

AGENDA

Tuesday, May 27, 2008

Regular Meeting
Mayor and Council

Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928

CALL MEETING TO ORDER The meeting will be called to order at 8:00 p.m.

SALUTE TO FLAG

MOMENT OF SILENCE

ADEQUATE NOTICE

Statement re: Adequate Notice of Meeting

Pursuant to the requirements of R.S. 10:4-10, 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 the Municipal Building, emailed to the Independent Press, the Morris County Daily Record, the Star Ledger, and Chatham Courier and filed with the Borough Clerk, all on January 4, 2008.

ROLL CALL

On a call of the roll the following officials should be present:

Council Member Richard E. Crater, Jr.
Council Member Bruce A. Harris
Council Member James J. Collander
Council President Joseph Mikulewicz
Council Member Neal T. Collins, M.D.
Council Member Joseph L. Marts
Mayor V. Nelson Vaughan, III
Joseph J. Bell, Borough Attorney
Robert J. Falzarano, Borough Administrator
Susan Caljean, Municipal Clerk

RESOLUTION #08-195

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, COMMENDING THE CHATHAM BOROUGH POLICE DEPARTMENT, SGT. TOMAINO, PATROL OFFICER CITTRICH AND PATROL OFFICER KELLY, AND CIVILIAN KATHRYN PENTONY FOR THEIR BRAVE ACTS OF COURAGE AND HEROIC ACTIONS

WHEREAS, on Wednesday, April 9, 2008, Sgt. Tomaino, Patrol Officer Cittrich and Patrol Officer Kelly of the Chatham Borough Police Department responded to a call of a fire in an apartment at premises situate at 380 Main Street, Chatham Borough, Morris County, New Jersey where an elderly citizen, George Douglas, was entrapped; and

WHEREAS, civilian Kathryn Petony, after noticing smoke coming from the window of the apartment at 380 Main Street, Chatham Borough, Morris County, New Jersey, had heroically entered the apartment where the fire had ensued and found the victim, George Douglas, sitting at the top of the steps; and

WHEREAS, Patrol Officer Kelly noticed smoke billowing from a window of the second floor apartment in the rear of the building situate at 380 Main Street, Chatham Borough, and heroically entered the building through the front door where he and civilian

Kathryn Petony escorted the victim, George Douglas, down the front stairs to safety where he obtained first aid treatment and was transported to St. Barnabas Hospital; and

WHEREAS, the Chatham Borough Police Department, Sgt. Tomaino, Patrol Officer Cittrich and Patrol Officer Kelly, together with civilian Kathryn Petony, heroically placed their own lives in great danger by entering the burning apartment to rescue George Douglas;

WHEREAS, through the courage and selflessness of Sgt. Tomaino, Patrol Officer Cittrich and Patrol Officer Kelly, and civilian Kathryn Petony, the victim George Douglas' life was rescued.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Chatham in the County of Morris, New Jersey does highly commend Sgt. Tomaino, Patrol Officer Cittrich and Patrol Officer Kelly, and civilian Kathryn Petony for their outstanding acts of heroism and service to the community.

BE IT FURTHER RESOLVED, that a copy of this resolution be published as required by law.

This Resolution shall take effect immediately.

RESOLUTION #08-196

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, COMMENDING CIVILIANS DAVID EISENHARDT AND JOHN MONETTI THEIR BRAVE ACTS OF COURAGE AND HEROIC ACTIONS

WHEREAS, on Tuesday, April 22, 2008, Chatham Borough Fire Department responded to a call of an outside fire in a garage enclosure at the rear of property and on the "B" side of the apartment building situate at 415 Main Street, Chatham Borough, Morris County, New Jersey; and

WHEREAS, civilian David Eisenhardt of 39 Lafayette Avenue, Apt. A, Chatham Borough; and civilian John Monetti, the superintendent of the apartment complex next the apartment where the fire had ensued, had commenced the initial fire fighting with a garden hose; and

WHEREAS, through the selflessness and heroic actions of civilians David Eisenhardt and John Monetti, the fire was contained until such time that the firefighters of the Chatham Borough Fire Department were able to put out the remaining fire upon the property.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Chatham in the County of Morris, New Jersey does highly commend civilians David Eisenhardt and John Monetti for their outstanding acts of heroism and service to the community.

BE IT FURTHER RESOLVED, that a copy of this resolution be published as required by law.

This Resolution shall take effect immediately.

RESOLUTION #08-197

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM TO RECOGNIZE AND CONGRATULATE THE CONCERTED EFFORTS OF OFFICERS KELLY, WALSH, PERMISON, URANYI AND DISPATCHER HERCHICK WITH REGARDS TO THE BANK ROBBERY AT COMMERCE BANK ON MAIN STREET IN CHATHAM

WHEREAS, the Mayor and Council of the Borough of Chatham hereby recognize and congratulate the efforts of the Officers Kelly, Walsh, Permison, Uranyi, and Dispatcher Herchick; and

WHEREAS, the shift worked flawlessly as a team and the end result was a safe and successful apprehension that brings to a conclusion several open bank robbery investigations; and

BE IT RESOLVED, that this professional team effort truly exhibits the quality of our nationally accredited law enforcement agency.

**RESOLUTION #08-198
RESOLUTION TO COMMEND WILLIAM OLINGER AS THE PLUMBING
INSPECTOR OF THE YEAR AWARD**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that William Olinger be hereby commended for his seventeen years of dedicated service and congratulate him on his accomplishments as Plumbing Inspector of the year by the Plumbing Officials Association of New Jersey; and he has also received an award from the Department of Community Affairs for his service to the State of New Jersey and the municipalities he services.

**RESOLUTION #08-199
RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the minutes from the following meeting are approved as typed and filed in the Borough Clerk's office:

Council Meeting, May 12, 2008

DISCUSSION ITEMS

1. Big Brothers/Big Sisters- Laura Levine- Director of Marketing
2. Appointment of Business Improvement Advisory Committee- Mayor Vaughan
3. Ride Provide- Request to use Division Avenue Park and Ride lot- Mayor Vaughan
4. Portable Lights for Football-Carol Nauta

MAYOR'S ACTIVITIES REPORT

COUNCIL COMMITTEE REPORTS:

Budget and Finance	James J. Collander, Chairman
Communications	Bruce A. Harris, Chairman
Infrastructure & Strategic Planning	Richard E. Crater, Jr., Chairman
Personnel	Neal T. Collins, M.D., Chairman
Public Safety & Emergency Services	Joseph L. Marts, Chairman
Shared Services & 3rd Party Agreements	Joseph Mikulewicz, Chairman

**ADMINISTRATOR'S
REPORT**

MEETING OPEN TO THE PUBLIC

**MAYOR'S NOTICE
OF PUBLIC COMMENT
TIME LIMIT**

Hearing of citizens during the Public Comment Sections 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.

CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Mayor and 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 #08-200 through Resolution #08-211 have been placed on the Consent Agenda.

**RESOLUTION #08-200
RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

WHEREAS, vouchers for payment have been submitted to the Mayor and Borough Council by the various municipal departments.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough 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 #08-201
RESOLUTION TO REFUND PROPERTY TAXES**

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that a refund of property taxes be issued to the individuals listed below as follows:

BLOCK/LOT	OWNER & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
107/30	Bauer, Michael & Shannon 26 Girard Avenue	\$705.28 Duplicate payment made	2008/1Qtr.

**RESOLUTION #08-202
RESOLUTION FOR THE COURT ADMINISTRATOR TO SUBMIT AN
UNCASHED CHECK IN THE AMOUNT OF \$1.00 TO THE BOROUGH OF
CHATHAM**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Court Administrator will submit an uncashed check in the amount of \$1.00 to the Borough of Chatham for deposit.

**RESOLUTION #08-203
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY,
AUTHORIZING THE LEASE OF BOROUGH PROPERTY KNOWN AS THE
LUM AVENUE SCHOOL SITUATE IN THE BOROUGH OF CHATHAM TO
ECLC OF NEW JERSEY; AND AUTHORIZING THE EXECUTION OF LEASE
AGREEMENT BETWEEN THE BOROUGH OF CHATHAM AND ECLC OF
NEW JERSEY**

WHEREAS, the Borough of Chatham (the "Borough") is the fee simple owner of property known as the Lum Avenue School situate in the Borough of Chatham, and which property is more particularly shown on the plot plan attached hereto as Exhibit A (the "Property"); and

WHEREAS, the Borough desires to lease the Property to ECLC of New Jersey ("ECLC"), together with the non-exclusive use, as needed by ECLC, of the adjacent fields north and south of the building on the Property during the hours of 9:00 a.m. and 3:00 p.m., weekdays from Monday through Friday, except as more particularly set forth in the paragraph 1 of the Lease Agreement attached as Exhibit B between the Borough and ECLC; and

WHEREAS, ECLC has agreed to use and occupy the Property solely and for no other purpose than for educational and related purposes consistent with R.S. 40A:12-15; and

WHEREAS, the term of the Lease is for a period of five (5) years, and may be renewed as approved by this governing body in accordance with paragraph 2 of the Lease Agreement attached as Exhibit B.

WHEREAS, ECLC shall pay a monthly rental for the use and occupancy of the Property to the Borough of Chatham during the lease term at a rate which is more particularly set forth in the Lease Agreement attached as Exhibit B; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to sign the Lease Agreement with ECLC; and

BE IT FURTHER RESOLVED, that a copy of this resolution be published as required by law.

This Resolution shall take effect immediately.

RESOLUTION #08-204

RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2008 FORD CROWN VICTORIA UNMARKED VEHICLE FOR THE POLICE DEPARTMENT

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Police Department is hereby authorized to purchase one new and unused 2008 Ford Crown Victoria unmarked police vehicle under the Cranford Co-Op Contract #101. The Total cost of the vehicle with options is \$23,344.19. The vehicle will be purchased from Warnock Automotive in East Hanover, NJ.

RESOLUTION #08-205

RESOLUTION TO SET FEES FOR THE MULCH AREA FOR LANDSCAPERS ONLY FOR THE YEAR 2008

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the following fees have been set for the year 2008:

Pick up trucks	\$ 50.00
Pick up trucks with sideboards	\$ 65.00
Mason Dumps	\$100.00
Mason Dumps with sideboards	\$115.00
Rackbody/Large Dump trucks	\$150.00

RESOLUTION #08-206

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE EMPLOYMENT OF HARVEY OCHS AS A PART TIME SUBSTITUTE SCHOOL CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT:

WHEREAS, the Chief of Police has recommended that Harvey Ochs be employed as a part time substitute school crossing guard for the Chatham Borough Police Department, at a pay rate of \$18.41 per hour, effective May 28, 2008; and

WHEREAS, the Chief Financial Officer has certified that funds are available and said certification shall be attached to this Resolution and kept on file in the offices of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, New Jersey, authorizing the employment of Harvey Ochs as a part time substitute school crossing guard at the rate of \$18.41 per hour, effective May 28, 2008, and,

BE IT FURTHER RESOLVED, that the Chief of Police hereby is authorized to undertake and execute such employment documents as is necessary to implement this Resolution.

RESOLUTION #08-207

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE EMPLOYMENT OF CHRISTOPHER COLEMAN AS A PART TIME SUBSTITUTE SCHOOL CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT:

WHEREAS, the Chief of Police has recommended that Christopher Coleman be employed as a part time substitute school crossing guard for the Chatham Borough Police Department, at a pay rate of \$18.41 per hour, effective May 28, 2008; and

WHEREAS, the Chief Financial Officer has certified that funds are available and said certification shall be attached to this Resolution and kept on file in the offices of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, New Jersey, authorizing the employment of Christopher Coleman as a full time school crossing guard at the rate of \$18.41 per hour, effective May 28, 2008, and,

BE IT FURTHER RESOLVED, that the Chief of Police hereby is authorized to undertake and execute such employment documents as is necessary to implement this Resolution.

RESOLUTION #08-208

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE EMPLOYMENT OF PATRICIA CASTELLANO AS A PART TIME SUBSTITUTE SCHOOL CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT:

WHEREAS, the Chief of Police has recommended that Patricia Castellano be employed as a part time substitute school crossing guard for the Chatham Borough Police Department, at a pay rate of \$18.41 per hour, effective May 28, 2008; and

WHEREAS, the Chief Financial Officer has certified that funds are available and said certification shall be attached to this Resolution and kept on file in the offices of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, New Jersey, authorizing the employment of Patricia Castellano as a part time substitute school crossing guard at the rate of \$18.41 per hour, effective May 28, 2008, and,

BE IT FURTHER RESOLVED, that the Chief of Police hereby is authorized to undertake and execute such employment documents as is necessary to implement this Resolution.

RESOLUTION #08-209

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE EMPLOYMENT OF EDWARD PANICO AS A PART TIME SUBSTITUTE SCHOOL CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT:

WHEREAS, the Chief of Police has recommended that Edward Panico be employed as a part time substitute school crossing guard for the Chatham Borough Police Department, at a pay rate of \$18.41 per hour, effective May 28, 2008; and

WHEREAS, the Chief Financial Officer has certified that funds are available and said certification shall be attached to this Resolution and kept on file in the offices of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, New Jersey, authorizing the employment of Edward Panico as a part time substitute school crossing guard at the rate of \$18.41 per hour, effective May 28, 2008, and,

BE IT FURTHER RESOLVED, that the Chief of Police hereby is authorized to undertake and execute such employment documents as is necessary to implement this Resolution.

**RESOLUTION #08-210
RESOLUTION TO RELEASE A MAINTENANCE BOND FOR WESTY'S
STORAGE FACILITY, 15 RIVER ROAD, CHATHAM, NJ**

BE IT RESOLVED, by the Mayor and Council upon recommendation from Vince DeNave, Borough Engineer that the work has been completed and the \$43,042.65 Maintenance Bond be released to Westy's Storage Facility.

**RESOLUTION #08-211
RESOLUTION TO ADD A VEHICLE ON THE LIVERY LICENSE FOR BORO
LIMOUSINE FOR THE YEAR 2008**

BE IT RESOLVED that the issuance of licenses for the following auto livery for the year 2008 are hereby approved in accordance with the provisions of the Chatham Borough Code, Chapter 137.

NAME OF COMPANY: Boro Limousine
BUSINESS ADDRESS: 120 Franklin Avenue
Rockaway, NJ 07866
INSURANCE CARRIER: Proformance Insurance Company
POLICY NUMBER: 391005873

VEHICLES:

Year/Make	Body Type & Color	Vin. No.	Lic. No.
2004	Ford/4 Dr.	2FAFP74W24X182147	#02-Boro-2008

CONSENT AGENDA VOTE

Resolutions #08-200 through #08-211

Moved: _____ Seconded: _____ Voice Vote: in favor [] against []

**RESOLUTION #08-212
RESOLUTION TO RECESS INTO CLOSED SESSION**

BE IT RESOLVED by the Borough Council of the Borough of Chatham that it adjourn to executive 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: Supplemental Sanitarian Services Contract with Madison and Sanitarian Reporting Lines- Mr. Falzarano

LITIGATION: 1. Omni Point- Mr. Bell
2. Tomaro matter Morris County JIF- Mr. Bell
3. 221 Main Street- Mr. Bell

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.