

AGENDA

Monday, September 9, 2013

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 THE 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, e-mailed to the Independent Press, the Morris County Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and the Alternative Press and filed with the Borough Clerk, all on January 4, 2013.

ROLL CALL

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

Mayor Bruce A. Harris
Council Member James J. Collander
Council Member James Lonergan
Council President John Holman
Council Member Victoria Fife
Council Member Gerald J. Helfrich
Robert J. Falzarano, Borough Administrator
James L. Lott, Jr., Borough Attorney
Susan Caljean, Municipal Clerk

RESOLUTION #13-299

RESOLUTION CELEBRATING THE 100TH ANNIVERSARY FOR THE CHATHAM BOROUGH POLICE DEPARTMENT

Whereas, the Chatham Borough Police Department is being honored by the Morris County Board of Chosen Freeholders on the occasion of the department's 100th Anniversary September 2, 2013, and

Whereas, since it was established on September 2, 1913, the Chatham Borough Police Department has grown from one fulltime police officer to an exceptional law enforcement agency with 18 fulltime officers who provide quality and professional law enforcement services to the community, and

Whereas, over the years, the department has successfully responded to the changing needs of Chatham Borough through community policing, leadership, teamwork and dedication on the part of its officers, and

Whereas, for 100 years, the members of the Chatham Borough Police Department have worked tirelessly to protect borough residents, to promote a safe and secure environment in the community and to adhere to the values of integrity, respect, service and fairness;

Now Therefore, Be It Resolved, the Board of Chosen Freeholders, Morris County, New Jersey, congratulates the Chatham Borough Police Department for its dedication and commitment to the citizens of the borough, and joins in the celebration of the department's 100th Anniversary.

Thomas J. Mastrangelo
Thomas J. Mastrangelo, *Director*

David Scapicchio
David Scapicchio, *Deputy Director*

Douglas R. Cabana
Douglas R. Cabana

John Cesaro
John Cesaro

Ann F. Grossi

Ann F. Grossi

John Krickus

John Krickus

Hank Lyon

Hank Lyon

**PROCLAMATION
NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION**

WHEREAS, on September 17, 1787, the United States Constitution was approved by the Constitutional Convention, laying the framework for our country's laws and government. Striving for accountability and flexibility within an effective government, the Founding Fathers worked together to produce the Constitution-the fantastic document that endures to this day; and

WHEREAS, the Constitution serves as a testament to the resolve of the American people to preserve their freedoms and to uphold the indisputable rights of all citizens. Today this document continues to protect the liberties of the people and provide our nation with a unique form of government that stands as an outline for an effective democracy; and

WHEREAS, this week as we celebrate the anniversary of the signing of our Constitution, we commemorate the foresight and commitment of our Founding Fathers and their hard work in ensuring a system that would carry our country for centuries to come.

BE IT RESOLVED, I, Bruce A. Harris, Mayor of the Borough of Chatham do hereby proclaim the week of September 17 through 23, 2013 as

CONSTITUTION WEEK

and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

APPOINTMENTS

RESOLUTION #13-300

**RESOLUTION TO APPOINT THE FOLLOWING AS JUNIOR VOLUNTEERS FOR
THE FARMERS' MARKET ADVISORY COMMITTEE**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following be appointed to the Farmers' Market Advisory Committee as junior volunteers with terms to expire on December 31, 2013:

Louisa Baxley
Asha O'Connell
Justin Brown

RESOLUTION #13-301

RESOLUTION TO APPOINT THE FOLLOWING AS A MEMBER OF THE FARMERS' MARKET ADVISORY COMMITTEE

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Minati O'Connell be appointed as a member of the Farmers' Market Advisory Committee with a term to expire on December 31, 2013.

RESOLUTION #13-302

RESOLUTION TO APPOINT ALICIA MURRAY TO THE CARES AND SHARES ADVISORY COMMITTEE

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham to appoint Alicia Murray to the Shares & Cares Advisory Committee with a term to expire on December 31, 2013.

RESOLUTION #13-303

RESOLUTION TO APPOINT JUSTIN SQUASHIC TO PERMANENT STATUS AS SERVICEPERSON

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Mr. Venezia, Director of the Department of Public Works recommends permanent status to Justin Squashic as Serviceperson effective September 16, 2013.

RESOLUTION #13-304

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, August 12, 2013

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Chatham that the Executive Session minutes be adopted herein as approved and redacted by the Borough Attorney:

Executive Sessions, June 10 & 24, 2013
Executive Sessions, July 8 & August 12, 2013

DISCUSSION ITEMS

1. Municipal Alliance- Mrs. Marino
2. Shade Tree Ordinances- Mr. Lonergan
3. Parking Fines- Chief Crosson
4. Community Garden-Mr. Falzarano

MEETING OPEN TO THE PUBLIC

NOTICE OF PUBLIC COMMENT

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.

SECOND READING ORDINANCE PROCEDURE

Mayor Harris asks **Council Member Collander** to proceed with Ordinance #13-17

Council Member Collander reads Ordinance #13-17 entitled:

MUTUAL AID ORDINANCE

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on August 12, 2013.

Mayor Harris asks the Clerk to give a summary of the legal notice.

The Clerk states: A legal notice was published indicating that Ordinance #13-17 was introduced and passed on first reading at the August 12, 2013 meeting and indicating that the second reading and public hearing would be held at 7:30 p.m. on September 9, 2013 for consideration of final adoption. Copies 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: I will now close the meeting to the public.

Council Member Collander: I offer the following Ordinance and move its adoption:

Resolved, that this Ordinance as read by title on second reading, at this regular meeting, be adopted and finally passed.

Council Member _____ seconds the motion.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonergan						
Holman						
Fife						
Helfrich						

Mayor Harris: I declare this Ordinance adopted and finally passed. I hereby request the Clerk to publish the proper notice of this adoption in the newspaper and to record the Ordinance in the proper places.

Council Liaison Reports

Affordable Housing Advisory Committee	Mayor Bruce A. Harris
Communications Technology Advisory Committee	Mayor Bruce A. Harris
Community Gardens Advisory Committee	Vacant
Environmental Commission	Vacant
Overnight Parking Advisory Committee	Vacant
Cares & Shares Advisory Committee	James Lonergan
Municipal Pool Advisory Committee	James Lonergan
Joint Recreation Advisory Committee	James Lonergan
Shade Tree Commission	James Lonergan
Board of Health	John Holman
Farmers' Market Advisory Committee	John Holman
Madison Chatham Joint Meeting	John Holman
Mayors' Wellness Committee	Victoria Fife
Project Community Pride	Victoria Fife
Chamber of Commerce	Victoria Fife
Planning Board	Victoria Fife
Public Arts Council Advisory Committee	Victoria Fife
Senior Center of the Chathams	Victoria Fife
9/11 Memorial Advisory Committee	Gerald J. Helfrich
Historic Preservation Commission	Gerald J. Helfrich
Board of Education	Gerald J. Helfrich
Traffic Safety Advisory Committee	James Collander

MAYOR'S REPORT

Mayor Bruce A. Harris

ADMINISTRATOR'S REPORT

Robert J. Falzarano

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 #13-305 through Resolution #13-315 have been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

FINANCE

RESOLUTION #13-305

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 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 Director of Finance.

RESOLUTION #13-306

RESOLUTION TO AUTHORIZE THE SENIOR CENTER TO HOLD A PAPER SHREDDING EVENT FUNDRAISER AT THE SOUTH PARKING LOT OF THE TRAIN STATION ON SATURDAY, NOVEMBER 2, 2013 FROM 10:00 AM TO 1:00 PM

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Senior Center is hereby authorized to conduct a paper shredding event on Saturday, November 2, 2013 from 10:00 am to 1:00 pm. at the south parking lot of the train station.

RESOLUTION #13-307

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	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
54/39	Yasuyuki, Hisae & Kobayashi	\$2,571.58	2012/3rd Qtr.
	13 Hedges Avenue		Duplicate Payment
	*Mail to: % Gary Haydu, Esquire		

H-9/06/13

414 Main Street
Chatham, NJ 07928

RECREATION

RESOLUTION #13-308

RESOLUTION OF AGREEMENT FOR LACROSSE

**RESOLUTION OF AGREEMENT BETWEEN THE JOINT CHATHAM RECREATION
DEPARTMENT AND THE COUGAR LACROSSE CLUB**

WHEREAS, Chatham Borough and Chatham Township have sponsored joint sports programs for over twenty years; and

WHEREAS, lacrosse has been for many years sponsored by the Joint Chatham Recreation Program; and

WHEREAS, on April 25, 2011, the Mayor and Borough Council authorized the transfer of the supervision and management for the lacrosse program from the Chatham Joint Recreation Department to the Cougar Lacrosse Club; and

WHEREAS, lacrosse has become one of the many very popular sports programs with growing participation; and

WHEREAS, Chatham Borough and Chatham Township recognize that the Joint Chatham Recreation Department will from time to time provide support and assistance; and

WHEREAS, Chatham Borough and Chatham Township recognize that municipal field space is needed to support lacrosse play; and

WHEREAS, as a private club, the Cougar Lacrosse Club will be required to pay the field maintenance trust fee that is recommended annually by the Joint Chatham Recreation Department and established by the Chatham Township Committee and Chatham Borough Council, that is considered ordinary and commensurate with the fee charged to other sports for same; and

WHEREAS, the field maintenance fee shall be paid to the Chatham Joint Recreation Trust Fund within thirty days from the activity registration closing date; and

WHEREAS, the Cougar Lacrosse Club has agreed to and shall obtain and pay for insurance policy premiums that cover lacrosse players, coaches and staff to include general liability, basic accident medical, catastrophic accident, directors' and officers' liability and excess liability in amounts satisfactory to the Chatham Borough and Chatham Township Administrators; and

WHEREAS, the Cougar Lacrosse Club shall be responsible for the purchase and issue of uniforms and equipment for the baseball players; and

WHEREAS, the Cougar Lacrosse Club recognizes that the Chatham Joint Recreation Program reserves the exclusive right to change the current field use model; and

WHEREAS, the Cougar Lacrosse Club agrees to adopt and follow the grievance procedure approved by the Chatham Joint Recreation Advisory Committee; and

WHEREAS, the Cougar Lacrosse Club has agreed to comply with the Joint Chatham Recreation field use policy, background checks, and first aid certification; and

WHEREAS, the Cougar Lacrosse Club has agreed to provide the Joint Chatham Recreation Department with the names and e-mail addresses of all the seasonal participants; and

WHEREAS, the Cougar Lacrosse Club has agreed that the Joint Chatham Recreation Director shall be invited to attend the Cougar Lacrosse Club board meetings; and

WHEREAS, when requested by the Joint Chatham Recreation Department, a representative of the Cougar Lacrosse Club board shall attend and participate in meetings of the Joint Chatham Recreation Advisory Committee.

BE IT RESOLVED, by the Mayor and Chatham Borough Council that the president of the Cougar Lacrosse Club shall sign this resolution and agree to all the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED, that failure to follow the terms and conditions set forth herein will necessitate that the use of the Chatham Borough and Chatham Township athletic fields will not be authorized for Cougar Lacrosse Club play or events; and

BE IT FURTHER RESOLVED, that this resolution will be effective on the date that the Chatham Township Committee adopts an identical resolution.

RESOLUTION #13-309

RESOLUTION OF AGREEMENT FOR SOCCER

RESOLUTION OF AGREEMENT BETWEEN THE JOINT CHATHAM RECREATION DEPARTMENT AND THE CHATHAM UNITED SOCCER CLUB

WHEREAS, Chatham Borough and Chatham Township have sponsored joint sports programs for over twenty years; and

WHEREAS, travel soccer has been for many years sponsored by Chatham United Soccer Club and supported by the Joint Chatham Recreation Program; and

WHEREAS, soccer has become one of the many very popular sports programs with growing participation; and

WHEREAS, Chatham Borough and Chatham Township recognize that the Joint Chatham Recreation Department will from time to time provide support and assistance; and

WHEREAS, Chatham Borough and Chatham Township recognize that municipal field space is needed to support soccer play; and

WHEREAS, as a private club, the Chatham United Soccer Club will be required to pay the field maintenance Trust fee that is recommended annually by the Joint Chatham Recreation Department and established by the Chatham Township Committee and Chatham Borough Council, that is considered ordinary and commensurate with the fee charged to other sports for same; and

WHEREAS, the field maintenance fee shall be paid to the Chatham Joint Recreation Trust Fund within thirty days from the activity registration closing date; and

WHEREAS, the Chatham United Soccer Club has agreed to and shall obtain and pay for insurance policy premiums that cover soccer players, coaches and staff to include general liability, basic accident medical, catastrophic accident, directors' and officers' liability and excess liability in amounts satisfactory to the Chatham Borough and Chatham Township Administrators; and

WHEREAS, Chatham United Soccer Club shall be responsible for the purchase and issue of uniforms and equipment for the travel league soccer players; and

WHEREAS, the Chatham United Soccer Club recognizes that the Chatham Joint Recreation Program reserves the exclusive right to change the current field use model; and

WHEREAS, the Chatham United Soccer Club agrees to adopt and follow the grievance procedure approved by the Chatham Joint Recreation Advisory Committee; and

WHEREAS, the Chatham United Soccer Club has agreed to comply with the Joint Chatham Recreation field use policy, background checks, and first aid certification; and

WHEREAS, the Chatham United Soccer Club has agreed to provide the Joint Chatham Recreation Department with the names and e-mail addresses of all the seasonal participants; and

WHEREAS, the Chatham United Soccer Club has agreed that the Joint Chatham Recreation Director shall be invited to attend the Chatham United Soccer Club board meetings; and

WHEREAS, when requested by the Joint Chatham Recreation Department, a representative of the Chatham United Soccer Club board shall attend and participate in meetings of the Joint Chatham Recreation Advisory Committee.

BE IT RESOLVED, by the Mayor and Chatham Borough Council that the president of the Chatham United Soccer Club shall sign this resolution and agree to all the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED, that failure to follow the terms and conditions set forth herein will necessitate that the use of the Chatham Borough and Chatham Township athletic fields will not be authorized for Chatham United Soccer Club play or events; and

BE IT FURTHER RESOLVED, that this resolution will be effective on the date that the Chatham Township Committee adopts an identical resolution.

RESOLUTION #13-310

RESOLUTION OF AGREEMENT BETWEEN THE JOINT CHATHAM RECREATION DEPARTMENT AND THE CHATHAM FOOTBALL CLUB, INC.

WHEREAS, Chatham Borough and Chatham Township have sponsored joint sports programs for over twenty years; and

WHEREAS, football has been for many years sponsored by the Joint Chatham Recreation Program; and

WHEREAS, on June 10, 2013, the Mayor and Borough Council authorized the transfer of the supervision and management for the football program from the Chatham Joint Recreation Department to the Chatham Football Club, Inc.; and

WHEREAS, football has become one of the many very popular sports programs with growing participation; and

WHEREAS, Chatham Borough and Chatham Township recognize that the Joint Chatham Recreation Department will from time to time provide support and assistance; and

WHEREAS, Chatham Borough and Chatham Township recognize that municipal field space is needed to support football play; and

WHEREAS, as a private club, The Chatham Football Club, Inc. will be required to pay the field maintenance trust fee that is recommended annually by the Joint Chatham Recreation Department and established by the Chatham Township Committee and Chatham Borough Council, that is considered ordinary and commensurate with the fee charged to other sports for same; and

WHEREAS, the field maintenance fee shall be paid to the Chatham Joint Recreation Trust Fund within thirty days from the activity registration closing date; and

WHEREAS, The Chatham Football Club, Inc. has agreed to and shall obtain and pay for insurance policy premiums that cover football players, coaches and staff to include general liability, basic accident medical, catastrophic accident, directors' and officers' liability and excess liability in amounts satisfactory to the Chatham Borough and Chatham Township Administrators; and

WHEREAS, The Chatham Football Club, Inc. shall be responsible for the purchase and issue of uniforms and equipment for the baseball players; and

WHEREAS, The Chatham Football Club, Inc. recognizes that the Chatham Joint Recreation Program reserves the exclusive right to change the current field use model; and

WHEREAS, The Chatham Football Club, Inc. agrees to adopt and follow the grievance procedure approved by the Chatham Joint Recreation Advisory Committee; and

WHEREAS, The Chatham Football Club, Inc. has agreed to comply with the Joint Chatham Recreation field use policy, background checks, and first aid certification; and

WHEREAS, The Chatham Football Club, Inc. has agreed to provide the Joint Chatham Recreation Department with the names and e-mail addresses of all the seasonal participants; and

WHEREAS, The Chatham Football Club, Inc. has agreed that the Joint Chatham Recreation Director shall be invited to attend The Chatham Football Club, Inc. board meetings; and

WHEREAS, when requested by the Joint Chatham Recreation Department, a representative of The Chatham Football Club, Inc. board shall attend and participate in meetings of the Joint Chatham Recreation Advisory Committee.

BE IT RESOLVED, by the Mayor and Chatham Borough Council that the president of The Chatham Football Club, Inc. shall sign this resolution and agree to all the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED, that failure to follow the terms and conditions set forth herein will necessitate that the use of the Chatham Borough and Chatham Township athletic fields will not be authorized for Chatham Football Club play or events; and

BE IT FURTHER RESOLVED, that this resolution will be effective on the date that the Chatham Township Committee adopts an identical resolution.

RESOLUTION #13-311

RESOLUTION OF AGREEMENT BETWEEN THE JOINT CHATHAM RECREATION DEPARTMENT AND THE BASEBALL CLUB OF CHATHAM, LLC

WHEREAS, Chatham Borough and Chatham Township have sponsored joint sports programs for over twenty years; and

WHEREAS, baseball has been for many years sponsored by the Joint Chatham Recreation Program; and

WHEREAS, on September 24, 2012, the Mayor and Borough Council authorized the transfer of the supervision and management for the baseball program from the Chatham Joint Recreation Department to the Baseball Club of Chatham, LLC; and

WHEREAS, baseball has become one of the many very popular sports programs with growing participation; and

WHEREAS, Chatham Borough and Chatham Township recognize that the Joint Chatham Recreation Department will from time to time provide support and assistance; and

WHEREAS, Chatham Borough and Chatham Township recognize that municipal field space is needed to support baseball play; and

WHEREAS, as a private club, The Baseball Club of Chatham, LLC will be required to pay the field maintenance trust fee that is recommended annually by the Joint Chatham Recreation Department and established by the Chatham Township Committee and Chatham Borough Council, that is considered ordinary and commensurate with the fee charged to other sports for same; and

WHEREAS, the field maintenance fee shall be paid to the Chatham Joint Recreation Trust Fund within thirty days from the activity registration closing date; and

WHEREAS, The Baseball Club of Chatham, LLC has agreed to and shall obtain and pay for insurance policy premiums that cover baseball players, coaches and staff to include general liability, basic accident medical, catastrophic accident, directors' and officers' liability and

excess liability in amounts satisfactory to the Chatham Borough and Chatham Township Administrators; and

WHEREAS, The Baseball Club of Chatham, LLC shall be responsible for the purchase and issue of uniforms and equipment for the baseball players; and

WHEREAS, The Baseball Club of Chatham, LLC recognizes that the Chatham Joint Recreation Program reserves the exclusive right to change the current field use model; and

WHEREAS, The Baseball Club of Chatham, LLC agrees to adopt and follow the grievance procedure approved by the Chatham Joint Recreation Advisory Committee; and

WHEREAS, The Baseball Club of Chatham, LLC has agreed to comply with the Joint Chatham Recreation field use policy, background checks, and first aid certification; and

WHEREAS, The Baseball Club of Chatham, LLC has agreed to provide the Joint Chatham Recreation Department with the names and e-mail addresses of all the seasonal participants; and

WHEREAS, The Baseball Club of Chatham, LLC has agreed that the Joint Chatham Recreation Director shall be invited to attend The Baseball Club of Chatham, LLC board meetings; and

WHEREAS, when requested by the Joint Chatham Recreation Department, a representative of The Baseball Club of Chatham, LLC board shall attend and participate in meetings of the Joint Chatham Recreation Advisory Committee.

BE IT RESOLVED, by the Mayor and Chatham Borough Council that the president of The Baseball Club, LLC shall sign this resolution and agree to all the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED, that failure to follow the terms and conditions set forth herein will necessitate that the use of the Chatham Borough and Chatham Township athletic fields will not be authorized for Chatham Baseball Club play or events; and

BE IT FURTHER RESOLVED, that this resolution will be effective on the date that the Chatham Township Committee adopts an identical resolution.

MISCELLANEOUS

RESOLUTION #13-312

RESOLUTION TO APPROVE THE COMPUTER SECURITY POLICIES AND PROCEDURES AND AUTHORIZE THE BOROUGH ADMINISTRATOR TO IMPLEMENT THE COMPUTER SECURITY POLICIES AND PROCEDURES

WHEREAS, Chapter 39 “Officers and Employees” Article II “Borough Administrator Section 10 Powers and Duties and Section 11 Authority Established” the Mayor and Borough Council of the Borough of Chatham vested the Borough Administrator with authority to provide the Borough with sound and lawful directives and policies regarding Borough officers, employees and operations; and

WHEREAS, the Communications Technology Advisory Committee has researched and submitted a recommendation to transition to the Cloud for e-mail services; and

WHEREAS, the members of Communications Technology Advisory Committee and the Borough Administrator prepared the Computer Security policies and procedures that will govern the use of mobile electronic devices, computers and Borough support systems.

BE IT RESOLVED, by the Mayor and Borough Council that the Computer Security policies and procedures are approved; and

BE IT FURTHER RESOLVED, the Borough Administrator is authorized to implement the Computer Security policies and procedures; and

BE IT FURTHER RESOLVED, that from time to time the Borough Administrator is authorized to amend the Computer Security policies and procedures.

RESOLUTION #13-313

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, AUTHORIZING THE SALE OF CERTAIN BOROUGH-OWNED REAL PROPERTY LOCATED AT 83 CHATHAM STREET (BLOCK 17 LOT 6)

WHEREAS, the Borough of Chatham is the owner of certain real property commonly known as 83 Chatham Street and designated as Block 17, Lot 6 on the Borough Official Tax Map (the “Property”); and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13, authorizes the Borough to sell any real property, capital improvements or personal property, or interests therein, not needed for public use by public auction to the highest bidder; and

WHEREAS, the Mayor and Borough Council of the Borough of Chatham have determined that the Property is no longer needed for public use and that it is in the best interest of the Borough to sell the Property; and

WHEREAS, the Mayor and Borough Council wish to authorize the sale of the Property by public sale at auction to the highest bidder.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham as follows:

1. The Mayor and Borough Council hereby declare that the Property is no longer needed for public use.

2. The Borough-owned property commonly known as 83 Chatham Street and designated as Block 17 Lot 6 on the Borough Tax Map shall be offered for sale by open public sale at auction to the highest bidder, pursuant to N.J.S.A. 40A:12-13. Said auction shall be conducted on September 25, 2013 at 10:00 a.m., or as soon thereafter as the matter may be reached, at Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

3. There shall be a minimum bid price for the Property of \$50,000.00, but upon completion of bidding, the highest qualified bid may be accepted or all bids may be rejected by the Borough.

4. The deed of conveyance shall provide that the Property shall be deed restricted from development.

5. The Property shall be sold subject to the terms and conditions of this Resolution and the Invitation of Bidders. The Invitation to Bidders shall be in substantially the same form as the notice attached hereto and made a part hereof this Resolution.

6. Notice of the sale shall be advertised in the Chatham Courier and posted on the bulletin board at Borough Hall in accordance with N.J.S.A. 40A:12-13(a).

7. All Borough employees and officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

RESOLUTION 13-314

RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING PREPARATION WORK FOR A COMMUNITY GARDEN AT WOODLAND PARK

WHEREAS, the Borough of Chatham submitted a request to Chatham Township to develop a Community Garden at the Woodland Park site, which is jointly acquired and owned by the Borough of Chatham and the Township of Chatham as open space; and

WHEREAS, the Community Garden will be open to residents of both Chatham Borough and Chatham Township; and

WHEREAS, preparation work needs to be performed at the site in order to be ready for the 2014 gardening season.

BE IT RESOLVED, by the Council of the Borough of Chatham, County of Morris, State of New Jersey, preparation of the Community Garden may proceed, subject to the following conditions:

1. A new advisory committee will be set up to work with the Administrators of the Borough and the Township to administer the Joint Community Garden.
2. The capital outlay for the preparation work shall be paid down through annual plot fees.
3. Residents of Chatham Township and Chatham Borough will have an equal opportunity to obtain garden plots through a lottery system with fifty per cent of the plots allocated to the Borough and fifty per cent to the Township.
4. This resolution shall be subject to an agreement between Chatham Borough and Chatham Township to share the costs for the Community Garden.

RESOLUTION #13-315

RESOLUTION TO AUTHORIZE MAYOR TO SIGN THE 2014 MUNICIPAL AID GRANT PEDESTRIAN SAFETY TO TRANSIT-FRONT STREET IMPROVEMENT PROJECT; LAFAYETTE AVENUE IMPROVEMENT PROJECT MAIN STREET TO WATCHUNG AVENUE AUTHORIZING PARTICIPATION IN THE 2014 MUNICIPAL AID GRANT PROGRAM BETWEEN THE BOROUGH OF CHATHAM AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the governing body of the Borough of Chatham authorizes Mayor Bruce A. Harris to sign the grant agreement and agrees to participate in the 2014 Municipal Aid Grant Program sponsored by the NJ Department of Transportation to further the public interest by applying for a grant for the Front Street Improvement Project as a primary priority; and the Lafayette Avenue Improvement Project from Main Street to Watchung Avenue; and

WHEREAS, a Chatham Borough priority project for the 2014 Municipal Aid Grant Program, The Front Street Improvement Project will include milling, paving, curb and sidewalk installation, crosswalks, stripping and the installation of Type N- Eco Water Quality Inlets with a grant request of \$62,475.00 and a municipal match of \$7,959.38 and

WHEREAS, The Lafayette Avenue Improvement Project, from Main Street to Watchung Avenue will include milling, paving, curb and sidewalk repair and replacement, crosswalks, stripping, and installation of Type N- Eco Water Quality Inlets with a grant request of \$174,645.00 and a municipal match of \$26,196.74.

BE IT RESOLVED, that Mayor Bruce A. Harris is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State of New Jersey for 2014 Municipal Aid Grants, and (c) to execute any amendments thereto.

BE IT FURTHER RESOLVED, that the Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent Agenda, Resolutions #13-303 through #13-315.

Council Member _____: I would like to make a motion to allow the resolutions on this evening's agenda to be approved by consent of the Council; and I so move.

Seconded by: _____

FIRST READING ORDINANCE PROCEDURE

- (1) Mayor Harris asks **Council Member Collander** to introduce Ordinance #13-18
- (2) **Council Member Collander** introduces Ordinance #13-18 by title as follows:

HAZARDOUS SUBSTANCE ORDINANCE

(3) **Council Member Collander** explains the purpose of the Ordinance and Council Member Collander moves for introduction of the First Reading.

Council Member Collander reads:

WHEREAS, the above Ordinance was introduced, read by title at this Council meeting held on September 9, 2013.

BE IT RESOLVED, that at the Council meeting to be held on September 23, 2013 at 7:30 p.m. prevailing time, at the Borough Hall in said Borough, this Council will further consider this Ordinance for a second reading and final passage; and

BE IT FURTHER RESOLVED, that the Clerk of this Borough 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.

Mayor asks Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonergan						
Holman						
Fife						
Helfrich						

RESOLUTION #13-316
RESOLUTION TO RECESS INTO CLOSED SESSION

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it 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:

LITIGATION: Tricare Update- Mr. Lott

CONTRACT: Energy Aggregation- Mr. Falzarano

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.