

Regular Council Meeting Minutes
June 10, 2013

REGULAR COUNCIL MEETING
June 10, 2013 7:30 p.m.

The Regular Council Meeting of the Borough of Chatham was held on Monday June 10, 2013 beginning at 7:30 p.m. in the Council Chambers, in the Municipal Building.

The meeting was called to order at 7:30 p.m.; Mayor Bruce A. Harris presiding.

The Borough Council saluted the flag.

Mayor Harris asked for a moment of silence for those people who have given their life for this country and for Nicolina Balsamo who passed last week.

Susan Caljean, Municipal Clerk read the statement regarding 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, and Chatham Courier, the Chatham Patch, and Alternative Press and filed with the Borough Clerk, all on January 4, 2013.

On a call of the roll the following officials were 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

Mayor Harris read the following award.

BOROUGH OF CHATHAM, NEW JERSEY
2013
COMMUNITY VOLUNTEER AWARD AND COMMENDATION
KENNETH CHMURA

WHEREAS, KENNETH CHMURA has volunteered and worked as a volunteer above and beyond the usual dedication of Borough volunteers; and

WHEREAS, KENNETH CHMURA has served as a volunteer camera operator, ensuring that Borough Council meetings are broadcast, for over two years; and

WHEREAS, KENNETH CHMURA has been an extremely reliable volunteer, and has helped to ensure that meetings are broadcast; and

WHEREAS, KENNETH CHMURA's efforts contribute to Chatham Borough maintaining an open government and make it unnecessary for interested persons to attend Council meetings in order to be informed about what is going on in their community; and

NOW, THEREFORE, I, Bruce A. Harris, Mayor of the Borough of Chatham, on behalf of myself and the Chatham Borough Council, do hereby commend KENNETH CHMURA for his extraordinary achievement and devotion as a volunteer and make this award and commendation.

Mayor Harris presented Kenneth Chmura with a framed copy of the award.

FLAG AWARD PRESENTATION

Coleen Foley, Chair of the Historical Preservation Commission presented David and Alida Kass of 37 Elmwood Avenue with the Historical Preservation Commission's Flag Award.

RESOLUTION #13-223 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 28, 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, April 8 & 22, 2013

Executive Sessions, May 13 & 28, 2013

Council President Holman moved Resolution #13-223, seconded by Council Member Helfrich. A vote was taken and it was approved unanimously.

DISCUSSION ITEMS

Sidewalk Ordinances- Mr. Collander explained the changes made to the Ordinance. The Council Members discussed the Ordinance. Mr. Lott will submit amendments to the Ordinance.

Project Pride- Chief Crosson gave an overview of Project Community Pride. Bridget Kelly, Director of Project Community Pride explained the services available to residents. They help children and their families. Chief Crosson stated there were 34 referrals last year; 19 from Chatham Borough and 15 from the School District. The service is a shared service between Chatham Borough, Madison and Florham Park.

Recreation Football- Mr. Lonergan stated the football program will be moved into a club; which will include flag, tackle football and cheerleading.

Joint Recreation Fields- Mr. LeMon gave a presentation explaining the responsibilities of the Chatham Joint Recreation Advisory Committee. The student population has grown by 39% from 2,955 students in 2001 to 4,109 students in 2013. We have 14 field complexes shared by the Borough, Township and the School District. Because of the growth in students there is more demand for coaches and fields. There was discussion on options to alleviate the field shortage.

Washington Avenue/Chatham Street-Traffic Signal Replacement- Mr. DeNave stated the pole holding the light fell and destroyed the light. Mr. DeNave stated it will cost between \$20,000.00 and \$30,000.00 to replace.

Community Gardens- Mr. DeNave and Mr. Falzarano met with the Township Administrator about the Community Gardens at Woodland Park. Mr. Ciccarone did not think the Township would contribute monetarily to the garden.

St. Patrick's Car Wash Sign- Mr. DeNave stated St. Patrick's School would like permission to put a sign up in Reasoner Park to advertise their car wash which will be held on June 15th.

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.

Mayor Harris opened the meeting to the public.

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Bill Heap of 108 Hillside Avenue thanked the Council, Chatham Emergency Squad and Police Department for a successful Fishawack race. There were approximately 750 runners. The male winner was Joshua Baker; the female winner Michele Quinlan. The Jaycee's Distinguished Service Award Dinner will be held Wednesday night at Charlie Brown's from 7 p.m. to 9 p.m. Marty Secheyhay from the Emergency Squad will receive the Distinguished Service Award; the public is invited.

Dick Plambeck thanked the Jaycees for their donation to the Environmental Commission. Mr. Plambeck stated Chatham Township and Chatham Borough should have the responsibility for maintaining Woodland Park.

Mayor Harris closed the meeting to the public.

SECOND READING ORDINANCE PROCEDURE

Mayor Harris asked Council Member Lonergan to proceed with Ordinance #13-12.

Council Member Lonergan read Ordinance #13-12 entitled:

**ORDINANCE #13-12
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND
TRANSFERRING SECTION 165-45 OF THE BOROUGH CODE, ENTITLED
AFFORDABLE HOUSING REQUIREMENTS FOR INCLUSIONARY
DEVELOPMENTS, AND ADOPTING NEW CHAPTER 69 ENTITLED AFFORDABLE
HOUSING**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 28, 2013.

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

The Clerk stated a legal notice was published indicating that Ordinance #13-12 was introduced and passed on first reading at the May 28, 2013 meeting and indicating that the second reading and public hearing would be held at 7:30 p.m. on June 10, 2013 for consideration of final adoption. Copies were made available to the general public and posted in accordance with the law.

Mayor Harris stated the meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

No public comment.

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Mayor Harris closed the meeting to the public.

Council Member Loneragan offered the following Ordinance and moved its adoption.

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

Council Member Helfrich seconded the motion.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			x			
Loneragan	x		x			
Holman			x			
Fife			x			
Helfrich		x	x			

Mayor Harris declared this Ordinance adopted and finally passed. And requested the Clerk to publish the proper notice of this adoption in the newspaper and to record the Ordinance in the proper places.

SECOND READING ORDINANCE PROCEDURE

Mayor Harris asked Council Member Collander to proceed with Ordinance #13-13

Council Member Collander read Ordinance #13-13 entitled:

ORDINANCE #13-13
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY TO INCREASE THE
MAXIMUM PARKING TIME ALONG MAIN STREET IN THE BOROUGH OF
CHATHAM

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 28, 2013.

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

The Clerk stated a legal notice was published indicating that Ordinance #13-13 was introduced and passed on first reading at the May 28, 2013 meeting and indicating that the second reading and public hearing would be held at 7:30 p.m. on June 10, 2013 for consideration of final

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adoption. Copies were made available to the general public and posted in accordance with the law.

Mayor Harris stated the meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

No public comment.

Mayor Harris closed the meeting to the public.

Council Member Collander offered the following Ordinance and moved its adoption.

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

Council Member Lonergan seconded the motion.

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

Mayor Harris declared this Ordinance adopted and finally passed. And requested the Clerk to publish the proper notice of this adoption in the newspaper and to record the Ordinance in the proper places.

SECOND READING ORDINANCE PROCEDURE

Mayor Harris asked Council Member Collander to proceed with Ordinance #13-14

Council Member Collander read Ordinance #13-14 entitled:

ORDINANCE #13-14
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AREAS
DESIGNATED AS FIRE ZONES

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 28, 2013.

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

The Clerk stated a legal notice was published indicating that Ordinance #13-14 was introduced and passed on first reading at the May 28, 2013 meeting and indicating that the second reading and public hearing would be held at 7:30 p.m. on June 10, 2013 for consideration of final adoption. Copies were made available to the general public and posted in accordance with the law.

Mayor Harris stated the meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

No public comment.

Mayor Harris closed the meeting to the public.

Council Member Collander offered the following Ordinance and moved its adoption.

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

Council Member Fife seconded the motion.

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

Mayor Harris declared this Ordinance adopted and finally passed. And requested the Clerk to publish the proper notice of this adoption in the newspaper and to record the Ordinance in the proper places.

SECOND READING ORDINANCE PROCEDURE

Mayor Harris asked Council Member Lonergan to proceed with Ordinance #13-15

ORDINANCE #13-15
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING

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AMENDMENTS TO CHAPTER 129 ARTICLE II, ENTITLED FEES, OF THE BOROUGH CODE

Council Member Lonergan moved to carry Ordinance #13-15 to the next meeting. Seconded by Council President Holman. A vote was taken and approved unanimously.

COUNCIL COMMITTEE REPORTS

Budget and Finance

James Lonergan had nothing new to report.

Public Works Planning

John Holman had nothing new to report.

Personnel

James J. Collander reported the interviews for the Police Officers and the Parking Officer have been completed. The Council will discuss the candidates at the June 24th meeting. The two Police Officers and the Parking Officer will be appointed at the July 8th Council Meeting.

Public Safety & Emergency Services

James J. Collander had nothing new to report.

Shared Services & 3rd Party Agreements

Victoria Fife had nothing new to report.

Long Range Traffic & Pedestrian Safety Planning

James J. Collander had nothing new to report.

Madison/Chatham Joint Meeting

Gerald J. Helfrich stated they continue to review their capital project plans and finances.

MAYOR'S REPORT

Mayor Bruce A. Harris stated Fishawack was great and he thanked Chris Tomaino and the Chamber of Commerce. Mayor Harris gave volunteer recognition awards at Fishawack to Peter Hoffman, John Dey, Ken Chmura, Mary Goodbread, Sarah Lowe and Andrew Dinnhaupt. Volunteer of the Year Awards were given to Tony Britt and Lisa DeRosa. Mayor Harris attended the Girl Scouts Gold Award Ceremony Sunday night when awards were given to Joanna Miller, Raleigh Heap, Madeline Rea, Lexi Evans, Allison Kurlak and Morgan Sullivan.

ADMINISTRATOR'S REPORT

Robert J. Falzarano reported the Borough submitted its Sandy Storm expenses to FEMA for a total of \$291,969.00 FEMA is expected to reimburse the Borough 75% approximately \$218,000.00. The transition to Cloud for Borough e-mail will be done on the July 4th weekend. Mr. Falzarano will have a report on the transition at the June 24th meeting. The Emergency Management Booklet has been returned to the printer for another proof. It will be circulated to the Council for review.

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 #13-224 through Resolution #13-236 have been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

None

APPOINTMENTS

RESOLUTION #13-224

RESOLUTION TO APPOINT KATHLEEN MURPHY TO THE ENVIRONMENTAL COMMISSION AS A 1ST ALTERNATE WITH A TERM TO EXPIRE ON DECEMBER 31, 2014

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Kathleen Murphy be hereby appointed to the Environmental Commission as 1st alternate with a term to expire on December 31, 2014.

RESOLUTION #13-225

RESOLUTION TO APPOINT THOMAS BOYLE TO THE SHADE TREE COMMISSION AS A REGULAR MEMBER WITH A TERM TO EXPIRE ON DECEMBER 31, 2017

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Thomas Boyle be hereby appointed to the Shade Commission as regular member with a term to expire on December 31, 2017.

FINANCE

**RESOLUTION #13-226
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.

RECREATION

**RESOLUTION 13-227
RESOLUTION TO AUTHORIZE THE TRANSFER OF PROGRAM PLANNING,
SUPERVISION AND MANAGEMENT FOR FOOTBALL AND CHEERLEADING
ACTIVITIES FROM THE JOINT CHATHAM RECREATION DEPARTMENT TO THE
CHATHAM FOOTBALL CLUB, INC.**

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

WHEREAS, flag football, tackle football, and cheerleading have been for many years sports activities sponsored by the Joint Chatham Recreation Program; and

WHEREAS, flag football, tackle football and cheerleading have become very popular sports with growing participation; and

WHEREAS, to address the growing interest and participation in football and cheerleading activities, the football and cheerleading memberships have decided to form the Chatham Football Club, Inc.; and

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

WHEREAS, to facilitate a smooth transition, Chatham Borough and Chatham Township agree to allow the Chatham Football Club, Inc. the use of all football equipment and supplies that are in stock as of September 1, 2013; and

WHEREAS, when the equipment and supplies in stock as of September 1, 2013 are depleted and must be replaced, it shall be the responsibility of the Chatham Football Club, Inc. to

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replace all equipment and supplies at no cost to the Joint Chatham Recreation Department or the Joint Recreation Trust Fund; 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 Township Committee and 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 Borough of Chatham and the Township of Chatham agree to authorize, at no cost, the use of municipal-owned recreation storage buildings for the storage of football and cheerleading equipment and supplies; and

WHEREAS, the Chatham Football Club, Inc. has agreed to and shall obtain and pay for insurance policy premiums that cover football players, cheerleaders, 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. will be responsible for the purchase and issue of uniforms and equipment; and

WHEREAS, the Chatham Football Club, Inc. recognizes that the philosophy of the Joint Chatham Recreation Program is participative not competitive, but reserves the right to change the current model with Joint Chatham Recreation Program agreement; and

WHEREAS, the Chatham Football Club, Inc. has agreed to continue the football and cheerleading programs in the spirit of the Joint Chatham Recreation philosophy; and

WHEREAS, the Chatham Football Club, Inc. shall monitor fees to ensure they are commensurate with costs and that those who cannot afford club fees are given scholarships by the Chatham Football Club, Inc.; and

WHEREAS, the Chatham Football Club, Inc. agrees to ensure that tryouts are conducted in a fair manner; 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 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. shall attend and participate in meetings of the Joint Chatham Recreation Advisory Committee.

BE IT RESOLVED, by the Chatham Borough Council, that the transfer of the supervision and management of the Joint Chatham Recreation football and cheerleading programs to the Chatham Football Club, Inc. is approved; and

BE IT FURTHER RESOLVED, that the Joint Chatham Recreation Director shall prepare an inventory of the football and cheerleading equipment and supplies currently in stock; and

BE IT FURTHER RESOLVED, that the Joint Chatham Recreation Director will update the football equipment and supplies inventory list until such time as the inventory dated September 1, 2013 has been exhausted; and

BE IT FURTHER RESOLVED, 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 programs specified herein shall be returned to the Joint Chatham Recreation Department; and

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

RESOLUTION #13-228
RESOLUTION TO ADOPT PARTICIPATION FEE RANGES FOR THE 2013 FALL
SOCCER SEASON

WHEREAS, on May 28, 2013, the Borough Council approved resolution 13-217 authorizing the Fall 2013 Chatham Joint Recreation program; and

WHEREAS, the Joint Recreation Director and Deputy Director have discussed with the Chatham Borough and Chatham Township Recreation liaisons the participation fee schedule; and

WHEREAS, the participation fee schedule will cover the associated costs.

BE IT RESOLVED, by the Mayor and Borough Council that the 2013 Fall season soccer participation fees shall be as follows:

1. Kindergartners - \$65.00
2. 1st and 2nd graders - \$95.00
3. 3rd thru 8th graders - \$130.00

CONTRACTS

RESOLUTION #13-229

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, AUTHORIZING SETTLEMENT

WHEREAS, Metric Parking, Metric Group Inc., ("Metric Parking") provides parking meters and services to the Borough of Chatham; and

WHEREAS, Metric Parking has confirmed that an incorrect Credit Call TID was programmed into a Borough parking meter resulting in transactions totaling \$38,710.00 mistakenly credited to Lancaster Parking Authority, another Metric Parking customer; and

WHEREAS, the Lancaster Parking Authority has agreed to reimburse the Borough for the 2013 transactions mistakenly credited to it in an amount totaling \$13,366.73; and

WHEREAS, Metric Parking has agreed to reimburse the remaining balance owed to the Borough in the form of three (3) new elite multi-space parking meters with two (2) year warranty and the upgrade of two (2) existing Aura Phase 2 Meters with CDMA modems, all in accordance with Metric Parking's May 6, 2013 letter to Chief Financial Officer Mariniello, which letter is attached hereto and made a part hereof this Resolution; and

WHEREAS, the Borough desires to accept payment as set forth above in the form of in-kind equipment and services from Metric Parking valued at \$32,820.00 as full and final satisfaction and release of all Borough's claims against Metric Parking arising from or relating to this matter; and

WHEREAS, the Borough desires to accept payment in the amount of \$13,366.73 as partial satisfaction and release of its claim against the Lancaster Parking Authority arising from or relating to this matter.

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 execution of a Settlement Agreement with Metric Parking in accordance with the terms and conditions of this Resolution and the form of which shall be acceptable to the Borough Attorney.
2. The Mayor and Borough Council of the Borough of Chatham hereby authorize the execution of a Settlement Agreement with Lancaster Parking Authority in accordance with the terms and conditions of this Resolution and the form of which shall be acceptable to the Borough Attorney.
3. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

RESOLUTION #13-230
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, DECLINING FEDERAL FUNDING

WHEREAS, the Borough of Chatham received federal funding from the Department of Transportation's Safe Routes to Schools Program for its Traffic Calming and Pedestrian Safety Improvements Project in the amount of \$100,000.00; and

WHEREAS, the Borough also received funding from the New Jersey Department of Transportation for the Project; and

WHEREAS, because the Borough cannot accept duplicate funding for the Project and considering the increased administrative burden associated with accepting federal funding, the Mayor and Borough Council have elected to decline the federal funding for the Project.

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 respectfully decline federal funding from the Department of Transportation's Safe Routes to Schools Program for the Traffic Calming and Pedestrian Safety Improvements Project.
2. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

PERSONNEL

**RESOLUTION #13-231
RESOLUTION TO ACCEPT A LETTER OF RESIGNATION FROM EDISON CAMPO
OF THE DEPARTMENT OF PUBLIC WORKS WITH AN EFFECTIVE DATE OF
JULY 1, 2013**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham hereby accepts a letter of resignation from Edison Campo of the Department of Public Works effective July 1, 2013.

EVENTS

**RESOLUTION #13-232
RESOLUTION TO PERMIT THE HOLY NIGHT SOCIETY TO INSTALL AND
DISPLAY NATIVITY SCENE AT THE GAZEBO POCKET PARK**

WHEREAS, the Borough of Chatham governing body has completed its due diligence regarding the subject matter of the request by the Holy Night Society, an unaffiliated local taxpayer organization, to install and display a Nativity Scene at the Gazebo pocket park.

BE IT RESOLVED, by the Mayor and Council:

A. The Holy Night Society shall be permitted to install and display a Nativity Scene as part of the Chatham Borough Holiday Display at the Gazebo Pocket Park at its own expense; and

B. The Chatham Borough Department of Public Works shall assist The Holy Night Society with necessary electrical utility connections and with other reasonable place and manner restrictions; and

C. The Holy Night Society shall be responsible for the Nativity Scene installation and removal and shall hold Chatham Borough harmless and indemnify the Borough for any property loss or property damage to the Nativity Scene; and

D. The Holy Night Society may display the Nativity Scene at the Gazebo Pocket Park from as early as Thursday, November 28, 2013 to as late as Monday, January 6, 2014; and

E. The governing body grants this permit to The Holy Night Society in reliance on its representation that the Nativity Scene to be installed and displayed consists of the following:

An eight foot square scene which includes: 1) a manger; 2) Mary; 3) Joseph 4) the baby Jesus in a crib and 5) a star. Each figure will be life size fitting into the eight foot square scene. The star will be placed on top of the manger increasing its height by approximately two feet; and

F. The governing body grants this permit to The Holy Night Society in reliance on its representation that it will post a sign clearly identifying The Holy Night Society as the sponsor of the Nativity Scene and that the Nativity Scene is not supported or sponsored by any government entity or official; and

G. The name and address of the responsible person for The Holy Night Society is:

Mary McNiff
53 Lincoln Avenue
Chatham, New Jersey 07928

RESOLUTION #13-233
RESOLUTION TO PERMIT CHABAD TO INSTALL AND DISPLAY MENORAH AT
THE GAZEBO POCKET PARK

WHEREAS, the Borough of Chatham governing body has completed its due diligence regarding the subject matter of the request by Chabad to install and display a Menorah at the Gazebo pocket park;

BE IT RESOLVED, as follows:

A. Chabad of Southeast Morris County shall be permitted to install and display a Menorah as part of the Chatham Borough Holiday Display at the Gazebo Pocket Park at its own expense; and

B. The Chatham Borough Department of Public Works shall assist Chabad with necessary electrical utility connections and with other reasonable place and manner restrictions; and

C. Chabad shall be responsible for the Menorah installation and removal and shall hold Chatham Borough harmless and indemnify the Borough for any property loss or property damage to the Menorah; and

D. Chabad may display the Menorah at the Gazebo Pocket Park from as early as Thursday, November 28, 2013 to as late as Monday, December 16, 2013; and

E. The governing body grants this permit to Chabad in reliance on its representation that the Menorah to be installed and displayed is approximately six feet tall and five feet wide; and

F. The governing body grants this permit to Chabad in reliance on its representation that it will post a sign clearly identifying Chabad as the sponsor of the Menorah and that the Menorah is not supported or sponsored by any government entity or official.

RESOLUTION #13-234

RESOLUTION TO AMEND RESOLUTION #13-215 FOR ST. PAT'S 5K RUN BY THE BOROUGH COUNCIL, OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE CHIEF OF POLICE TO CLOSE CERTAIN DESIGNATED ROADS AND TO CONTROL AND REGULATE TRAFFIC CONDITIONS CONSEQUENT THERETO FOR THE 2013 ST. PATRICK'S COMMUNITY 5K RUN

WHEREAS, the 2013 St. Patrick's Community 5K Run is scheduled for October 20, 2013; and

WHEREAS, the Chief of Police has reviewed the traffic conditions created by the committee and has recommended to the Borough Administrator that certain designated roads be closed in order to facilitate the public activity created by the 2013 St. Patrick's Community 5K Run and to control and regulate traffic conditions consequent thereto.

BE IT RESOLVED by the Borough Council of the Borough of Chatham, County of Morris and State of New Jersey, authorizing the Chief of Police to close the following roads from 9:00 a.m. to 12:00 noon on October 20, 2013 to facilitate the public activity created by the 2013 St. Patrick's Community 5K Run:

1. Washington Avenue (from Main Street to Greenwood Avenue);
2. Chatham Street (from Fairmount Avenue to Lincoln Avenue);
3. Walnut Street
4. Cherry Lane
5. Lincoln Avenue (from Chatham Street to Walnut Street);
6. Oliver Street (from St. Pat's Parking Lot to Washington Avenue);
7. Orchard Road;
8. Inwood Road;
9. Oak Drive (from Washington Avenue to Lafayette Avenue);
10. Chandler Road;
11. Fairview Avenue (from Washington Avenue to Highland Avenue);
12. Highland Avenue (from Fairview Avenue to Greenwood Avenue);
13. Greenwood Avenue;
14. Lum Avenue (from Chatham Street to Front Street);
15. Front Street

BE IT FURTHER RESOLVED, that the Chief of Police is further authorized to undertake such traffic measures to control and regulate traffic conditions created consequent to the closure of the aforementioned roads.

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RESOLUTION #13-235

**RESOLUTION TO AUTHORIZE SAINT PATRICK'S SCHOOL TO PLACE SIGN AT
REASONER PARK**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Saint Patrick's School is hereby authorized to place one sign at Reasoner Park from Tuesday, June 11 through June 17, 2013.

LICENSE RENEWALS

RESOLUTION #13-236

**RESOLUTION TO RENEW ALCOHOLIC BEVERAGE LICENSES FOR THE YEAR
JULY 1, 2013 THROUGH JUNE 30, 2014**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Municipal Clerk is hereby authorized and directed to issue renewals of the following Alcoholic Beverage Licenses for the year July 1, 2013 through June 30, 2014; and

BE IT FURTHER RESOLVED, that said licenses will become effective subject to any and all conditions imposed, where applicable, on certain licenses.

PLENARY RETAIL CONSUMPTION LICENSE

Charleys Aunt Inc. #1404-33-008-001

BORO/STATE FEE

\$2,300.00/\$200.00

PLENARY RETAIL DISTRIBUTION LICENSE

OMGS LLC (Cottage Deli) #1404-44-001-006

BORO/STATE FEE

\$1,600.00/\$200.00

CONSENT AGENDA VOTE:

Mayor Harris asked Council Member Fife to proceed with the Resolutions listed on the Consent Agenda. Resolution #13-224 through Resolution #13-236.

Council Member Fife moved to allow the Resolutions on this evening's Agenda to be approved by consent of the Council.

Seconded by Council Member Collander, a vote was taken and the Resolutions on the Consent Agenda were approved unanimously.

RESOLUTION #13-237
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. Joint Court Agreement- Mrs. Fife
2. Recycling Contract Bid- Mr. Lott
3. JIF Proposal- Mr. Lott
4. Train Station License- Mr. Harris

LITIGATION: 1. Coneqtec Planner- Mr. Lott

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.

Council Member Helfrich moved Resolution #13-237, seconded by Council Member Lonergan. A vote was taken and it was approved unanimously.

Adjourn 9:35 p.m.

Respectfully Submitted:

Susan Caljean, RMC, CMC