Taxes	<u>\$ 1,744,000.00</u>
Total General Appropriations	\$14,514,351.04

Water Operating Budget

## Revenues

Rents and Fees	\$ 1,500,500.00
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## Appropriations

Expenses	\$ 1,500,500.00
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Solid Waste Budget

## Revenues

Rents and Fees	\$ 609,900.00
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## Appropriations

Expenses	\$ 609,900.00
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And,

**BE IT FURTHER RESOLVED**, that said Budget shall be published in the official newspapers of the Borough together with a public notice that the public hearing will be held in Borough Hall on April 23, 2018 at 7:30 p.m., or as soon thereafter as the matter can be conducted by the Borough Council.

Council Member Hoffman made a motion to approve Resolution #17-151. Council Member Collander seconded the motion. A vote was taken and Resolution #17-151 was approved unanimously.

Mayor Harris asked the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander		X	X			
Fife			X			
Resto			X			
Hoffman	X		X			
Weber			X			
Kobylarz			X			

Mayor Harris declared the 2018 Budget passed upon introduction.

**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 #18-152 through Resolution #18-164 have been placed on the Consent Agenda.

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

**RESOLUTION #18-**

None.

**RESOLUTION #18-152**

**RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A 311 REQUEST WORK MANAGEMENT SYSTEM WEB TOOL TO SEECCLICKFIX IN THE AMOUNT NOT TO EXCEED \$8,100.00**

**WHEREAS**, Public Contract Law 40A:11-4 requires that every contract awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1)(dd) the Borough of Chatham is authorized by law to undertake the purchase of goods or services for the support or maintenance of proprietary computer hardware and software; and

**WHEREAS**, the Borough has a need to purchase and install a 311 Request Work Management System web tool for citizens to report non-emergency neighborhood issues to the Borough; and

**WHEREAS**, the Borough Administrator has secured a quote in the total amount of \$8,100.00 from SeeClickFix (the "Contractor") for the purchase, licensing and installation of the 311 Request Work Management System web tool.

**BE IT RESOLVED** by the Council of the Borough of Chatham that the Mayor is hereby authorized and directed to execute documents necessary to effectuate such purchase with the Contractor; and

**BE IT FURTHER RESOLVED** that this contract award is subject to the Contractor's compliance with the requirements of N.J.S.A. 10:5-31 et seq. and the regulations thereunder regarding affirmative action; and

**BE IT FURTHER RESOLVED**, this contract award is further subject to the certification of availability of funds by the Chief Financial Officer; 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.

**FINANCE**

**RESOLUTION #18-153**

**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 #18-154**

### **RESOLUTION FOR SELF-EXAMINATION OF THE 2018 MUNICIPAL BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b authorizes the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Chatham has been declared eligible to participate in the program by the Division of Local Government Services and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2018 budget year.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham that in accordance with N.J.A.C. 5:30-7 and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitations on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met and complies with the CAP law.
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

And,

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be forwarded to the Director of the Division of Local Government Services upon adoption.

## **RESOLUTION #18-155**

### **RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that a property tax payment for the herein referenced property was paid twice by the property owner 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>
64/45	Happy Cheese, L.L.C. 310 Main Street Chatham, NJ 07928	\$2,616.70	2017/2 <sup>nd</sup> 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.

## **RESOLUTION #18-156**

### **RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that the mortgage company and the property owner both made a property tax payment 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>
94/23	La Bua, Wesley & Chrisanthy 33 Orchard Road Chatham, NJ 07928	\$2,952.19	2018/1Qtr.

Please make check payable & mail to:  
Wesley & Chrisanthy La Bua  
33 Orchard Road  
Chatham, NJ 07928

**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.

## **RESOLUTION #18-157**

### **RESOLUTION AUTHORIZING THE RELEASE AND RETURN OF A CASH PERFORMANCE BOND TO MENZA & BEISSEL HOMES, LLC FOR WORK COMPLETED AT 64 HEDGES AVENUE**

**WHEREAS**, Menza & Beissel Homes, LLC submitted a cash performance bond in the amount of \$1,000.00 to the Borough of Chatham for work to be performed at 64 Hedges Avenue; and

**WHEREAS**, the Borough Engineer has received a request from Menza & Beissel Homes, LLC seeking the Borough's release of the \$1,000.00 cash performance bond; and

**WHEREAS**, the Borough Engineer has reviewed the request and has determined that all conditions set forth in his letter dated March 20, 2017 have been complied with.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the release of the cash performance bond in the amount of \$1,000.00 to Menza & Beissel Homes, LLC by escrow check; 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.

## **LAW AND PUBLIC SAFETY**

### **RESOLUTION #18-158**

#### **RESOLUTION ACCEPTING THE RESIGNATION OF RICHARD MORRISON AS A FIREFIGHTER FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, Richard Morrison has notified Fire Chief Douglas Allan of his resignation as a firefighter with the Chatham Borough Volunteer Fire Department on February 21, 2018.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Richard Morrison'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 Mr. Morrison 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 #18-159**

#### **RESOLUTION ACCEPTING THE RESIGNATION OF DANIEL FLYNN, JR. AS A FIREFIGHTER FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, Daniel Flynn, Jr. has notified Fire Chief Douglas Allan of his resignation as a firefighter with the Chatham Borough Volunteer Fire Department on February 21, 2018.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Daniel Flynn, Jr.'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 Mr. Flynn 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.

## **PERSONNEL**

### **RESOLUTION #18-160**

#### **RESOLUTION APPOINTING MATTHEW P. PRIDHAM AS FIRE INSPECTOR**

**WHEREAS**, there exists a need to appoint a Fire Inspector for the Borough of Chatham on a full-time basis; and

**WHEREAS**, the Borough Administrator posted the job opening for the position of Fire Inspector and applications were solicited from interested candidates meeting the requirements outlined in the job description; and

**WHEREAS**, the Borough Administrator reported that one candidate applied for the position and that the selection committee conducted an interview to determine the candidate's qualifications; and

**WHEREAS**, after an interview was conducted, the selection committee agreed that Matthew P. Pridham met or exceeded the qualifications and work requirements outlined in the job description and have recommended him to the position of Fire Inspector, effective as of March 27, 2018; and

**WHEREAS**, the starting salary for the Fire Inspector position shall be paid at the hourly rate of \$27.00 per hour; and

**WHEREAS**, the Mayor and Council of the Borough of Chatham wish to appoint Matthew P. Pridham to the position of Fire Inspector.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Matthew P. Pridham is hereby appointed to the full-time position as a Fire Inspector for the Borough of Chatham, effective March 27, 2018; and

**BE IT FURTHER RESOLVED**, that all Borough employees and officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

## **OTHER**

### **RESOLUTION #18-161**

#### **RESOLUTION GRANTING PERMISSION TO THE CHATHAM BOROUGH FIRE DEPARTMENT ASSOCIATION TO HOLD ITS ANNUAL FISHING DERBY AT KELLEY'S POND**

**WHEREAS**, the Chatham Borough Fire Department Association desires to hold its annual fishing derby at Kelley's Pond on April 28, 2018 from 8:00 a.m. to 5:00 p.m.; and

**WHEREAS**, the Mayor and Borough Council wish to authorize this event.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham does hereby grant permission to the Chatham Borough Fire Department Association to hold its annual fishing derby at Kelley's Pond on April 28, 2018 from 8:00 a.m. to 5:00 p.m.; and

**BE IT FURTHER RESOLVED**, that the Chatham Borough Fire Department Association shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that 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 shall be submitted for this event; 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 #18-162**

#### **RESOLUTION APPROVING 2018 GOALS AND OBJECTIVES FOR THE BOROUGH OF CHATHAM**

**WHEREAS**, the Borough Administrator, Mayor and Borough Council prepare annual goals and objectives each year; and

**WHEREAS**, the preparation of the annual goals and objectives are designed to identify and plan projects and to set the priorities for the year; and

**WHEREAS**, the annual goals and objectives provide the Mayor, Council, Department Heads, volunteers and the general public with a concise focused plan that is designed to improve Borough operations and the overall quality of life for Borough residents and visitors to the Borough.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the 2018 Goals and Objectives are hereby approved; 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 #18-163**

#### **RESOLUTION AUTHORIZING THE PUBLIC SALE OF BOROUGH PROPERTY NO LONGER NEEDED FOR PUBLIC USE TO THE TOWNSHIP OF BERKLEY HEIGHTS**

**WHEREAS**, the Borough of Chatham is the owner of one (1) 2006 Leach truck body, 25 cubic yard capacity, Model 2R 111, Serial #40378 (the “2006 Leach truck body”), which is no longer needed for public use; and

**WHEREAS**, by Resolution #17-316 adopted on November 13, 2017, the Mayor and Borough Council authorized the sale of the 2006 Leach truck body no longer needed for public use by public auction; and

**WHEREAS**, an online public auction was conducted through GovDeals.com pursuant N.J.S.A. 40A:11-36; and

**WHEREAS**, there were no bidders for the 2006 Leach truck body; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-36(4), if no bids are received, the property may be sold at private sale without further publication or notice; and

**WHEREAS**, the Township of Berkeley Heights has expressed interest in purchasing the 2006 Leach truck body for the purchase price of \$18,000.00 in “as is” condition without expressed or implied warranties; and

**WHEREAS**, the Borough Administrator and the Director of the Department of Public Works have recommended that the 2006 Leach truck body be sold to the Township of Berkeley for the purchase price of \$18,000.00 in “as is” condition without expressed or implied warranties; and

**WHEREAS**, the Mayor and Borough Council are desirous of selling the 2006 Leach truck body.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the private sale of the 2006 Leach truck body to the Township of Berkeley for the purchase price of \$18,000.00 in “as is” condition without expressed or implied warranties; and

**BE IT FURTHER RESOLVED**, that the Township of Berkeley Heights shall be required to pay the full amount of the sale, execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property, and shall be required to pick-up the sold property from within 7 business days or at a mutually-agreed upon date; 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 #18-164**

#### **RESOLUTION AUTHORIZING THE SUBMISSION OF A 2017 RECYCLING TONNAGE GRANT APPLICATION**

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act, P.L.1987, c.102; and

**WHEREAS**, the Mandatory Source Separation and Recycling Act established a recycling fund from which recycling tonnage grants may be made to municipalities to encourage local source separation and recycling programs; and

**WHEREAS**, it is the spirit and intent of the Mandatory Source Separation and Recycling Act to use the recycling tonnage grants to help communities develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the regulations impose on municipalities certain requirements as a condition for applying for recycling tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, Stan Serbanica, the Borough’s Recycling Coordinator, has confirmed that the total tonnage of recycled materials certified by the NJDEP for the Borough in 2017 was 14,077.27 tons; and

**WHEREAS**, this resolution authorizing the Borough to apply for a 2017 Recycling Tonnage Grant memorializes the Borough’s commitment to recycling materials and compliance efforts with the requirements of the Mandatory Source Separation and Recycling Act and recycling regulations.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the submission of a 2017 Recycling Tonnage Grant application to the NJDEP and designates Stan Serbanica to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED**, that the monies received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund by the Chief Financial Officer to be used solely for the purposes of recycling; 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:**

Council President Resto made a motion to approve Resolution #18-152 through Resolution #18-164 on the Consent Agenda. The motion was seconded by Council Member Hoffman. A vote was taken and Resolution #18-152 through Resolution #18-164 were approved unanimously.

## **ADD-ON RESOLUTIONS**

None.

## **ORDINANCE FOR FIRST READING**

Mayor Harris asked Council Member Hoffman to introduce Ordinance #18-05.

Council Member Hoffman read Ordinance #18-05.

### **ORDINANCE #18-05**

#### **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR CALENDAR YEAR 2018**

Council Member Hoffman explained that the 2018 Appropriations CAP Bank Ordinance would allow the Borough to bank the difference between the final appropriation, subject to the 2% CAP. The banked dollar amount would be available to the Borough in the event there was an emergent need.

Council Member Hoffman read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on March 26, 2018.

**BE IT RESOLVED**, that at the Council meeting to be held on April 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 Hoffman offered Ordinance #18-05 and moved its adoption on first reading.

Council Member Collander seconded the motion.

Mayor Harris asked the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander		X	X			
Fife			X			
Resto			X			
Hoffman	X		X			
Weber			X			
Kobylarz			X			

Mayor Harris declared Ordinance #18-05 passed on first reading.

Mayor Harris asked Council Member Kobylarz to proceed with Resolution #18-165.

Council Member Kobylarz read Resolution #18-165.

## **RESOLUTION #18-165**

### **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. Community Service Compensation – 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.

Council Member Kobylarz made a motion to approve Resolution #18-165. Council President Resto seconded the motion. A vote was taken and the motion to approve Resolution #18-165 was approved unanimously.

### **ADJOURNMENT**

Having no other business to be conducted in public session, Mayor Harris adjourned into Closed Session at 9:23 p.m.

Respectfully Submitted:

*Robin R. Kline*

Robin R. Kline, MAS, RMC, CMR  
Borough Clerk  
BOROUGH OF CHATHAM