

## **AGENDA**

### **Monday, March 10, 2014**

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

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

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

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**SALUTE TO THE FLAG**

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**MOMENT OF SILENCE**

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**ADEQUATE NOTICE**

Statement re: Adequate Notice of Meeting

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

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**ROLL CALL**

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

Mayor Bruce A. Harris  
Council Member James J. Collander  
Council Member James Lonergan  
Council Member John Holman  
Council 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

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**RESOLUTION #14-136**

**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, February 24, 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 Sessions, February 10<sup>th</sup> & 24<sup>th</sup>, 2014

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**DISCUSSION ITEMS**

1. Senior Center Garden Ticket Sale- Pam Mansfield/Axlyn Sommer
2. Farmers' Market Update- Mr. Holman
3. Memorial Park Plaque Dedication- Mr. Holman
4. Community Garden Update- Mr. Holman
5. Bee Garden- Mayor Harris
6. Water Capital Management Plan- Mr. DeNave
7. 2014 Budget Finalization- Mr. Falzarano

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**MEETING OPEN TO THE PUBLIC**

**NOTICE  
OF PUBLIC COMMENT**

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

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**SECOND READING ORDINANCE PROCEDURE**

Mayor Harris asks **Council Member Lonergan** to proceed with Ordinance #14-03

**Council Member Lonergan** reads Ordinance #14-03 entitled:

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

COUNCIL MEETING  
March 10, 2014

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on February 24, 2014.

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

The Clerk states: A legal notice was published indicating that Ordinance #14-03 was introduced and passed on first reading at the February 24, 2014 meeting and indicating that the second reading and public hearing would be held at the Council meeting on March 10, 2014 for consideration of final adoption. Copies were made available to the general public and posted in accordance with the law.

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

Mayor Harris: I will now close the meeting to the public.

Council Member Lonergan: I offer the following Ordinance and move its adoption:

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

Council Member \_\_\_\_\_ seconds the motion.

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

Mayor Harris: I declare this Ordinance adopted and finally passed. I hereby request the Clerk to publish the proper notice of this adoption in the newspaper and to record the Ordinance in the proper places.

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**Board & Commission Members & Liaison Reports**

**Affordable Housing Advisory Committee**

**Traffic & Pedestrian Safety Advisory Committee**

**Clean Chatham Advisory Committee**

**Mayors' Wellness Committee**

**Public Arts Council (Advisory Committee)**

**Project Community Pride**

**Chamber of Commerce**

Mayor Bruce A. Harris

James J. Collander

Victoria Fife

Victoria Fife

Victoria Fife

Victoria Fife

Victoria Fife

COUNCIL MEETING  
March 10, 2014

<b>Planning Board</b>	Victoria Fife
<b>Senior Center of the Chathams</b>	Victoria Fife
<b>Train Station Centennial Advisory Committee</b>	Victoria Fife
<b>Cares &amp; Shares Advisory Committee</b>	James Lonergan
<b>Communications and Technology Advisory Committee</b>	James Lonergan
<b>Overnight Parking Advisory Committee</b>	James Lonergan
<b>Municipal Pool Advisory Committee</b>	James Lonergan
<b>Joint Recreation Advisory Committee</b>	James Lonergan
<b>Joint Community Gardens Advisory Committee</b>	John Holman
<b>Farmers' Market Advisory Committee</b>	John Holman
<b>Board of Health</b>	John Holman
<b>Madison Chatham Joint Meeting</b>	John Holman
<b>Board of Education</b>	Gerald J. Helfrich
<b>9/11 Memorial Advisory Committee</b>	Gerald J. Helfrich
<b>Open Space &amp; Historic Preservation Trust Advisory Comm.</b>	Alida Kass
<b>Environmental Commission</b>	Alida Kass
<b>Shade Tree Commission</b>	Alida Kass
<b>Historic Preservation Commission</b>	Alida Kass

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<b>MAYOR'S REPORT</b>	Mayor Bruce A. Harris
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<b>ADMINISTRATOR'S REPORT</b>	Robert J. Falzarano
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**CONSENT AGENDA**

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

Resolution #14-137 through Resolution #14-148 have been placed on the Consent Agenda.

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**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA**

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**APPOINTMENT**

**RESOLUTION #14-137  
RESOLUTION TO APPOINT MICHAEL FEDYNA TO THE MUNICIPAL POOL  
ADVISORY COMMITTEE**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Michael Fedyna be hereby appointed to the Municipal Pool Advisory Committee with a term to expire on December 31, 2014.

**FINANCE**

**RESOLUTION #14-138**

**RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

**WHEREAS**, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Director of Finance.

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**RESOLUTION #14-139**

**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>
89/1	Barmakian, Bertha Trustee Revocable 27 Lincoln Avenue	\$72,686.11	Total redemption Tax Sale Certificate #2013-4

**Please make check payable & mail to: (includes \$4,686.11 + \$68,000.00 premium)**

**U.S. Bank Cust for Prop Cap, III, LLC  
2 Liberty Place  
50 South 16<sup>th</sup> Street-Suite #1950  
Philadelphia, PA 19102**

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**MISCELLANEOUS**

**RESOLUTION #14-140**

**RESOLUTION TO APPROVE A BANNER AT THE TRAIN STATION FOR THE SHREDDING EVENT ON APRIL 26, 2014 AND PERMISSION TO SET UP A TABLE AT THE GAZEBO FOR A GARDEN TOUR FUNDRAISER**

**WHEREAS**, the Senior Services of the Chathams request to install a banner at the train station for their shredding event on April 26, 2014; and

**WHEREAS**, the Senior Services of the Chathams also request to set up a table at the Gazebo on Saturday, June 7<sup>th</sup> from 9am to 3pm and Sunday, June 8<sup>th</sup> from 11am to 5pm for a Garden Tour fundraiser.

**RESOLUTION #14-141**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, MORRIS COUNTY TO AUTHORIZE CHATHAM TRAIN STATION CENTENNIAL CELEBRATION**

**WHEREAS**, the Mayor and Borough Council of the Borough of Chatham wish to recognize the long-history and tradition of the Chatham Train Station; and

**WHEREAS**, the Mayor and Borough Council are proud to commemorate the 100<sup>th</sup> anniversary of the Chatham Train Station to be celebrated on June 14, 2014, recognizing the significance of this special anniversary and applauding the distinguished history of the station and its contribution to the character and development of the Borough; and

**WHEREAS**, the Mayor and Borough Council wish to invite residents and members of the public to join in the Train Station Centennial Celebration to be held on June 14, 2014. The celebration will include children's activities, memorabilia, artifact and picture displays, an attempt to break the Guinness World Record for longest train whistle, and more.

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

1. The Mayor and Borough Council hereby recognize the centennial anniversary of the Chatham Train Station and approve of and support the Train Station Centennial Celebration to be held on June 14, 2014.

2. All Borough officers and employees are hereby authorized and directed to take all action necessary to effectuate the terms of this Resolution and carry out the Train Station Centennial Celebration.

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**RESOLUTION #14-142**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, APPROVING OF THE "2014 EXPLORE CHATHAM" PHOTOGRAPHY CONTEST**

**WHEREAS**, the Chatham Borough Environmental Commission and Open Space and Historic Preservation Trust Advisory Committee are jointly sponsoring the 2014 "Explore Chatham" Photography Contest to showcase the ecology and history of the Borough; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Chatham desire to express their support of the 2014 "Explore Chatham" Photography Contest for such laudable purposes.

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

1. The Mayor and Borough Council of the Borough of Chatham hereby approve of the 2014 “Explore Chatham” Photography Contest.
2. The Borough Administrator and Borough Attorney are hereby authorized and directed to review and revise the contest rules and Consent, Waiver and Release Entry Form as appropriate in the best interests of the Borough.
3. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

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**RESOLUTION #14-143**

**RESOLUTION FOR A FIREWORKS DISPLAY TO BE CONDUCTED BY GARDEN STATE FIREWORKS ON FRIDAY, JULY 4, 2014 OR SUBSEQUENT DATE IN THE EVENT OF POSTPONEMENT**

**WHEREAS**, the Chatham Borough Fire Department Association has made an application for a permit for a public display of fireworks in conjunction with and as part of the Fourth of July Celebration in the Borough of Chatham; and

**WHEREAS**, Garden State Fireworks, P. O. Box 403, Carlton Road, Millington, New Jersey will conduct the fireworks display and has filed or will file with the Borough of Chatham the bond required by R.S. 21:3-5 of the State of New Jersey and has filed or will file the certificate of insurance required by the Mayor and Borough Council and has complied with all other provisions of the statutes in each case made and provided.

**BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Chatham does hereby grant permission for said fireworks display to be conducted by the said Garden State Fireworks on July 4, 2014, or subsequent date in the event of postponement; and

**BE IT FURTHER RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that Resolution 14-114 adopted on February 10, 2014, and all other Resolutions or parts of Resolutions inconsistent herewith, are hereby repealed.

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**RESOLUTION #14-144**

**RESOLUTION TO GRANT PERMISSION TO THE CHATHAM BOROUGH FIRE DEPARTMENT TO HOLD A PICNIC IN CHATHAM BOROUGH ON FRIDAY, JULY 4, 2014**

**WHEREAS**, the Chatham Borough Fire Department Association has applied to hold a picnic at Chatham Borough on Friday, July 4, 2014. The Chatham Borough Fire Department Association has also requested that a license be issued to dispense alcoholic beverages at said picnic.

**BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Chatham does hereby grant permission for the picnic to be conducted by the Chatham Borough Fire Department Association on July 4, 2014 at the Chatham Middle School; and

**BE IT FURTHER RESOLVED**, that the Borough of Chatham Special Permit #14-01 be issued thereby granting permission to the Chatham Volunteer Fire Department Association to dispense alcoholic beverages at said picnic; and

**BE IT FURTHER RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that the Resolution #14-115 adopted on February 10, 2014, and all other resolutions or parts of resolutions inconsistent herewith, are hereby repealed.

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**RESOLUTION #14-145**

**RESOLUTION TO AUTHORIZE THE CHATHAM FIRE DEPARTMENT  
ASSOCIATION TO CONDUCT A PARADE ON FRIDAY, JULY 4, 2014**

**WHEREAS**, the Chatham Borough will celebrate Independence Day in the traditional manner this year on Friday, July 4, 2014; and

**WHEREAS**, the Council wishes to recognize the authority, assistance and cooperation of the Fire Chief and the Police Chief and their department and the Chatham Borough Fire Department Association in connection with the Independence Day Parade.

**BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that the Chatham Fire Department Association, Inc. is hereby granted authority to conduct a parade in the Borough on July 4, 2014 and the participants and other persons involved therein are granted permission to use that day the following streets, including the roadbeds thereof, as set forth in the parade plan namely: portions of Hillside Avenue, Van Doren Avenue and Main Street (State Highway Route #124); and

**BE IT FURTHER RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that Resolution 14-113 adopted on February 10, 2014, and all other Resolutions or parts of Resolutions inconsistent herewith, are hereby repealed; and

**BE IT FURTHER RESOLVED**, the Chief of Police is authorized to establish detour routes, close roads and reroute traffic as necessary; and

**BE IT FURTHER RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that resolution #14-113 adopted on February 10, 2014, and all other resolutions or parts of resolutions inconsistent herewith, are hereby repealed.



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**PERSONNEL**

**RESOLUTION #14-146**

**RESOLUTION TO ACCEPT THE RESIGNATION OF SUSAN CALJEAN**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Susan Caljean's resignation be hereby accepted with the effective date of March 14, 2014.

**BE IT FURTHER RESOLVED**, that the Mayor and Council thank Susan Caljean for her 13 years of dedicated service to this community and wish her well with her future endeavors.

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**RESOLUTION #14-147**

**RESOLUTION TO APPOINT DEPUTY BOROUGH CLERK CATHERINE BALDWIN AS ACTING BOROUGH CLERK**

**WHEREAS**, the Mayor and Borough Council of the Borough of Chatham has accepted the resignation of Susan Caljean, R.M.C. as Borough Clerk effective March 14, 2014; and

**WHEREAS**, it is necessary to appoint an acting Borough Clerk while a search by Borough officials is conducted for a successor Borough Clerk; and

**WHEREAS**, pursuant to N.J.S.A. 40A:9-133, the Borough may appoint a person who does not hold a registered municipal clerk certificate to serve as acting municipal clerk subject to the provisions contained therein; and

**WHEREAS**, the Borough Administrator has recommended that Deputy Clerk Catherine Baldwin be appointed as Acting Borough Clerk until a successor Borough Clerk is appointed, unless such acting appointment is sooner terminated; and

**WHEREAS**, the Mayor and Borough Council desires to appoint Deputy Clerk Catherine Baldwin as acting Borough Clerk until a successor Borough Clerk is appointed, unless such acting appointment is sooner terminated; and

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham does hereby appoint Deputy Clerk Catherine Baldwin as acting Borough Clerk, effective immediately for a period of not more than twelve months unless sooner terminated.

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Chatham that as acting Borough Clerk, Ms. Baldwin shall have the full powers of the Borough Clerk.

**BE IT FURTHER RESOLVED**, that all Borough of Chatham officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

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**RECREATION**

**RESOLUTION #14-148**

**RESOLUTION TO AUTHORIZE ADOPTION OF A POLICY & PROCEDURES GOVERNING INITIAL AND SUPPLEMENTAL BACKGROUND CHECKS FOR CHATHAM BOROUGH RECREATION PROGRAM VOLUNTEERS AND EMPLOYEES**

**WHEREAS**, upon the recommendation of the Borough Administrator, the Mayor and Borough Council of the Borough of Chatham believe it is in the best interest of the Borough to authorize the adoption of a policy and procedures governing initial and supplemental background checks for Chatham Borough Recreation Program volunteers and employees; and

**WHEREAS**, the Borough Administrator has developed a policy and procedures governing initial and supplemental background checks for Chatham Borough Recreation Program volunteers and employees; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Chatham wish to authorize the adoption of the policy and procedures governing initial and supplemental background checks for Chatham Borough Recreation Program volunteers and employees;

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham does hereby adopt the upon the recommendation of the Borough Administrator the policy and procedures governing initial and supplemental background checks for Chatham Borough Recreation Program volunteers and employees, that is attached hereto as Exhibit A and incorporated same as if it was fully set forth herein.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution and Exhibit A shall be sent by the Borough Clerk to the following persons:

- (1) Clerk, Township of Chatham
- (2) Chatham Borough and Chatham Township Joint Recreation Advisory Committee
- (3) Recreation Department
- (4) President, Chatham Athletic Foundation, Inc.
- (5) Administrator, Morris County Joint Insurance Fund

**BE IT FURTHER RESOLVED**, that all Borough of Chatham officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

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**CONSENT AGENDA VOTE:**

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-137 through #14-148.

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: \_\_\_\_\_

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**RESOLUTION #14-149**

**RESOLUTION TO RECESS INTO CLOSED SESSION**

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

- CONTRACTS: 1. Kings Road-Vacant properties-Mr. DeNave  
2. Willow Street vacation-Mr. DeNave  
3. 57 Watchung Avenue- Mr. Falzarano  
4. Joint Construction Office- Mr. Lott

The matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege.