

Regular Council Meeting Minutes  
July 8, 2013

**REGULAR COUNCIL MEETING**  
**July 8, 2013 7:30 p.m.**

The Regular Council Meeting of the Borough of Chatham was held on Monday July 8, 2013 beginning at 7:30 p.m. in the Council Chambers, in the Municipal Building.

The meeting was called to order at 7:32 p.m.; Mayor Bruce A. Harris presiding.

The Mayor and Borough Council saluted the flag.

Mayor Harris asked for a moment of silence for those people who have given their life for this country.

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

**RESOLUTION #13-258**  
**RESOLUTION TO EMPLOY MATTHEW GREGORY BELCASTRO AS A**  
**PROBATIONARY POLICE OFFICER FOR THE BOROUGH OF CHATHAM POLICE**  
**DEPARTMENT**

**WHEREAS**, the Chief of Police has recommended that Matthew Gregory Belcastro be employed as Probationary Police Officer for the Borough of Chatham Police Department, at a salary of \$47,940.00 effective July 8, 2013.

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**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it directs the Chief of Police to employ Matthew Gregory Belcastro as a Probationary Officer of the Borough of Chatham Police Department, at a salary of \$47,940.00 effective July 8, 2013; and

**BE IT RESOLVED**, that the Chief of Police is authorized to undertake and execute such employment documents as are necessary to implement this resolution.

Council Member Collander moved to approve Resolution #13-258, seconded by Council Member Fife. A vote was taken and Resolution #13-258 was approved unanimously.

Chief Crosson reviewed Matthew Belcastro's qualifications as a Police Officer.

### **OATH OF ALLEGIANCE**

Municipal Clerk, Susan Caljean, administered the Oath of Allegiance to Matthew Gregory Belcastro.

### **RESOLUTION #13-259 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, June 24, 2013

Council Member Helfrich moved to approve Resolution #13-259, seconded by Council President Holman. A vote was taken and Resolution #13-259 was approved unanimously.

### **RESOLUTION #13-260 RESOLUTION TO RECESS INTO CLOSED SESSION**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it recess into Closed Session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

PERSONNEL: 1. Appointment of Parking Enforcement Officer- Chief Crosson

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-

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client privilege. The Mayor and Borough Council will return to public session after the conclusion of closed session.

Council Member Fife moved to approve Resolution #13-260, seconded by Council Member Collander. A vote was taken and Resolution #13-260 was approved unanimously.

7:40 p.m. recess into closed session

7:53 p.m. reconvene

## **DISCUSSION ITEMS**

Removal of Pine Trees in Front of Borough Hall- Mrs. Fife explained the reasons that the pine trees which are in front of Borough Hall should be removed. The trees are very close to the building and they shed needles and pine cones. They also damage the screens. The DPW will remove the trees.

Hazmat Ordinance /Assessment Charges- Mr. Lott explained that the Borough does not have an ordinance concerning hazardous waste spills on Borough property or in Borough right of ways. The ordinance would allow the Borough to recover the mitigation and cleanup costs.

Mutual Aid- Mr. Lott explained the ordinance is just routine updates to agreements for Police emergency and nonemergency mutual aid.

Community Garden Update- Mr. Falzarano reported that Mr. Ciccarone, Chatham Township Administrator stated the Township Committee would not object to moving the garden to Woodland Park. The Township would like to agree on the rules of governance. Mr. Falzarano will meet with representatives from the Community Garden Advisory Committee to see what rules they would be willing to change.

## **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.

Joe Marts of 14 Coleman Avenue, West had concerns about the sidewalk ordinance.

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Mayor Harris explained.

Mayor Harris closed the meeting to the public.

## **SECOND READING ORDINANCE PROCEDURE**

Mayor Harris asked Council Member Collander to proceed with Ordinance #13-16

Council Member Collander read Ordinance #13-16 entitled:

**ORDINANCE #13-16**  
**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF**  
**CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING NEW**  
**CHAPTER 221 OF THE BOROUGH CODE ENTITLED "SIDEWALKS"**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on June 24, 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 #13-16 was introduced and passed on first reading at the June 24, 2013 meeting and indicating that the second reading and public hearing would be held at 7:30 p.m. on July 8, 2013 for consideration of final adoption. Copies were made available to the general public and posted in accordance with the law.

Mayor Harris opened the meeting to the public.

No public comment.

Mayor Harris closed the meeting to the public.

Council Member Collander offered the 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.

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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.

### **COUNCIL COMMITTEE REPORTS**

#### Budget and Finance

James Lonergan stated the 2014 budget process is kicking off. Each year it is getting easier because of things that were put in place a few years ago; they have been scheduled out four or five years. Bond issuance is going out now; the rate is 0%.

#### Public Works Planning

John Holman had nothing new to report.

#### Madison/Chatham Joint Meeting

John Holman reported that for the last nine months they have been working on a ten year plan for capital improvements. They will issue bonds that fit with Madison and Chatham's debt load. They will apply for funding with the New Jersey Environmental Infrastructure Trust; the cost will be between seven and eight million dollars.

#### Personnel

James J. Collander had nothing new to report.

#### Public Safety & Emergency Services

##### Long Range Traffic & Pedestrian Safety Planning

James J. Collander stated the Police Department is working with both Committees and implementing their recommendations. Once the new hires have been trained they will promote an officer into the Traffic Safety Officer position. The pedestrian light on Coleman Avenue and Main Street will be moved to the underpass on Fairmount Avenue.

#### Shared Services & 3<sup>rd</sup> Party Agreements

Victoria Fife had nothing new to report.

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Council Member Fife invited the public to attend the M-1 and M-3 districts information Open House on July 17<sup>th</sup> from 6 p.m. to 8 p.m.

Madison/Chatham Joint Meeting

Gerald J. Helfrich reported the day to day operations are just as important as the five and ten year plans.

**MAYOR'S REPORT**

Mayor Bruce A. Harris thanked the Fire Department for a spectacular 4<sup>th</sup> of July. The Police Force being there in their uniforms made the whole day special. The fireworks and parade were great. The Chamber of Commerce will not decorate the Holiday Tree at the Gazebo. The July 22<sup>nd</sup> Council meeting has been cancelled; the next Council meeting will be on August 12<sup>th</sup>.

**ADMINISTRATOR'S REPORT**

Robert J. Falzarano reported the transition to Cloud has been completed; it is working well. The second quarter Goals and Objectives were sent to the Council in the Friday package. The appeals heard by the Morris County Tax Board were almost all upheld in favor of the Borough. The reimbursement from FEMA has been increased from 75% to 90% which will be approximately \$49,000.00 increase. The 2014 budget process has been started; the Department Heads will be asked to submit their budgets before September 18<sup>th</sup>. The bond anticipation note sale is scheduled for July 24<sup>th</sup> which will include 2012 and 2013 capital projects. Three new parking meters are on order for the train station; and two meters are being upgraded.

**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 #13-261 through Resolution #13-274 have been placed on the Consent Agenda.

**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA**

None removed.

**APPOINTMENTS**

**RESOLUTION #13-261  
RESOLUTION TO APPOINT DAWN FERGUSON TO COMMUNITY GARDEN  
ADVISORY COMMITTEE**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Dawn Ferguson be appointed to the Community Garden Advisory Committee with a term to expire on December 31, 2013.

**FINANCE**

**RESOLUTION #13-262  
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 #13-263  
RESOLUTION TO REFUND REDEMPTION OF A TAX LIEN**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that a refund of a redemption of a tax lien be issued to the individuals listed below as follows:

<b>BLOCK/LOT</b>	<b>OWNERS &amp; PROPERTY ADDRESS</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
48/22	Estate of Van Valkenburg 124 N. Passaic Avenue	\$45,208.00 (\$35,708.00 + \$9,500.00 premium)	Redemption

**\*Make check payable to lien holder:**  
US Bank Cust for Phoenix  
2 Liberty Place-TLSG  
50 S. 16<sup>th</sup> Street, Suite 1950  
Philadelphia, PA 19102

**RESOLUTION #13-264  
RESOLUTION ATTESTING TO COMPLIANCE WITH LOCAL FINANCE BOARD  
REQUIREMENTS REGARDING THE ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

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**WHEREAS**, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Chatham as per requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

;and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certifications shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52A:27BB-52 to wit:

R.S. 52:27BB-52 “A Local Officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, and in



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addition shall forfeit his office.”

**BE IT RESOLVED**, that the governing body of the Borough of Chatham, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

### **MISCELLANEOUS**

#### **RESOLUTION #13-265**

#### **RESOLUTION TO AUTHORIZE THE PLACEMENT OF SIGNS ADVERTISING THE ARTS & CRAFTS FESTIVAL**

**WHEREAS**, on January 28, 2013, the Chatham Borough Council approved resolution 13-08 authorizing the September 15, 2013 Arts & Crafts festival at the Chatham Borough Train Station; and

**WHEREAS**, the Artisan Guild has submitted a request to post signs that advertise the date of Arts & Crafts Festival; and

**WHEREAS**, Bill Fagnant presented the signage plan to the Mayor and Borough Council at the June 24, 2013 Borough Council meeting; and

**WHEREAS**, the Mayor and Borough Council support the plan.

**BE IT RESOLVED**, by the Mayor and Borough Council that the signage design and the locations for display are hereby approved; and

**BE IT FURTHER RESOLVED**, that the signs are to be removed before September 17, 2013.

#### **RESOLUTION #13-266**

#### **RESOLUTION TO APPROVE THE INSTALLATION OF A DEER EXCLOSURE AT KELLEY’S POND**

**WHEREAS**, Brian Goldstein, an aspiring Eagle Scout, has submitted a plan to remove vegetative invasive species from a designated area that is near Kelley’s Pond; and

**WHEREAS**, to determine if the invasive species have been successfully eradicated, Brian has requested to install a deer enclosure; and

**WHEREAS**, this project was suggested by one of the open space consultants hired by the Environmental Commission.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the project is approved; and

**BE IT FURTHER RESOLVED**, before the project can commence, the final plan must be approved by the Borough Engineer and the Chatham Borough Environmental Commission; and

**BE IT FURTHER RESOLVED**, that Brian Goldstein will be responsible to obtain funding for the project, which may include financial assistance from the Environmental Commission.

**RESOLUTION #13-267**  
**RESOLUTION TO DESIGNATE THE ENVIRONMENTAL COMMISSION OF THE**  
**BOROUGH OF CHATHAM AS THE GREEN TEAM TO LEAD IN THE**  
**IMPLEMENTATION OF THE SUSTAINABLE JERSEY MUNICIPAL**  
**CERTIFICATION PROGRAM**

**WHEREAS**, the Mayor and Borough Council are vigilant about protecting the health, safety, and welfare of our residents through environmental stewardship; and

**WHEREAS**, Borough residents appreciate a program like the Sustainable Jersey municipal certification program, which provides a framework for success, with many options and the freedom to choose the options that work best for Chatham Borough; and

**WHEREAS**, Borough residents want an approach to environmental education that will equip the municipality with the skills necessary to manage the environmental impact inherent in all activities, and to adopt sustainable practices and behaviors; and

**WHEREAS**, the Borough of Chatham has participated in the Sustainable Jersey municipal certification program since 2009, through the Chatham Borough Green Initiatives Advisory Committee; and

**WHEREAS**, the Borough of Chatham achieved Sustainable Jersey bronze certification in 2010 and silver certification in 2012; and

**WHEREAS**, the Borough of Chatham received the Sustainable Jersey Champion Award, Medium-sized Municipality, in 2012, and shared the Sustainable Jersey Collaboration Award with Chatham Township in 2009; and

**WHEREAS**, the Environmental Commission of the Borough of Chatham was created by Ordinance in 1968 for the protection of all natural resources located in the Borough, including

open space preservation, water resource management, air pollution control, solid waste management, noise control, soil and landscape practices, environmental appearance, protection of flora and fauna, and the environmental impacts of proposed activities in and affecting Chatham Borough; and

**WHEREAS**, combining the efforts of the Green Initiatives Advisory Committee and the Environmental Commission provides the most efficient and effective coordination of sustainability-related activities and resources to benefit Chatham Borough.

**BE IT RESOLVED**, that the Mayor and Council of Chatham Borough hereby designate the Environmental Commission of the Borough of Chatham to serve as the “Green Team” to lead in the sustainable activities of the community and in coordinating the implementation of local initiatives and actions that will lead to maintaining and expanding Sustainable Jersey certification; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Chatham do hereby authorize the Environmental Commission of the Borough of Chatham to form subcommittees, as appropriate, to implement specific actions of the Sustainable Jersey municipal certification program. Members of the subcommittees may be selected from municipal staff and elected officials in a liaison capacity and from volunteer members of Chatham Borough commissions, boards, and committees, school representatives, and other community volunteers and representatives.

**RESOLUTION #13-268**  
**RESOLUTION TO AUTHORIZE THE SUBMISSION OF WALMART GRANTS FOR**  
**THE OPERATIONAL EXPANSION OF GREEN TEAM INITIATIVES AND**  
**CAPACITY BUILDING OF GREEN INITIATIVE PROGRAMS AND SPECIFIC**  
**GREEN IMPACT PROJECTS WITHIN CHATHAM BOROUGH**

**WHEREAS**, the Environmental Commission approved by resolution to serve as the lead agency for Chatham Borough’s Green Team initiatives; and

**WHEREAS**, Walmart offers grants and supplemental grants for the protection of natural resources, open space preservation, water resource management, air pollution control, solid waste management, noise control, soil and landscape practices, protection of flora and fauna and other environmental concerns; and

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**WHEREAS**, Chatham Borough achieved Sustainable Jersey Bronze and Silver certification; and

**WHEREAS**, the grant programs offered by Walmart qualify for Sustainable Jersey certification points.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that submission of applications for Walmart grants and supplemental grants are hereby authorized.

**RESOLUTION #13-269**

**RESOLUTION OF SUPPORT FROM THE MAYOR AND COUNCIL OF THE  
BOROUGH OF CHATHAM AUTHORIZING THE APPLICATIONS FOR TWO  
SUSTAINABLE JERSEY GRANTS: A \$20,000 PROJECT GRANT, TO INSTALL  
ELECTRIC CAR CHARGING STATIONS AT THE CHATHAM BOROUGH TRAIN  
STATION; AND A \$2,000 CAPACITY-BUILDING GRANT, TO ENHANCE  
SUSTAINABILITY ACTIVITIES IN THE BOROUGH OF CHATHAM**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Borough of Chatham strive to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, the Borough of Chatham is certified at the silver level in the Sustainable Jersey Program and received the 2012 Sustainable Jersey Champion Award for Medium-Sized Municipalities; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

**WHEREAS**, the Borough of Chatham seeks to be a leader in sustainability, for the benefit of all our residents; and

**WHEREAS**, the Borough of Chatham train station experiences the highest ridership on the New Jersey Transit Dover line; and

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**WHEREAS**, level 3 electric charging stations feature cutting-edge technology capable of charging electric cars in a very convenient 30 minute timeframe, making the use of electric cars more practical; and

**WHEREAS**, electric cars emit no tailpipe emissions, decrease carbon monoxide emissions by 96% and reduce volatile organic compounds by 83%; and

**WHEREAS**, the placement of level 3 electric car charging stations at the Chatham Borough train station will encourage more people to drive electric cars, thus decreasing carbon emissions; and

**WHEREAS**, the capacity-building grant will support valuable sustainability-related activities in the Borough of Chatham, including the anti-idling program, the Eco Film and Discussion Series of the Chathams, and the Direct Install outreach to local businesses.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham, State of New Jersey, do authorize the submission of the applications for the two aforementioned Sustainable Jersey Grants and any supplemental applications.

#### **RESOLUTION #13-270**

#### **RESOLUTION OF THE BOROUGH COUNCIL, OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN ACCESS PERMIT AGREEMENT FOR THE USE OF NEW JERSEY TRANSIT TRAIN STATION RESTROOMS FOR THE FARMERS MARKET**

**WHEREAS**, the Borough of Chatham desires to enter into an agreement with New Jersey Transit for the use of the Chatham Train Station restrooms in connection with conducting the Farmers Market; and

**WHEREAS**, New Jersey Transit has provided Access Permit #13-384 setting forth the duties and responsibilities of the parties, a copy of shall be available for public inspection in the Borough Clerk's office; and

**WHEREAS**, the approval of the Access Permit Agreement is in the best interests of the Borough of Chatham.

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham, County of Morris and State of New Jersey, that the New Jersey Transit Access Permit #13-384 for use of the Chatham Train Station restrooms in connection with the Farmers Market is hereby approved; and

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**BE IT FURTHER RESOLVED**, that the Mayor and Clerk of the Borough of Chatham are hereby authorized to sign the agreement.

**RESOLUTION #13-271**  
**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, DESIGNATING ATLANTIC ENVIRONMENTAL CONSULTING SERVICES, LLC AS LICENSED SITE REMEDIATION PROFESSIONAL**

**WHEREAS**, Atlantic Environmental Consulting Services, LLC (“Atlantic”) has submitted a proposal dated June 20, 2013 to perform environmental services for the Chatham Department of Public Works (“DPW”) facility; and

**WHEREAS**, Atlantic and the Borough Engineer have negotiated the terms and conditions of the proposal; and

**WHEREAS**, the amended proposal as agreed upon by and between Atlantic and the Borough shall be available for public inspection in the Borough Clerk’s office; and

**WHEREAS**, upon the recommendation of the Borough Engineer, the Mayor and Council of the Borough of Chatham have reviewed Atlantic’s proposal and find it acceptable as amended; and

**WHEREAS**, the Borough Council wish to designate Atlantic as Licensed Site Remediation Professional (“LSRP”) for the Chatham DPW facility in accordance with the terms and conditions set forth in Exhibit A and subject to the review and approval of the Agreement for Services by the Borough Attorney; and

**WHEREAS**, the Agreement for Services is awarded without competitive bidding as a professional services contract in accordance with the Local Public Contracts Law; and

**WHEREAS**, the Borough’s Chief Financial Officer has certified that sufficient funding is available for this contract; and

**WHEREAS**, this contract is contingent upon availability of funds in the Borough budget, and in the event of unavailability of such funds, the Borough reserves the right to cancel this professional services contract.

**BE IT RESOLVED**, by the Borough Council that:

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1. The Borough Council of the Borough of Chatham hereby designate Atlantic as LSRP for the Chatham DPW in accordance with the terms and conditions set forth in Exhibit A and subject to the review and approval of the Agreement for Services by the Borough Attorney.
2. The Borough Council hereby ratify any prior action taken by the Borough Engineer in furtherance of this designation.
3. The Mayor be and hereby is authorized to execute an Agreement for Services and any other necessary contract documents with Atlantic. The form and substance of this agreement and all documents shall be acceptable to the Borough Attorney.
4. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

**RESOLUTION #13-272**  
**RESOLUTION TO AUTHORIZE THE BOROUGH OF CHATHAM TO ENTER INTO**  
**THE COMMODITY RESALE AGREEMENT WITH THE CITY OF SUMMIT**

**WHEREAS**, N.J.A.C. 5:34-7.15 authorizes contracting units to establish a Commodity Resale System; and

**WHEREAS**, the City of Summit, County of Union, State of New Jersey is desirous of establishing a Commodity Resale System for the resale of gasoline, diesel fuel, snow removal chemicals, and public works materials; and

**WHEREAS**, the City of Summit has agreed to serve as the Lead Agency for a Commodity Resale System with the Borough of Chatham.

**BE IT RESOLVED**, by the Mayor and Borough Council that Chatham Borough is approved to become a member of the Summit City Commodity Resale System with the City of Summit serving as the Lead Agency; and

**BE IT FURTHER RESOLVED**, the Mayor is hereby authorized to enter into a contract with the City of Summit for the sale of gasoline; and

**BE IT FURTHER RESOLVED**, that a single certified copy of this resolution along with (1) a copy of the Gasoline Purchase Agreement and (2) a copy of the Request for Registration or Modification of a Commodity Resale System Form (Cooperative Purchasing Form CP-2060) shall be forwarded to the Director of the Division of Local Government Services within the State Department of Community Affairs; and

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**BE IT FURTHER RESOLVED**, this resolution shall take effect immediately upon passage.

## **PERSONNEL**

### **RESOLUTION #13-273 RESOLUTION TO EMPLOY THE FOLLOWING AS LIFEGUARDS FOR THE MEMORIAL POOL SUMMER STAFF**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the following be hereby approved as summer staff:

Bridget Landy  
Substitute Guard  
\$7.50 an hour

Brian Schaeffer  
Acting Head Guard  
\$9.00

Joe Mascolo  
Acting Head Guard  
\$9.00

### **RESOLUTION #13-274 RESOLUTION TO RESCIND RESOLUTION #13-231 AND REAPPOINT EDISON CAMPO**

**WHEREAS**, Edison Campo tendered his resignation from the Department of Public Works with an effective date of June 18, 2013; and

**WHEREAS**, on June 10, 2013, the Borough Council accepted Mr. Campo's resignation; and

**WHEREAS**, Mr. Campo submitted a letter of request to Mr. Venezia to withdraw his resignation; and



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**WHEREAS**, Mr. Venezia recommended to the Borough Administrator that Mr. Campo's request to be reinstated to the position of service person is in the best interest of the Borough of Chatham.

**BE IT RESOLVED**, by the Mayor and Borough Council that resolution #13-231 is rescinded effective immediately; and

**BE IT FURTHER RESOLVED**, that Edison Campo is reinstated to the position of service person at an annual salary of \$67,900 to be prorated for the remainder of 2013.

**CONSENT AGENDA VOTE:**

Mayor Harris asked Council President Holman to proceed with the Resolutions listed on the Consent Agenda. Resolution #13-261 through Resolution #13- 274.

Council President Holman 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 #13-276  
RESOLUTION TO EXTEND THE 3<sup>RD</sup> QUARTER DUE DATE FOR PROPERTY  
TAXES FROM AUGUST 1, 2013 TO AUGUST 26, 2013**

**WHEREAS**, the Morris County Tax Board will certify the Borough of Chatham tax rate; and

**WHEREAS**, the taxpayer by law has 25 days from the date of mailing of the tax bill to pay taxes due without interest or penalty; and

**WHEREAS**, the time required from notice of the tax rate to have the bills printed and mailed is three weeks; and

**WHEREAS**, the taxpayer would have less than the required 25 day period from the date of mailing to the August 1 due date.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham that the date by which the tax payment due August 1, 2013 may be paid without interest or penalty is extended to August 26, 2013; and

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**BE IT FURTHER RESOLVED**, that there is no additional grace period beyond August 26, 2013 and any payment received after that date shall be late and accrue the applicable interest and penalties.

Council Member Lonergan moved to approve Resolution #13-276, seconded by Council Member Helfrich. A vote was taken and Resolution #13-276 was approved unanimously.

**RESOLUTION #13-277**  
**RESOLUTION TO EMPLOY MICHAEL E. BOCHNIAK AS A FULL TIME PARKING**  
**ENFORCEMENT OFFICER FOR THE BOROUGH OF CHATHAM POLICE**  
**DEPARTMENT**

**WHEREAS**, the Chief of Police has recommended that Michael E. Bochniak be employed as full time Parking Enforcement Officer for the Borough of Chatham Police Department, at a salary of \$44,880.00 effective July 9, 2013,

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it directs the Chief of Police to employ Michael E. Bochniak as a full time Parking Enforcement Officer of the Borough of Chatham Police Department, at a salary of \$44,880.00 effective July 9, 2013, to be prorated for the remainder of 2013;

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

Council Member Collander moved to approve Resolution #13-277, seconded by Council Member Helfrich. A vote was taken and Resolution #13-277 was approved unanimously.

**RESOLUTION #13-275**  
**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: 1. Tricare- 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

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disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege.

**PLEASE NOTE:** The Council Meeting scheduled for July 22, 2013 is cancelled. The next regular Council Meeting will be on August 12, 2013.

Council Member Lonergan moved Resolution #13-275, seconded by Council Member Collander. A vote was taken and Resolution #13-275 was approved unanimously.

Adjourn 8:40 p.m.

Respectfully Submitted:

Susan Caljean, RMC, CMC

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