

Regular Council Meeting Minutes
February 10, 2014

REGULAR COUNCIL MEETING
February 10, 2014 7:30 p.m.

The Regular Council Meeting of the Borough of Chatham was held on Monday February 10, 2014 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 2, 2014.

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 Member John Holman
Council President Victoria Fife
Council Member Gerald J. Helfrich
Council Member Alida Kass
Robert J. Falzarano, Borough Administrator
Diane Hickey, Borough Attorney
Susan Caljean, Municipal Clerk

Mayor Harris read the following Proclamation.

BOROUGH of CHATHAM
NEW JERSEY

PROCLAMATION
CELEBRATING THE 7TH ANNUAL SUSAN G. KOMEN FOR THE CURE® NORTH
JERSEY RACE FOR THE CURE®
MAY 4, 2014

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WHEREAS, breast cancer is the leading cause of death of women between the ages of 35 and 64 and increased public awareness of this disease, its risk factors and symptoms may save lives of women and men across New Jersey; and

WHEREAS, Susan G. Komen For The Cure® is dedicated to education and research about causes, treatment, and the search for a cure; and

WHEREAS, the Komen National Race for the Cure Series, an event of the Susan G. Komen For The Cure®, is the largest series of 5 kilometer races in the world, raising public awareness and much needed funding for breast cancer research; and

WHEREAS, on Sunday, May 4, 2014, runners, walkers, survivors, co-survivors and volunteers will unite at a new race location to be held at the Essex County South Mountain Recreation Complex for the 7th Annual Susan G. Komen For The Cure® North Jersey Race for the Cure® 5K Certified Run, 5K Walk, and 1.5K Fun Walk event; and

WHEREAS, last year the Susan G. Komen For The Cure® North Jersey Race for the Cure® brought together thousands of women, men and children from northern New Jersey and beyond, and raised over \$1 million for the North Jersey service region to help fund breast cancer research and provide local community life-saving education, screening and treatment services; now

BE IT PROCLAIMED, by the Mayor and Council of the Borough of Chatham that Sunday, May 4, 2014 is SUSAN G. KOMEN FOR THE CURE® NORTH JERSEY RACE FOR THE CURE® day in Chatham Borough; and

BE IT FURTHER PROCLAIMED, that all Chatham Borough residents are encouraged to participate in the Susan G. Komen For The Cure® North Jersey Race for the Cure® to help raise funds and awareness for the fight against this life threatening disease, to join the celebration of survivorship, and to honor those who have dedicated their lives to researching, treating, curing, and caring for victims, and to those who have lost their battle with breast cancer.

Council Member Helfrich moved to approve the Proclamation, seconded by Council Member Lonergan. A vote was taken and the Proclamation was approved unanimously.

Members of the Mayor's Wellness Advisory Committee accepted the Proclamation.

Council President Fife read the following Proclamation.

PROCLAMATION
National Wear Red Day 2014

WHEREAS, The Mayors' Wellness Campaign of the Chathams celebrates the extraordinary progress in women's heart health and recognizes that more could be done in the Chathams to safeguard women's health for generations to come.

WHEREAS, heart disease is the #1 killer of women.

WHEREAS, most women do not know that heart disease is a woman's problem and they do not take it seriously.

WHEREAS, the risk factors for heart disease are smoking, high blood pressure, high cholesterol and high triglyceride levels, overweight/obesity, physical inactivity, metabolic syndrome, diabetes and pre-diabetes, a family history of early heart disease, age, history of preeclampsia.

WHEREAS, women can promote their own heart health and prevent disease and illness by taking steps to prevent and control the heart disease risk factors.

WHEREAS, keeping women healthy and promoting awareness of women's health issues, including heart health, is an important responsibility and depends on the actions of many organizations and groups in our community.

WHEREAS, women's health remains a priority for The Mayors' Wellness Campaign of the Chathams, families, communities, and government officials and employees, and our commitment to keeping women healthy is stronger than ever.

WHEREAS, *The Heart Truth*[®] campaign and its *Red Dress*SM symbol are building awareness of women's heart disease risk and empowering them to reduce their risk and prevent heart disease. Therefore, women of the Chathams need to take action to make heart health a priority for themselves and their families, become aware of their heart disease risk, and take action to control their risk.

BE IT RESOLVED, that I, **Bruce A. Harris** Mayor of the Borough of Chatham by virtue of the authority vested in me, do hereby proclaim **February 14, 2014** as

National Wear Red Day[®]

In doing so, I encourage all citizens to work together to promote and improve the health of women and increase awareness and understanding of women and heart disease.

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Council President Fife moved to approve the Proclamation, seconded by Council Member Holman. A vote was taken and the Proclamation was approved unanimously.

Brian George and Kim Logsdon Members of the Mayor's Wellness Advisory Committee accepted the Proclamation.

RESOLUTION #14-107
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:

CONTRACTS: Watchung Avenue property bid- 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. The Borough Council will reconvene into Public session.

Council Member Kass moved to approve Resolution #14-107, seconded by Council Member Collander. A vote was taken and Resolution #14-107 was approved unanimously.

7:43 recess into closed session
7:50 reconvene into public session

RESOLUTION #14-108
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, January 27, 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, January 6, 2014
Executive Session, January 27, 2014

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Council Member Holman moved to approve Resolution #14-108, seconded by Council Member Collander. A vote was taken and Resolution #14-108 was approved unanimously.

DISCUSSION ITEMS

Fishawack- Mr. Tomaino asked the Council's permission to hold the Fishawack Festival. The Fishawack Festival will be held on June 14th. He thanked everyone involved. The theme for this year is the 100th anniversary of the train station. The Public Art Council will unveil the mural under the overpass on Fairmount Avenue. Mr. Tomaino asked for residents help out with the festival. Mr. Tomaino urged residents to volunteer; they are in need of new members.

Train Station Centennial Anniversary- Mr. Resto explained the events that will take place on June 14th. Mr. Resto asked the public if they had any artifacts or stories about the train station to contact him at 973-635-5373 or Council President Fife.

CAF Event- Mr. Zeliff thanked the Council, Police Department, DPW, Carol Nauta, Bob Falzarano and Vince DeNave for all of their help with the event last year. Mr. Zeliff asked the Council for permission to hold the CAF fundraiser at Reasoner Park on September 27th. Mr. Zeliff stated they will end the event earlier at 12:00 a.m. after receiving complaints from a few residents. They have raised funds for many recreation projects. The Council changed the ending time.

2014 Pool Fees- Mr. LeMon reported the membership and revenue has increased in 2013. Attendance was down by 32% but it was due to the bad weather in August. Daily average attendance last summer was 74 people each day. Early bird discounted rates for pool membership will be from March 15th to April 15th. Projected revenue for 2014 is \$74,875.00. Mr. LeMon reviewed the membership rates for 2014. The hours will be increased in 2014 the pool will be open until 7:30 p.m. each day except Sunday.

2014 Goals & Objectives- Mr. Falzarano stated there are 30 goals for 2014. They include:

- budget preparation which starts in July; the budget will be introduced on March 10th budget adoption will be April 14th
- the goal of the sidewalk program is to be finished by September
- hold 10 department head meetings
- transition of recreation programs into sport clubs
- revision of the affordable housing plan
- expand the trail system
- pave the Division Avenue parking lot
- install the pedestrian crossing light at Fairmount Avenue
- Parkmobile has been implemented for paying parking fees by phone and is working well,
- Post Office plaza improvements
- replace the Lum Field baseball infield sections

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- lease vacant Borough Hall space to CPS
- revise LDO to reflect the Master Plan and historic preservation modifications
- modify the web site possibly using social media to get our messages out
- review the progress of the community garden
- identify sustainable community opportunities
- River Road clean-up
- explore more applications to use though the Cloud
- increase volunteer support
- planning for capital water improvements
- increase commercial recycling
- apply for certified local government status
- hold an informational meeting with boards and commissions

Reasoner Park Fundraising by Macy's - Mrs. Fife explained that between March 7th and March 31st the Short Hills Macy's will collect donations to use at Reasoner Park.

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.

No public comment.

Mayor Harris closed the meeting to the public.

SECOND READING ORDINANCE PROCEDURE

Mayor Harris asked Council Member Lonergan to proceed with Ordinance #14-01

Council Member Lonergan read Ordinance #14-01 entitled:

ORDINANCE #14-01

**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**

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Which Ordinance was introduced and passed on first reading at a regular Council meeting held on January 27, 2014.

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

The Clerk stated: A legal notice was published indicating that Ordinance #14-01 was introduced and passed on first reading at the January 27, 2014 meeting and indicating that the second reading and public hearing would be held at the Council meeting on February 10, 2014 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 Lonergan offered the following Ordinance and moved its adoption:

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

Council Member Helfrich seconded the motion.

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

Board & Commission Members & Liaison Reports

Affordable Housing Advisory Committee

Mayor Bruce A. Harris had nothing more to report.

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Traffic & Pedestrian Safety Advisory Committee

James J. Collander had nothing new to report. The meeting was cancelled due to the weather.

Clean Chatham Advisory Committee

Victoria Fife reported the Committee met in January. Their project this year will be Rotary Park. The schools are holding a contest to design a logo for Spring Clean.

Mayors' Wellness Committee

Victoria Fife stated the next meeting is tomorrow. The Committee has gotten involved with the nutritionist at the Shop Rite. They have put together a wellness walk with the Historical Society.

Public Arts Council (Advisory Committee)

Victoria Fife reported the Public Arts Council will unveil the mural on June 14th.

Project Community Pride

Victoria Fife had nothing new to report.

Chamber of Commerce

Victoria Fife had nothing new to report.

Planning Board

Victoria Fife stated the last two meetings have been cancelled. The review of the Washington Avenue School parking lot will be done on March 5th.

Senior Center of the Chathams

Victoria Fife had nothing new to report.

Train Station Centennial Advisory Committee

Victoria Fife had nothing new to report. Mr. Resto reported earlier in the evening about the Centennial.

Cares & Shares Advisory Committee

James Lonergan had nothing new to report.

Communications Technology Advisory Committee

James Lonergan had nothing new to report.

Overnight Parking Advisory Committee

James Lonergan had nothing new to report.

Municipal Pool Advisory Committee

James Lonergan had nothing new to report.

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Joint Recreation Advisory Committee

James Lonergan stated the Recreation Committee will have a presentation for the Council in April.

Joint Community Gardens Advisory Committee

John Holman reported the Committee was concerned about having to turn gardeners away due to lack of plots, but the garden still has plots available. They are having issues with parking and the road access.

Farmers' Market Advisory Committee

John Holman had nothing new to report.

Board of Health

John Holman had nothing new to report.

Madison Chatham Joint Meeting

John Holman stated they met to approve the budget. Morris Township has been added to the Joint Court.

Board of Education

Gerald J. Helfrich stated their meeting is tonight.

9/11 Memorial Advisory Committee

Gerald J. Helfrich had nothing new to report.

Open Space & Historic Preservation Trust Advisory Committee

Alida Kass had nothing new to report.

Environmental Commission

Alida Kass had nothing new to report.

Shade Tree Commission

Alida Kass reported the Commission discussed getting the word out that they have trees available for planting.

Historic Preservation Commission

Alida Kass had nothing new to report. There will be a meeting in several weeks.

MAYOR'S REPORT

Mayor Bruce A. Harris thanked the DPW for the excellent job of cleaning the street after the snow storms. The Community Beekeeper meeting will be held Thursday February 20th at

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7:30 p.m. in room 216. The RFP for the restaurant in the train station has been amended and sent to the organizations which submitted a bid. The responses are due at the end of February.

ADMINISTRATOR'S REPORT

Robert J. Falzarano reported a hazardous waste collection is scheduled at the High School on October 18th. Mr. Falzarano spoke to the County about the pot holes on Fairmount Avenue and they will try and repair them this week. January 21-22 snow storm over time costs were \$8,290.00 salt cost \$3,924.00 The February 3-4 snow storm over time costs were \$4,571.00 salt cost \$5,874.00.

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 #14-109 through Resolution #14-120 have been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

None

FINANCE

RESOLUTION #14-109

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 #14-110

RESOLUTION TO SUBMIT A TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, the total tonnage for recycling materials was 5,616 tons in 2006 and increased to 17,131 tons in 2012; and

WHEREAS, over the past six years the total payout increased from \$6,427 to \$17,546 a 173% increase; and

WHEREAS, a resolution authorizing this municipality to apply for the 2013 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of Chatham Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

BE IT RESOLVED, by the Chatham Borough Council of the Borough of Chatham that Chatham hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Stan Serbanica to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

RESOLUTION #14-111

RESOLUTION TO AWARD CONTRACT FOR THE REPLACEMENT OF THE ROOFTOP HVAC UNIT #6 ON BOROUGH HALL TO F.D. CAMP, LLC.

WHEREAS, the Borough Engineer has indicated that the rooftop HVAC unit #6 of the Municipal Building is in need of replacement; and

WHEREAS, the Borough of Chatham has received three (3) quotes for the required replacement; and

WHEREAS, the bid submitted by F.D. CAMP, LLC., of Edison, N.J., in the amount of \$11,000.00 was the lowest responsible quote; and

WHEREAS, the Borough Engineer has reviewed the quotes and finds the low bidder qualified and the specified unit to be acceptable; and

WHEREAS, the Director of Finance has determined sufficient funds are available in Capital Accts # C-04-55-909-240, C-04-55-909-241, C-04-55-913-200, C-04-55-913-201.

BE IT RESOLVED, by the Council of the Borough of Chatham that a contract be processed and awarded to F.D. CAMP LLC. in the amount of \$11,000.00; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute a contract F.D. CAMP LLC. in the amount of \$11,000.00 for the improvements.

EVENTS

RESOLUTION #14-112

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE CHATHAM ATHLETIC FOUNDATION GALA TO BE HELD IN REASONER PARK AND THE IMMEDIATE SURROUNDING AREA, INCLUDING THE NORTH RAILROAD PARKING LOT FROM THE HOURS OF 2:00 P.M. SATURDAY, SEPTEMBER 27th, 2014 TO 12:00 A.M. ON SUNDAY, SEPTEMBER 28th, 2014 AND THE CAF GALA COMMITTEE SHALL APPLY TO THE DIVISION OF THE ALCOHOLIC BEVERAGE COMMISSION FOR A SOCIAL AFFAIRS PERMIT

WHEREAS, the Chatham Athletic Foundation (CAF) has raised hundreds of thousands of dollars for athletic fields, equipment and programs within the Chathams; and

WHEREAS, the 2014 CAF Gala Committee has requested to hold this year's event outdoors at Reasoner Park; and

WHEREAS, the CAF Gala Committee shall apply to the Division of Alcoholic Beverage Commission for a Social Affairs permit; and

WHEREAS, the 2014 CAF Gala Committee has previously discussed this idea with the Mayor and Council at a public meeting; and

WHEREAS, the Borough Police Department and Borough Fire Department have approved the location of the event.

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Chatham, County of Morris, State of New Jersey authorizing the Chatham Athletic Foundation Gala to be held in Reasoner Park and Firehouse Plaza from Fairmount Avenue to the driveway to the parking lot on the north side of Firehouse Plaza and the North railroad parking lot from the hours of 2:00 p.m. on Saturday, September 27th, 2014 to 12:00 a.m. on Sunday, September 28th, 2014 and the police will cordon off appropriate areas in order to ensure the safety of our residents.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Chatham hereby grant permission to the CAF Gala Committee to dispense alcoholic beverages at said event with the approval from the Division of Alcoholic Beverage Control Commission.

RESOLUTION #14-113
RESOLUTION TO AUTHORIZE THE CHATHAM BOROUGH VOLUNTEER FIRE
DEPARTMENT TO CONDUCT A PARADE ON FRIDAY, JULY 4, 2014

WHEREAS, the Borough of Chatham 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 Chiefs and their departments in this connection.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Chatham Fire Department 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).

RESOLUTION #14-114
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 Volunteer Fire Department 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, PO 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.

RESOLUTION #14-115
RESOLUTION TO GRANT PERMISSION TO THE CHATHAM BOROUGH
VOLUNTEER FIRE DEPARTMENT TO HOLD A PICNIC IN CHATHAM BOROUGH
ON FRIDAY, JULY 4, 2014

WHEREAS, the Chatham Borough Volunteer Fire Department has applied to hold a picnic at Chatham Borough on Friday, July 4, 2014. The Fire Department 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 Volunteer Fire Department at Chatham Borough on July 4, 2014 at the Chatham Middle School.

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

MISCELLANEOUS

RESOLUTION #14-116
RESOLUTION TO APPROVE THE 2014 GOALS AND OBJECTIVES FOR THE
BOROUGH OF CHATHAM

WHEREAS, the Borough Administrator, Mayor and Borough Council prepare annual goals and objectives; and

WHEREAS, the preparation of the annual goals and objectives are designed to identify and plan projects for the new year; and

WHEREAS, the annual goals and objectives provide the Mayor, Council, employees, volunteers and the general public with a concise focused plan that is designed to improve

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Borough operations and the overall quality of life for Chatham Borough residents and everyone that visits the Borough of Chatham.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the 2014 Goals and Objectives are hereby approved.

**RESOLUTION #14-117
RESOLUTION FOR MAIN STREET BANNERS**

WHEREAS, the Mayor and Borough Council encourage local shopping at the many Borough business establishments; and

WHEREAS, the recommendation to display shop Chatham banners on Main Street was presented to the Mayor and Council on January 27, 2014; and

WHEREAS, the display of the Shop Chatham banners encourage consumers to shop and dine in Chatham Borough.

BE IT RESOLVED, by the Mayor and Borough Council that the purchase and display of the shop Chatham banners is authorized.

**RESOLUTION #14-118
RESOLUTION TO AUTHORIZE THE BOROUGH ENGINEER TO EXECUTE AN
AGREEMENT DATED JANUARY 24, 2014 WITH ATLANTIC CONSULTING
SERVICES IN THE AMOUNT NOT TO EXCEED \$14,900.00 IN ORDER TO
PERFORM SOIL SAMPLING & TO TAKE ALL NECESSARY ACTIONS TO SUBMIT
A REMEDIAL ACTION PLAN AND SECURE APPROVAL FROM NJDEP FOR THE

CLOSURE OF UNDERGROUND STORAGE TANKS AT 446 MAIN STREET
(CHATHAM BOROUGH DEPARTMENT OF PUBLIC WORKS YARD) IN CHATHAM
BOROUGH.**

WHEREAS, Atlantic Environmental Consulting Services, LLC (“Atlantic”) has submitted a proposal dated January 24, 2014 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 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; and

WHEREAS, Atlantic is our Licensed Site Remediation Professional ("LSRP") for the Chatham DPW facility and additional soil testing is required to secure approval from the NJDEP; 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 Director of Finance has certified that sufficient funding is available for this contract in Capital Account #W-06-55-907-003.

BE IT RESOLVED, by the Borough Council that:

1. The Borough Engineer be and hereby is authorized to execute an Agreement for Services in an amount not to exceed \$14,900.00 with Atlantic. The form and substance of this agreement and all documents shall be acceptable to the Borough Attorney.

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

**RESOLUTION #14-119
RESOLUTION TO INSTALL ONE STREET LIGHT ON WALNUT STREET**

WHEREAS, the residents of Walnut Street submitted a request to install a street light in the area of 16 Walnut Street; and

WHEREAS, the Public Safety Committee reviewed the request to install a new street light; and

WHEREAS, the Public Safety Committee has recommended that the Mayor and Borough Council authorize the installation of a new street light in the area of 16 Walnut Street.

BE IT RESOLVED, by the Mayor and Borough Council that the installation of the new street light is hereby approved.

**RESOLUTION #14-120
RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN THE TREE CITY U.S.A.
APPLICATION**

WHEREAS, annually the Shade Tree Commission prepares the Tree U.S.A. application; and

WHEREAS, the Tree City U.S.A. application is submitted to the New Jersey Department of Forestry; and

WHEREAS, Chatham Borough has been recognized by the Arbor Day Foundation and the New Jersey Department of Forestry as a Tree City U.S.A. Community; and

WHEREAS, the Community benefits for being recognized as a Tree City U.S.A. Community are as follows:

1. Reduce costs for energy, storm water management and erosion control.
2. Energy consumption may be reduced by 25%.
3. Property values can be increased.
4. Helps to build strong ties to the neighborhood and community.
5. It is an honor for the community and demonstrates Chatham Borough's commitment to a healthier environment.

BE IT RESOLVED, by the Chatham Borough Council that the Mayor is authorized to sign the Tree City U.S.A. application, the annual Shade Tree accomplishment report and all other related Shade Tree submissions, grant applications and acknowledgments.

CONSENT AGENDA VOTE:

Mayor Harris asked Council Member Collander to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-109 through #14-120.

Council Member Collander moved to allow the resolutions on this evening's agenda to be approved by consent of the Council.

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

RESOLUTION #14-122
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL
OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, REJECTING ALL BIDS
FOR THE SALE OF CERTAIN BOROUGH-OWNED REAL PROPERTY LOCATED
AT 57 WATCHUNG AVENUE (BLOCK 107, LOT 25).

WHEREAS, the Borough of Chatham is the owner of certain real property commonly known as 57 Watchung Avenue and designated as Block 107, Lot 25 on the Borough Official Tax Map (the "Property"); and

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WHEREAS, pursuant to Resolution #13-341, the Mayor and Borough Council previously declared the Property as no longer in need of public use and authorized the public sale of the Property by sealed bid in accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq. (the “LLBL”); and

WHEREAS, the Borough Clerk received and opened one (1) bid for the Property in the amount of \$216,000.00 on November 6, 2013, which bid did not conform to the minimum required bid for the Property as set forth in Resolution #13-341 and the Invitation to Bidders; and

WHEREAS, pursuant to Resolution #13-386 the Mayor and Borough Council reauthorized the public sale of the Property by sealed bids, all in accordance with the LLBL; and

WHEREAS, the Borough Clerk received and opened one (1) bid for the Property in the amount of \$216,000.00 on January 23, 2014 from Catherine Zalepa (the “Bidder”); and

WHEREAS, because the bid did not conform to the minimum required bid for the Property in Resolution #13-386 and the Invitation to Bidders, the Mayor and Borough Council wish to reject all bids received for the Property; and

WHEREAS, having rejected all bids, the Mayor and Borough Council intend to authorize, by ordinance, the sale of the Property by private sale to the Bidder in accordance with the LLBL.

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

1. The Mayor and Borough Council hereby reject all bids for the purchase of the Property.
2. All Borough employees and officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Council Member Helfrich moved to approve Resolution #14-122, seconded by Council Member Collander. A vote was taken and Resolution #14-122 was approved unanimously.

FIRST READING ORDINANCE PROCEDURE

Mayor Harris asked Council Member Lonergan to introduce Ordinance #14-02

Council Member Lonergan introduced Ordinance #14-02 by title as follows:

ORDINANCE #14-02

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN BOROUGH OWNED REAL PROPERTY LOCATED AT 57 WATCHUNG AVENUE (BLOCK 107, LOT 25) BY PRIVATE SALE IN ACCORDANCE WITH LOCAL LANDS AND BUILDINGS LAW, N.J.S.A. 40A:12-1 ET SEQ.

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

Council Member Lonergan read:

WHEREAS, the above Ordinance was introduced, read by title at this Council meeting held on February 10, 2014.

BE IT RESOLVED, that at the Council meeting to be held on February 24, 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.

Seconded by Council Member Collander.

Mayor Harris asked the Clerk for a Roll Call Vote:

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

**RESOLUTION #14-121
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

Regular Council Meeting Minutes
February 10, 2014

CONTRACT: Rotundi update- Mr. DeNave
Project Community Pride – Ms. Fife

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 Kass moved Resolution #14-121, seconded by Council Member Holman. A vote was taken and Resolution #14-121 was approved unanimously.

Adjourn 9:24 p.m.

Respectfully Submitted:

Susan Caljean, RMC, CMC