

## **AGENDA**

### **Monday, October 28, 2013**

**Regular Meeting**  
**Mayor and Borough Council**

**Borough of Chatham**  
**54 Fairmount Avenue**  
**Chatham, NJ 07928**

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**CALL MEETING TO ORDER**    The meeting will be called to order at 7:30 p.m.

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**SALUTE TO THE FLAG**

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**MOMENT OF SILENCE**

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**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.

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**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 Member 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

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**RESOLUTION #13-345**

**RESOLUTION TO ACCEPT THE RETIREMENT OF SCHOOL CROSSING GUARD THERMA OCHS**

**WHEREAS**, by letter dated October 1, 2013, School Crossing Guard Therma Ochs has advised Police Chief Philip J. Crosson, Jr. that she is retiring from the Chatham Borough Police Department, effective October 1, 2013 ; and

**WHEREAS**, during her over 36 years of dedicated service to this community, Therma Ochs answered the call for any need requested of her by the community and the members of the Chatham Borough Police Department; and

**WHEREAS**, Therma demonstrated a care and concern for the children of Chatham, watching over the children to make sure that they were safe; and

**WHEREAS**, Therma assisted the office of Emergency Management during Superstorm Sandy; and

**WHEREAS**, the Borough staff and the children of Chatham will miss the dedicated service that Therma provided in all weather conditions.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that School Crossing Guard Therma Ochs retirement be hereby accepted with an effective date of November 1, 2013.

**BE IT FURTHER RESOLVED**, that the Mayor and Council thank Therma Ochs for over 36 years of dedicated service to the people and especially the children of this community and wish her well with her future endeavors.

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**RESOLUTION #13-346**

**RESOLUTION RECOGNIZING THE CHATHAM NEWS SERVICE**

**WHEREAS**, the concession, The Chatham News Service at the train station selling newspapers & coffee to commuters since 1915, will close its doors on Thursday, October 31, 2013; and

**WHEREAS**, this business was originally started by Carl Henrich in 1915; and

**WHEREAS**, his son Harold Henrich assumed the role as proprietor in 1941; and

**WHEREAS**, the current proprietor Greg Henrich, grandson and son, assumed the role as proprietor in 1968;  
and

**WHEREAS**, The Chatham News Service is one of the longest and continuous small business entities in Chatham Borough; and

**WHEREAS**, The Chatham News Service has served thousands of people in its almost 100 years of service.

**BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that the members of the public join us as we say farewell to The Chatham News Service, a convenience oriented business, on Thursday, October 31, 2013 at 8:15 am at the Chatham Train Station, Railroad Plaza South; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council of the Borough of Chatham acknowledges the commitment and dedication displayed by multiple generations which is appreciated by Chatham residents and commuters.

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**RESOLUTION #13-347**

**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, October 15, 2013

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**BOROUGH OF CHATHAM PROCLAMATION  
"PANCREATIC CANCER AWARENESS MONTH"**

Declaring the month of November "Pancreatic Cancer Awareness Month" in the Borough of Chatham.

**WHEREAS**, in 2013, an estimated 45,220 people will be diagnosed with pancreatic cancer in the United States and 38,460 will die from the disease; and

**WHEREAS**, pancreatic cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

**WHEREAS**, when symptoms of pancreatic cancer present themselves, it is late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years; and

**WHEREAS**, approximately 1,180 deaths will occur in New Jersey in 2013; and

**WHEREAS**, the incidence and death rate for pancreatic cancer are increasing and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the U.S. by 2020; and

**WHEREAS**, the U.S. Congress passed the *Recalcitrant Cancer Research Act* last year, which calls on the National Cancer Institute to develop a scientific frameworks, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

**WHEREAS**, the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in Borough of Chatham and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

**WHEREAS**, the Pancreatic Cancer Action Network and its affiliates in the Borough of Chatham support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

**WHEREAS**, the good health and well-being of the residents of the Borough of Chatham are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

**BE IT RESOLVED**, that the Mayor and Council designate the month of November 2013 as “Pancreatic Cancer Awareness Month” in the Borough of Chatham.

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**PROCLAMATION BY THE MAYOR AND COUNCIL OF THE BOROUGH OF  
CHATHAM ESTABLISHING NOVEMBER 16, 2013 AS AMERICA RECYCLES DAY**

**WHEREAS**, the Borough of Chatham recognizes the importance of protecting and preserving our natural resources and adopting conscientious habits that will improve our daily lives and bring about a cleaner, safer, and more sustainable environment; and

**WHEREAS**, although there has been a significant increase in the amount of recycling in Chatham Borough to date, we must also continue to focus on other initiatives such as waste reduction, composting, the reuse of products and materials, and purchasing recycled products; and

**WHEREAS**, by encouraging businesses, state agencies, non- profit organizations, schools and individuals to celebrate America Recycles Day 2013, we can further promote recycling as an environmentally efficient and economically smart habit; and

**WHEREAS**, state and community leaders can help encourage recycling by informing citizens about local recycling options, they can also help foster greater awareness of the need to expand collections programs by promoting the benefits of recycling investments for businesses; and

**WHEREAS**, it is important that all Chatham Borough citizens become involved in recycling activities and learn more about the many recycled and recyclable products available to them as consumers; it is also fitting for Chatham Borough to celebrate America Recycles Day 2013 and take action by educating citizens about the recycling options available in our community;

I Mayor Bruce A. Harris, do hereby recognize November 16, 2013 as **America Recycles Day in Chatham Borough**.

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### **DISCUSSION ITEMS**

1. Master Plan Amendment- Ms. Blickstein
2. Time Limit Parking- Mr. Collander
3. Leak Detection- Mr. DeNave
4. Main Street Overhead Lighting- Mr. DeNave
5. Recycling- Mr. Serbanica/Mrs. Piccolo

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### **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.

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### **COUNCIL COMMITTEE REPORTS**

<b>Budget and Finance</b>	James Lonergan
<b>Public Works Planning</b>	John Holman
<b>Personnel</b>	Victoria Fife
<b>Public Safety &amp; Emergency Services</b>	James J. Collander
<b>Shared Services &amp; 3<sup>rd</sup> Party Agreements</b>	Victoria Fife
<b>Long Range Traffic &amp; Pedestrian Safety Planning</b>	James J. Collander
<b>Madison/Chatham Joint Meeting</b>	Gerald J. Helfrich

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### **MAYOR'S REPORT**

Mayor Bruce A. Harris

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**ADMINISTRATOR'S REPORT**

Robert J. Falzarano

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**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 #13-348 through Resolution #13-357 have been placed on the Consent Agenda.

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**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA**

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**APPOINTMENTS**

**RESOLUTION #13-348**

**RESOLUTION TO APPOINT RICHARD E. MORRISON III AS A NEW  
PROBATIONARY FIREFIGHTER FOR THE FIRE DEPARTMENT SPONSORED BY  
THE HOSE COMPANY**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Richard E. Morrison III be hereby appointed as a Probationary Firefighter for the Fire Department sponsored by the Hose Company.

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**RESOLUTION #13-349**

**RESOLUTION TO APPOINT TIMOTHY CAREY AS FIREFIGHTER AND REGULAR  
FULL MEMBER OF ENGINE COMPANY 2 FOR THE FIRE DEPARTMENT**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Timothy Carey be hereby appointed as a Firefighter and regular full member of Engine Company 2.

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**RESOLUTION #13-350**

**RESOLUTION TO APPOINT PETER GALLAGHER AS A CERT MEMBER AND AS A  
DEPUTY EMERGENCY MANAGEMENT COORDINATOR**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Peter Gallagher be appointed as a CERT Member and as a Deputy Emergency Management Coordinator with a term to expire on December 31, 2013.

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**FINANCE**

**RESOLUTION #13-351  
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.

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**RESOLUTION #13-352  
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF  
CHATHAM, COUNTY OF MORRIS, AUTHORIZING EXECUTION OF AGREEMENT  
WITH PARKMOBILE, USA, INC.**

**WHEREAS**, Parkmobile USA, Inc. is engaged in the business of providing integrated solutions for the management of all parking-related matters, including providing a system for the payment of street parking by mobile telephone; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Chatham believe that such mobile parking services will improve customer convenience and is in the best interest of the Borough and therefore wish to enter into agreement with Parkmobile to provide said services; and

**WHEREAS**, this contract is awarded through the Non-Fair and Open Process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the Borough Chief Financial Officer has certified that there are sufficient funds available for this project in account #C-04-55-913-501.

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

1. The Mayor and Borough Clerk are hereby authorized to execute an agreement with Parkmobile USA, Inc. for mobile parking services consistent with the terms and conditions of this Resolution and in a form satisfactory to the Borough Attorney.

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

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**RESOLUTION #13-353  
RESOLUTION TO REFUND RECREATION FEES**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the following be refunded recreation fees:

<u>Last Name</u>	<u>Amount</u>	<u>Account</u>	<u>Activity</u>	<u>Reason</u>
Blanc, Chloe	\$25.00	851-401	Basketball	Did not hold tryout
Bedell, Emma	\$25.00	851-401	Basketball	Did not hold tryout
Mahon, Stephanie	\$25.00	851-401	Basketball	Did not hold tryout
Rubacky, Grace	\$25.00	851-401	Basketball	Did not hold tryout
Archer, Emily	\$25.00	851-401	Basketball	Did not hold tryout
Davies, Camryn	\$25.00	851-401	Basketball	Did not hold tryout
Mudrick, Madeline	\$25.00	851-401	Basketball	Did not hold tryout
Kelly, Veronica	\$25.00	851-401	Basketball	Did not hold tryout
White, Teresa	\$130.00	851-404	Soccer	Did not hold 7/8 league
Healy, Catherine	\$130.00	851-404	Soccer	Did not hold 7/8 league
Chin, Waverly	\$130.00	851-404	Soccer	Did not hold 7/8 league
Glenn, Patricia	\$130.00	851-404	Soccer	Did not hold 7/8 league
Small, Evan	\$130.00	851-404	Soccer	Did not hold 7/8 league
Healy, Liam	\$130.00	851-404	Soccer	Did not hold 7/8 league
Swift, John	\$130.00	851-404	Soccer	Did not hold 7/8 league
Maiolo, Gabriel	\$130.00	851-404	Soccer	Did not hold 7/8 league
High, Clair	\$ 65.00	851-404	Soccer	Grade ineligible
Burke, Lauren	\$130.00	851-404	Soccer	Program Change
Williams, Mary	\$ 75.00	851-414	Volleyball	Medical

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**RESOLUTION #13-354**

**RESOLUTION TO RETURN THE CASH BOND TO JAMES KANELLAKOS, FOR  
WORK COMPLETED AT 58 CHATHAM STREET**

**WHEREAS**, Mr. Kanellakos submitted to the Borough of Chatham a Cash Bond in the amount of \$7,000.00;  
and

**WHEREAS**, Mr. Kanellakos has submitted a request to the Chatham Borough Engineer to release the Cash Bond; and

**WHEREAS**, the Chatham Borough Engineer has reviewed the request from Mr. Walsh and determined that Mr. Kanellakos has complied with the conditions set forth by the Chatham Borough Engineer in his letter dated April 5, 2013.

**BE IT RESOLVED**, by the Chatham Borough Council that the Cash Bond in the amount of \$7,000.00 be released to Mr. Kanellakos by escrow check

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**MISCELLANEOUS**



**RESOLUTION #13-355**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, AUTHORIZING FINE ARTS AND CRAFTS FAIR**

**WHEREAS**, the Chatham Area Artisan Guild (CAAG) have requested permission to host an annual Fine Arts and Crafts Fair on the south side of the Chatham train station parking lot on Sunday, September 14, 2014 in order to raise awareness for its individual member artists and their businesses and to reach out to Chatham area residents with art education and exhibits; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Chatham wish to authorize the use of the Chatham train station parking lot for the CAAG Fine Arts and Crafts Fair; and

**WHEREAS**, all or a portion of the Chatham train station parking lot will be closed from 6:00 am through 7:00 pm on September 14, 2014 to accommodate the CAAG Fine Arts and Crafts Fair.

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

1. The Mayor and Borough Council of the Borough of Chatham hereby authorize the use of the Chatham train station parking lot for the CAAG Fine Arts and Crafts Fair, recognizing that decisions will have to consider the needs of a possible train station restaurant to provide parking spaces for customers.
2. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.
3. The Chatham Area Artisan's Guild must submit a certificate of insurance with the Borough as an added insured party with a minimum coverage of \$1,000,000.
4. Police services will be paid by the Chatham Area Artisan's Guild.

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**RESOLUTION #13-356**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, AUTHORIZING EXECUTION OF AGREEMENT WITH THE SPYGLASS GROUP, LLC**

**WHEREAS**, the Borough of Chatham has a need to audit the Borough's telecommunication service accounts; and

**WHEREAS**, the SpyGlass Group , LLC has the expertise to perform such audit and consultation services to the Borough; and

**WHEREAS**, said services have the potential to save the Borough money with the elimination of unused lines and renegotiated telephone contracts; and

**WHEREAS**, because the anticipated value of this contract is less than the Borough's bid threshold, the contract is not subject to competitive bidding; and

**WHEREAS**, considering the unique nature of the services, it is not practical to obtain quotations for said services; and

**WHEREAS**, because the anticipated value of this contract is less than \$17,500, the contract is not subject to pay-to-play regulations.

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

1. The Mayor and Borough Clerk are hereby authorized to execute an agreement with the Spyglass Group, LLC for audit services for the Borough's telecommunication service accounts in accordance with the terms and conditions of this Resolution and in a form satisfactory to the Borough Attorney.

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

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**RESOLUTION #13-357**

**RESOLUTION TO AUTHORIZE THE ROTARY CLUB TO PLACE SIGNS FOR THE SALE OF CHRISTMAS LUMINARIES AT RAILROAD PLAZA SOUTH ON SOUTHWEST CORNER FACING EAST/WEST AND THE NORTHSIDE AT ROTARY PARK FACING FAIRMOUNT AVENUE**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Rotary Club be authorized to place signs for the sale of Christmas luminaries at Railroad Plaza South on southwest corner facing East/West and the north side at Rotary Park facing Fairmount Avenue.

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**CONSENT AGENDA VOTE:**

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent Agenda. Resolutions #13-348 through #13-357

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

Seconded by: \_\_\_\_\_

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**FIRST READING ORDINANCE PROCEDURE**

- (1) Mayor Harris asks **Council Member Fife** to introduce Ordinance #13-20
- (2) **Council Member Fife** introduces Ordinance #13-20 by title as follows:

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL  
OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS AMENDING CHAPTER  
6 OF THE BOROUGH CODE ENTITLED "COURT"**

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

**Council Member Fife** reads:

**WHEREAS**, the above Ordinance was introduced, read by title at this Council meeting held on October 28, 2013.

**BE IT RESOLVED**, that at the Council meeting to be held on November 11, 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						
Loneragan						
Holman						
Fife						
Helfrich						

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**RESOLUTION #13-358  
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:

- CONTRACTS: 1. Recycling- Mr. Lott  
2. Edgewood Road Land Sale- Mr. DeNave  
3. Construction Office Shared Services- Mrs. Fife

LITIGATION: 1. Tricare- Mr. Lott/Mr. Falzarano  
2. Utility Billing- Mr. DeNave

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.

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