

Regular Council Meeting Minutes  
September 9, 2013

**REGULAR COUNCIL MEETING  
September 9, 2013 7:30 p.m.**

The Regular Council Meeting of the Borough of Chatham was held on Monday September 9, 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 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

\*absent

Morris County Freeholder Director, Thomas Mastrangelo congratulated the Police Department on their 100<sup>th</sup> anniversary.

Morris County Freeholder Deputy Director, David Scapicchio read the following Resolution.

**RESOLUTION #13-299  
RESOLUTION CELEBRATING THE 100<sup>TH</sup> 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 100<sup>th</sup> 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 100<sup>th</sup> 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

Council Member Lonergan read the following Proclamation.

**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.

Council Member Lonergan moved approval of the Proclamation, seconded by Council President Holman. A vote was taken and the Proclamation was approved unanimously.

**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

Council President Holman moved Resolution #13-300, seconded by Council Member Helfrich. A vote was taken and Resolution #13-300 was approved unanimously.

**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.

Council President Holman moved Resolution #13-301, seconded by Council Member Helfrich. A vote was taken and Resolution #13-301 was approved unanimously.

**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.

Council Member Lonergan moved Resolution #13-302, seconded by Council President Holman. A vote was taken and Resolution #13-302 was approved unanimously.

**RESOLUTION #13-303**

**RESOLUTION TO APPOINT JUSTIN SQUASHIC TO PERMANENT STATUS AS  
SERVICEPERSON**

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**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.

Council President Holman moved Resolution #13-303, seconded by Council Member Helfrich. A vote was taken and Resolution #13-303 was approved unanimously.

**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

Council Member Fife moved Resolution #13-304, seconded by Council Member Lonergan. A vote was taken and Resolution #13-304 was approved unanimously.

**DISCUSSION ITEMS**

Municipal Alliance- Mrs. Marino stated she will be coordinating the Municipal Alliance for the next couple of years. The Alliance's main goal is to focus on preventative programs for drug and alcohol abuse. Some of the events they host each year include: Senior Citizen Prom, Parents Who Host Lose the Most, Open Gym Night, Crashed Car at the High School, Dare Programs, and Challenge Day. They will be having an Outdoor Movie Night at Corpse Christi on October 5<sup>th</sup>. The Municipal Alliance meets the 2<sup>nd</sup> Wednesday each month; they alternate between meeting at 9 a.m. at Borough Hall and 6:30 p.m. at Chatham High School. The next meeting will be on September 11<sup>th</sup> at Borough Hall. Next month they will be meeting at 6:30 p.m. October 9<sup>th</sup> at Chatham High School.

Mayor Harris explained that the Municipal Alliance is funded by the State through the County. It is a joint committee so Mayor Hagner and Mayor Harris make appointments to the Committee there are representatives from the School District, Police Departments and residents.

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Shade Tree Ordinances- Mr. Loneragan stated the Ordinance will clean up the current policy of who is responsible for tree removal and maintenance and improve the process.

Parking Fines- Chief Crosson stated he has been working with the Joint Court to identify problems with some of the fines. Currently if a person receives a ticket for not properly parking between the parking lines they need to appear in court. The suggestion would be to amend the Ordinance to include a \$25.00 fine which could be paid without a court appearance.

Community Garden- Mr. Falzarano stated Chatham Township passed a Resolution approving the Community Garden. The preparation for the garden will cost between \$15,250.00 and \$17,750.00 depending on whether the fence can be reused. Improvements to the road will cost between \$4,000.00 and \$5,000.00. Kevin Sullivan a member of the Chatham Township Committee stated the Township will fund half of the driveway improvements approximately \$2,000.00 to \$2,500. There is in the Community Garden account \$7,800.00 which Mr. Sullivan expects to be used to offset some of the cost to the Borough and Township. Mr. Sullivan expects the Committee to repay the expenses back over time from a user fee. Mr. Sullivan stated the Township would like a restriction on the number of years a resident can have a plot in the garden so that all residents can have a chance to participate if they desire. It was agreed to move forward with initial preparation and establish a joint Committee.

## **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.

Paul Suszczynski of 23 Kimball Street stated there are 60 plots at the Community Garden.

Dick Plambeck of 28 Greenwood Avenue stated we need to move the garden forward. Mr. Plambeck stated a survey should be taken so we know what size plots gardeners would like and how many residents are interested in having a plot from each community.

Katey DePinto of 40 Clark Street stated the Community Garden is a lot of work for the volunteers and she thinks if people have a limit on the amount of time they can have a plot they will lose some members.

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Mayor Harris stated we have an agreement with Chatham Township and we can move forward with the garden. A Committee will be formed to write policies and procedures; which will include a mechanism to address the wait list for plots and the issue if there are more participants from one town. There will be a Resolution to form the joint committee.

Mayor Harris closed the meeting to the public.

**SECOND READING ORDINANCE PROCEDURE**

Mayor Harris asked Council Member Helfrich to proceed with Ordinance #13-17

Council Member Helfrich read Ordinance #13-17 entitled:

**ORDINANCE #13-17**

**MUTUAL AID ORDINANCE**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on August 12, 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 #13-17 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 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 Helfrich 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 President Holman seconded the motion.

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

Mayor Harris declared this Ordinance adopted and finally passed. Mayor Harris requested 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 had nothing new to report.

Communications Technology Advisory Committee

Mayor Bruce A. Harris had nothing new to report.

Community Gardens Advisory Committee

Vacant

Environmental Commission

Vacant

Overnight Parking Advisory Committee

Vacant

Cares & Shares Advisory Committee

James Lonergan stated the next meeting will be next week; and he will have a report at the next Council Meeting.

Municipal Pool Advisory Committee

James Lonergan reported the pool exceeded membership and revenue from last year. Mr. Lonergan will give numbers to the Council of how many residents use the pool each day and how often they use it during the season. Mr. Lonergan thanked Jim LeMon for his hard work.

Joint Recreation Advisory Committee

James Lonergan had nothing new to report.



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Shade Tree Commission

James Lonergan stated the next meeting is scheduled for next Wednesday.

Board of Health

John Holman stated the next meeting is scheduled for September 12<sup>th</sup>.

Farmers' Market Advisory Committee

John Holman reported the Market is doing well.

Madison Chatham Joint Meeting

John Holman stated the next meeting is scheduled for October 3<sup>rd</sup>.

Mayors' Wellness Committee

Victoria Fife stated the Committee is sponsoring a Health Fair at the Farmers' Market on Saturday. The Blood Mobile will be there and there will be an exercise class at the Gazebo.

Project Community Pride

Victoria Fife reported the Strategic Planning Committee has developed a survey which is on the Borough web site.

Chamber of Commerce

Victoria Fife reported the Chamber is holding a networking breakfast tomorrow morning at Charlie Brown's.

Planning Board

Victoria Fife stated on September 18<sup>th</sup> there will be a discussion of the M-1 and M-3 districts Master Plan amendment. The public and property owners have been invited.

Public Arts Council Advisory Committee

Victoria Fife reported the mural is on track for a spring unveiling. The Committee is sponsoring an event at the Farmers' Market in late September.

Senior Center of the Chathams

Victoria Fife stated September is open house month at the Senior Center. The seniors are having a shredding event at the train station on November 2<sup>nd</sup>.

9/11 Memorial Advisory Committee

Gerald J. Helfrich stated there will be a ceremony at 7 p.m. at the 9/11 memorial on Wednesday September 11<sup>th</sup>.

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Historic Preservation Commission

Gerald J. Helfrich stated the next meeting will be on September 17<sup>th</sup>.

Board of Education

Gerald J. Helfrich reminded people to drive carefully now that school is open and to obey the no parking and no idling signs at the schools.

Traffic Safety Advisory Committee

James Collander was absent.

**MAYOR'S REPORT**

Mayor Bruce A. Harris had nothing special to report.

**ADMINISTRATOR'S REPORT**

Robert J. Falzarano reported the Shepard Kollock Park drainage project is complete. The Finance Committee has met and worked on the 2014 budget and fee schedules. The Finance Committee will meet again this month. The Emergency Management Booklet will be mailed out on September 16<sup>th</sup>. There will be a press release issued. The Recycling Bid was advertised; the bid opening is scheduled for October 22<sup>nd</sup>. On August 26<sup>th</sup> the SLAP program removed the debris from the Route 124 ramp. The Borough had an auction last week and received \$26,833.00 for unneeded vehicles and other items. Last year the Borough participated in the Morris County Municipal Action to Curb Hunger (McMatch) it is advertised on the web site. There is information on the web site about the West Nile virus. The County Mosquito Commission inspects pools and will do additional spraying. Milling and paving has been completed on Ward Place, Colonial Way, Charles Place, Lafayette Place and Pihlman Place.

Council Member Lonergan stated the Chatham Athletic Foundation Event will be held on September 28<sup>th</sup> they are expecting 500 people to attend.

Mayor Harris reminded residents that there will be no parking at the train station on Sunday September 15<sup>th</sup> because the Chatham Area Fine Arts & Crafts Festival is being held at the train station.

**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**

None

**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:

<b>BLOCK/LOT</b>	<b>OWNERS &amp; PROPERTY ADDRESS</b>	<b>AMOUNT</b>	<b>YEAR/QTR</b>
<b>54/39</b>	<b>Yasuyuki, Hisae &amp; Kobayashi</b>	<b>\$2,571.58</b>	<b>2012/3<sup>rd</sup> Qtr.</b>
	<b>13 Hedges Avenue</b>	<b>Duplicate Payment</b>	
	<b>*Mail to: % Gary Haydu, Esquire</b>		
	<b>414 Main Street</b>		
	<b>Chatham, NJ 07928</b>		

**RECREATION**

**RESOLUTION #13-308  
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 lacrosse 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 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

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**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

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**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

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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

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**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

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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 asked Council President Holman to proceed with the Resolutions listed on the Consent Agenda, Resolutions #13-303 through #13-315.

Council Member Holman stated 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 Council Member Helfrich, a vote was taken and the Resolutions on the Consent Agenda were approved unanimously.

**FIRST READING ORDINANCE PROCEDURE**

Mayor Harris asked Council Member Helfrich to introduce Ordinance #13-18

Council Member Helfrich introduced Ordinance #13-18 by title as follows:

**ORDINANCE #13-18  
HAZARDOUS SUBSTANCE ORDINANCE**

Council Member Helfrich explained the purpose of the Ordinance and Council Member Helfrich moved for introduction of the First Reading.

Council Member Helfrich read:

**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.

Seconded by Council President Holman.

Mayor Harris asked the Clerk for a Roll Call Vote:

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

**Add on resolutions:**

**RESOLUTION #13-317  
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF  
CHATHAM, COUNTY OF MORRIS, SUPPORTING BRINGING BACK THE WHITE  
LIGHTS CAMPAIGN 2013 AND AUTHORIZING SOLICITATION FOR CHARITABLE  
CONTRIBUTIONS FOR SAME**

**WHEREAS**, as part of their stewardship to beautify Chatham, the Chatham Clean Committee would like authorization to solicit funds for the *Bringing Back the White Lights Campaign 2013*, during the 2013 Holiday Season; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Chatham support this local grassroots initiative and hope to make *Bringing Back the White Lights Campaign 2013* an annual fund raising campaign; and

**WHEREAS**, the Mayor and Borough Council wish to authorize the solicitation of charitable contributions to *Bringing Back the White Lights Campaign 2013*.

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

1. The Mayor and Borough Council hereby declare their support of the *Bringing Back the White Lights Campaign 2013*.

2. The Mayor and Borough Council further hereby authorize the solicitation of charitable contribution in support of the *Bringing Back the White Lights Campaign 2013* and direct Chief Financial Officer Mariniello to establish a trust fund account for any such contributions received.

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

Council Member Fife moved to approve Resolution #13-317, seconded by Council President Holman. A vote was taken and Resolution #13-317 was approved unanimously.

#### **RESOLUTION #13-318**

#### **RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, TO ESTABLISH A DEDICATION BY RIDER FOR THE BRINGING BACK THE WHITE LIGHTS CAMPAIGN 2013 TRUST FUND**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 permits the Borough to use dedicated revenues anticipated during calendar year 2013 from charitable contributions in support of the *Bringing Back the White Lights Campaign 2013* for the purposes to which said contributions are made; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the *Bringing Back the White Lights Campaign 2013* Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said contributions are made in accordance with N.J.S.A. 40A:5-29.



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

1. The Mayor and Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the *Bringing Back the White Lights Campaign 2013* Trust Fund in accordance with N.J.S.A. 40A:5-29.

2. The Borough Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services

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

Council Member Fife moved to approve Resolution #13-318, seconded by Council President Holman. A vote was taken and Resolution #13-318 was approved unanimously.

**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.

Council Member Fife moved Resolution #13-316, seconded by Council President Holman. A vote was taken and Resolution #13-316 was approved unanimously.

Adjourn 9:10 p.m.

Respectfully Submitted:

Susan Caljean, RMC, CMC

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