

AGENDA

Monday, January 27, 2014

Regular Meeting
Mayor and Borough Council

Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928

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

SALUTE TO THE FLAG

MOMENT OF SILENCE

ADEQUATE NOTICE

Statement re: Adequate Notice of Meeting

Pursuant to the requirements of R.S. 10:4-10, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board, on the main floor of the Municipal Building, e-mailed to the Independent Press, the Morris County Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and the Alternative Press and filed with the Borough Clerk, all on January 2, 2014.

ROLL CALL

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

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

PROCLAMATION

Relay for Life

WHEREAS, an estimated **50,650 NJ residents** are diagnosed with cancer each year, and **16,650** will not survive; and

WHEREAS, this Borough is joining over 5,200 other communities worldwide to host the American Cancer Society's Relay For Life, an event to celebrate cancer survivors and remember those who are no longer with us; and

WHEREAS, Relay For Life raises funds to help the American Cancer Society create a world with less cancer and more birthdays by helping people stay well, get well, find cures, and fight back.

BE IT RESOLVED, that I, **Bruce Harris** Mayor of the Borough of Chatham by virtue of the authority vested in me, do hereby proclaim **May 31, 2014** as

The American Cancer Society's
Relay For Life Day

In doing so, I urge citizens to celebrate cancer survivorship, remember loved ones lost to the disease, honor caregivers and join **Chatham's** fight against cancer. Only together will we find a cure.

RESOLUTION #14-97

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:

Reorganization Meeting, January 6, 2014

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 Session, December 9, 2013

DISCUSSION ITEMS

1. Main Street Banners- Tony Britt
2. Strategic Financial Management- Mr. Lonergan
3. Post Office Plaza & Other Capital Projects- Mr. DeNave

4. Train Station Smart Card Fee & Time Limit Parking- Mr. Lonergan/Collander

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.

COUNCIL COMMITTEE REPORTS

Budget and Finance

James Lonergan

Public Works Planning

John Holman

Personnel

Victoria Fife

Public Safety & Emergency Services

James J. Collander

Shared Services & 3rd Party Agreements

Gerald Helfrich

Long Range Traffic & Pedestrian Safety Planning

James J. Collander

Madison/Chatham Joint Meeting

John Holman

MAYOR'S REPORT

Mayor Bruce A. Harris

ADMINISTRATOR'S REPORT

Robert J. Falzarano

CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Resolution #14-98 through Resolution #14-104 have been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

APPOINTMENT

RESOLUTION #14-98

RESOLUTION TO APPOINT NANCY GAYER TO THE PUBLIC ARTS COUNCIL

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Nancy Gayer be appointed to the Public Arts Council with a term to expire on December 31, 2014.

FINANCE

RESOLUTION #14-99

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 #14-100

RESOLUTION TO INCREASE THE DAILY PARKING FEE FOR BOROUGH RESIDENTS

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris, State of New Jersey that the following fee shall apply:

In parking lots or areas designated fee parking, a Smart Card fee of \$5.00 Dollars (\$5.00) for Non-Borough residents and a Five Dollar (\$5.00) fee for Borough residents shall be paid for the twelve (12) hour period or fraction thereof between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays. The Daily Permit fee for cash or credit card customers is Five Dollars (\$5.00) for users with an effective date of January 28, 2014.

RESOLUTION #14-101

RESOLUTION TO TRANSFER MONIES IN THE APPROPRIATION BUDGET 2014 CURRENT FUND

WHEREAS, N.J.S.A. 40A: 4-59 provides that during the first three months of any fiscal year, when the amount of the prior fiscal year's budget is insufficient to pay the claims authorized or incurred during said prior year which were chargeable to said appropriation.

COUNCIL MEETING
January 27, 2014

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris and state of New Jersey that the Director of Finance is hereby authorized to make the following Line-item transfers in the 2013 Current Fund Reserve Budget with an effective date of January 27, 2014:

From:

<u>Departments</u>	<u>Account #</u>	
Parking S/W	25-245-010	\$ 5,000.00
Board of Health	27-330-010	\$12,000.00
Police S/W	25-240-010	\$ 8,000.00
TOTAL		\$ 25,000.00

To:

<u>Departments</u>	<u>Account #</u>	
Administration O.E.	20-100-205	\$ 4,000.00
Financial O.E.	20-130-203	\$ 1,000.00
Assessment O.E.	20-150-223	\$ 1,000.00
Public Works	26-290-242	\$10,000.00
Buildings & Grounds O.E.	26-310-225	\$ 3,000.00
Gasoline O.E.	31-460-200	\$ 6,000.00
TOTAL		\$ 25,000.00

PERSONNEL

RESOLUTION #14-102

RESOLUTION TO EMPLOY CARMELA COOKE AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE JANUARY 27, 2014 WITH AN HOURLY RATE OF \$20.43

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Carmela Cooke be employed as a Crossing Guard for the Borough of Chatham Police Department effective January 27, 2014, with an hourly rate of \$20.43.

RESOLUTION #14-103

RESOLUTION TO EMPLOY JUDITH H. WHITESIDE AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE JANUARY 27, 2014 WITH AN HOURLY RATE OF \$20.43

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Judith H. Whiteside be employed as a Crossing Guard for the Borough of Chatham Police Department effective January 27, 2014, with an hourly rate of \$20.43.

RESOLUTION #14-104

SECTION 125 FLEXIBLE BENEFITS PLAN AUTHORIZING IMPLEMENTATION OF A SECTION 125 FLEXIBLE BENEFITS PLAN FOR THE PURPOSE OF OFFERING PRE-TAX EMPLOYEE PREMIUM CONTRIBUTIONS AND FLEXIBLE SPENDING ACCOUNTS AT NO FINAL COST TO THE MUNICIPALITY OF THE BOROUGH OF CHATHAM.

WHEREAS, the Borough of Chatham has employees rendering valuable services; and

WHEREAS, providing an opportunity for employees to have employer sponsored benefit plan premium contributions, as well as, voluntary plan premiums, deducted pre-tax through payroll thereby saving immediate Federal and FICA taxes; and

WHEREAS, providing an opportunity for employees to elect to participate in Flexible Spending Accounts for Medical Expense Reimbursement and Dependent Care Expense Reimbursement and have their contributions deducted pre-tax through payroll thereby saving immediate Federal and FICA taxes; and

WHEREAS, Aflac Benefit Services provides a discounted fee schedule for Section 125 Premium Only Plan and Flexible Spending Account services at no final employer cost after employer matching FICA payroll tax savings with sufficient employee participation as a value added benefit to offering Aflac supplemental insurance benefits and education services to employees on a voluntary basis at no employer cost; and

WHEREAS, providing an opportunity for the Borough of Chatham to save matching FICA payroll taxes on all employee elective pre-tax plan contributions, premiums and premium contributions which are payroll deducted on a pre-tax basis through the Section 125 Flexible Benefits Plan hereby saving the Borough of Chatham 7.65% of all pre-taxed plan contributions, premiums and premium contributions for F.I.C.A. eligible employees.

BE IT RESOLVED, that the municipality of the Borough of Chatham hereby recognizes and authorizes Aflac to provide a Section 125 Flexible Benefits Plan for its employees with employee voluntary contributory Flexible Spending Accounts with the following specifications:

- Medical Expense Reimbursement: \$2,500.00 Annual Maximum.
- Dependent Care Expense Reimbursement: \$5,000.00 Annual Maximum.

BE IT FURTHER RESOLVED, that the Borough of Chatham hereby recognizes and authorizes payment of discounted administrative fees to Aflac in the following amounts: 1) Initial Account Setup Fee – Waived 2) Annual Renewal Fee – Waived; and

BE IT FURTHER RESOLVED, that the Borough of Chatham hereby recognizes and authorizes Aflac to enroll its employees in their pre-tax elections; and

BE IT FURTHER RESOLVED, that the Section 125 Plan shall be effective on January 1, 2014 until such time the Borough terminates the plan; and

BE IT FURTHER RESOLVED, that such payroll deductions for participation in the Section 125 pre-tax premiums shall take effect with the first payroll period after January 1, 2014.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-98 through #14-104.

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

Seconded by: _____

FIRST READING ORDINANCE PROCEDURE

- (1) Mayor Harris asks **Council Member Lonergan** to introduce Ordinance #14-01
- (2) **Council Member Lonergan** introduces Ordinance #14-01 by title as follows:

**AN ORDINANCE OF THE MAYOR AND BOROUGH
COUNCIL OF THE BOROUGH OF CHATHAM IN THE
COUNTY OF MORRIS, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 267,
ENTITLED "WATER" OF THE REVISED GENERAL
CODE OF THE BOROUGH OF CHATHAM**

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

Council Member Lonergan reads:

WHEREAS, the above Ordinance was introduced, read by title at this Council meeting held on January 27, 2014.

BE IT RESOLVED, that at the Council meeting to be held on February 10, 2014 at 7:30 p.m. prevailing time, at the Borough Hall in said Borough, this Council will further consider this Ordinance for a second reading and final passage; and

BE IT FURTHER RESOLVED, that the Clerk of this Borough is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Mayor asks Clerk for a Roll Call Vote:

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

RESOLUTION #14-105
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/Mr. Falzarano

CONTRACTS: 1. Rotundi Easement- Mr. DeNave
2. Joint Meeting Contract-Mr. Lott/Mr. Falzarano

ATTORNEY CLIENT PRIVILEGE: 1. Code Enforcement & Trespass-
River Road/Commerce Street

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.