

**REGULAR MEETING OF THE  
MAYOR AND BOROUGH COUNCIL**

**November 10, 2014 MINUTES**

Council President Victoria Fife called the Regular Council Meeting of the Borough of Chatham to order on Monday, November 10, 2014 at 7:30 p.m. in the Council Chambers in the Municipal Building, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

Council President Fife and the Borough Council led the assembled in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Council President Victoria Fife asked for a moment of silence in observance of Veterans' Day and for those who have given their lives for our country.

**STATEMENT OF ADEQUATE NOTICE**

Robin R. Kline, Municipal Clerk, read the following statement of adequate notice:

Adequate notice of this meeting had been provided on January 2, 2014 in accordance with N.J.S.A. 10:4-10, by including same in the Annual Meeting Notice, a copy of which was posted on the Municipal Bulletin Board located on the main floor in 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, such Annual Meeting Notice was filed with the Borough Clerk.

**ROLL CALL**

On a call of the roll the following officials were present:

- Mayor Bruce A. Harris [present via speaker phone]
- 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
- Robin R. Kline, Borough Clerk

Council President Victoria Fife asked Council Member Gerald Helfrich to read Resolution #14-323.

**RESOLUTION #14-323**

**RESOLUTION CELEBRATING SATURDAY NOVEMBER 29, 2014  
AS SMALL BUSINESS SATURDAY**

**WHEREAS**, the government of the Borough of Chatham celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 23 million small businesses in the United States, they represent more than 99 percent of American employer firms, create more than two-thirds of the net new jobs and generate 46 percent of private gross domestic product; and

**WHEREAS**, small businesses are the cornerstone of our free enterprise system and since the birth of our country have represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

**WHEREAS**, small business owners who work long hours, juggle family and business responsibilities and serve as community volunteers, are integral to our country's prosperity and to the vibrancy of our community; and

**WHEREAS**, 93 percent of United States consumers believe it is important to support the local small businesses they value in their community and agree that locally owned independent businesses contribute positively through providing jobs and paying taxes; and

**WHEREAS**, the Borough of Chatham enthusiastically supports our local businesses and recognizes the important contribution they make in creating jobs, boosting our local economy and preserving our neighborhoods; and

**WHEREAS**, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as "Small Business Saturday".

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Saturday, November 29, 2014 shall be celebrated in the Borough as "Small Business Saturday"; and hereby urge all citizens of Chatham Borough to support our small businesses and merchants on Small Business Saturday, and throughout the year.

Council Member Gerald Helfrich moved to approve Resolution #14-323. Motion seconded by Council Member John Holman. A voice vote was taken and Resolution #14-323 was approved unanimously.

Council President Victoria Fife asked Council Member Alida Kass to read Resolution #14-323.

#### **RESOLUTION #14-324**

#### **RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

**BE IT RESOLVED** by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

October 27, 2014

**BE IT FURTHER RESOLVED** by the Council of the Borough of Chatham that the minutes from the following Closed Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

October 27, 2014

Council Member Alida Kass moved to approve Resolution #14-324. Motion seconded by Council Member James Collander. A voice vote was taken and Resolution #14-324 was approved unanimously

#### **DISCUSSION ITEMS**

**BSA Scout Projects** – Mr. Tony Britt, Assistant Scoutmaster with Chatham Boy Scout Troop #8, introduced three Borough Eagle Scout candidates, Tristan Thomas, Grant Hauck and Michael Salvo, who appeared before the Borough Council to present their respective Eagle Scout Service Project Proposal for approval.

Tristan Thomas' Eagle Scout project, Bird Blinds in Wuhala Woods, will consist of designing and building a bird blind in Wuhala Woods, a wooded area located in the northern section of the Borough. The bird blind will help visitors observe birds and wildlife without disturbing their habitat. The project's beneficiary will be the Chatham Borough Environmental Commission.

Grant Hauck's Eagle Scout project, Wuhala Woods Trail Recovery, will consist of designing and building a hiking trail complete with bog bridges through the Wuhala Woods area. The project's beneficiary will also be the Chatham Borough Environmental Commission.

Michael Salvo's Eagle Scout project, Benches and Tables at the Library of the Chathams and Memorial Park, will consist of rebuilding and revitalizing the benches and tables at Memorial Park and will add a children's reading area at the Library. The project's beneficiary will be the Library of the Chathams.

Each of the three Eagle Scout projects were well received by the Council. Authorizing resolutions will be placed on the November 24<sup>th</sup> Council Agenda.

**Chatham Downtown Alliance** – Mr. Tony Britt, a founding member of the Chatham Downtown Alliance (“CDA”), provided a brief update on the CDA's progress since the organization's inception in June 2012. The CDA's mission has been to promote the downtown business area in Chatham Borough by enhancing the downtown experience for residents and shoppers through special offerings, events and activities. Some of the events and activities sponsored over the past two years included Ladies Night Out, Small Business Saturday, Easter Egg Hunts, and the popular Christmas Tree Lighting with Santa. The organization currently includes 45 member merchants and membership in the CDA is free. Mr. Britt announced the CDA will be expanding its mission to include businesses along River Road, Watchung Avenue and Commerce Street and will change its name to the Chatham Business Alliance, reflecting its expanded focus. Mr. Britt thanked the Borough Council for its support and stated he looks forward to a continued working relationship with the Borough Council in enhancing all business areas in the Borough.

**Proposed Pilgrim Pipeline** – Ms. Katey DePinto, Ms. Dawn Ferguson, Mr. Len Resto and Mr. Ken Dolsky, representing “Chatham Citizens,” gave an informative presentation on the proposed Pilgrim Pipeline. Pilgrim Pipeline Holdings, LLC is a start up venture capital firm whose purpose is to raise private capital to develop a delivery system of petroleum products from Albany, NY to the Linden, NJ refinery. A second pipeline would return refined petroleum products back to Albany, NY. Ms. DePinto provided a summary of the many environmental and safety hazards posed by the proposed Pilgrim Pipeline, which would carry up to 400,000 barrels/day of Bakken crude oil. She commented that the current delivery system uses barges up and down the Hudson River and that there are no plans to end this form of delivery. Mr. Dolsky went on to report that the Bayway Refinery has committed to investing in a rail transport system, not the pipeline and Mr. Resto advised that developing a rail system would create a transportation system, which could be used by many industries in future years. Ms. DePinto further reported Bakken oil is produced by a fracking method in North Dakota and is the most explosive and volatile of crude oils. The pipeline would traverse Chatham Borough, following the PSE&G right-of-way with shut-off valves designed to be installed every 10 miles along the pipeline route. Within a 10-mile span there could be as much as 1.2 million gallons of crude oil or crude oil products. Ms. Ferguson then reported on the extensive Buried Valley Aquifer System, which supplies three Borough wells with fresh potable water. Over 90% of Chatham Borough residents rely on the aquifer for all potable water needs. Other than the Buried Valley Aquifer System, there are no other viable alternative sources of fresh water to the Borough, making this a fundamental concern of residents. The aquifer would be vulnerable to potential toxic pipeline spills. Ms. Ferguson further

reported that 16 communities in Morris County and 4 Essex County communities rely on the Buried Valley Aquifer System. Protection of water resources is paramount. Pipeline leaks and oil spills would have a devastating impact on human and environmental health and the community's economic viability. Residential properties would be devalued. Mr. Resto further informed the Council that the aquifer flows in a westerly direction. A potential pipeline leak would contaminate the aquifer affecting communities east of the pipeline route, including the Borough. In closing their presentation, they commented that the pipeline brings no benefit to Chatham Borough but instead would bear many risks. Ms. DePinto urged Chatham Borough officials to pass a resolution opposing the pipeline and to form a multi-town coalition opposing the Pilgrim Pipeline.

Council President Fife thanked the Chatham Citizens representatives for their informative presentation. She applauded grassroots efforts, which she said bring amazing and powerful tools to a community's approach in proactively addressing controversial projects. As an example, Council President Fife acknowledged that a grassroots effort defeated the proposed jetport in the Great Swamp and surrounding area. Council President Fife then opened the discussion to the Council.

Council Member James Lonergan commented he had done a lot of fact checking on the Pilgrim Pipeline and attempted to prepare a risk-reward analysis. He expressed the importance of knowing all the facts, which he said have not been fully vetted. He further stated that he found the facts and myths presented on Pilgrim Pipeline's website to be questionable. Council Member Lonergan conveyed support for a resolution opposing the Pilgrim Pipeline.

Council Member James Collander thanked the presenters for an informative presentation. He stated he recently learned that PSE&G does not want the Pilgrim Pipeline in their right-of-way and will not give its permission to allow access on their right-of-ways for a pipeline survey. Council Member Collander expressed concern that the Council must proceed cautiously and learn all there is to know about the pipeline to ensure that the Borough is not unnecessarily brought into litigation. Council Member Collander conveyed support for a resolution opposing the Pilgrim Pipeline and recommended that the Council should pass such a resolution.

Council Member Alida Kass expressed that she was cautious in making any decision without having more information and details about the proposed pipeline. She also stated that it would be reasonable for the Borough to allow pipeline representatives access to Borough land to conduct a survey at this time. Council Member Kass then inquired whether the Council would be interested in inviting Pilgrim Pipeline representatives to the Borough to address the Council's questions in their efforts to learn more about the project, especially before the Council considers passing a resolution opposing the pipeline. Council Member Gerald Helfrich and Council Member James Collander both confirmed that the Borough of Kinnelon passed its resolution opposing the Pilgrim Pipeline after pipeline representatives appeared and spoke at a public meeting. They noted it was reported that the Pilgrim Pipeline representatives showed disrespect to the attending audience.

Council Member John Holman voiced concern that the pipeline would provide no benefit to Chatham Borough, or to the state of New Jersey. He also conveyed he would support a resolution opposing the proposed pipeline project as a first step and encouraged Chatham Citizens to begin planning their next steps. Council Member Holman further suggested that they should join with other towns in targeting PSE&G in efforts to let them know of their opposition to the pipeline project. Mr. Len Resto thanked Council Member Holman for his reasoned approach, agreeing that efforts now need to be made with

the utilities and state agencies. Mr. Resto further urged the Borough Council to pull Resolution #14-330 from the agenda.

Council President Fife closed Council discussion. In the interest of allowing all interested citizens in attendance the opportunity to present their comments concerning the Pilgrim Pipeline discussion, Council President Victoria Fife removed discussion of the Memorial Bench Plaques item from the agenda and opened the meeting to the public.

## **MEETING OPEN TO THE PUBLIC**

### **NOTICE OF PUBLIC COMMENT TIME LIMIT**

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 President Victoria Fife opened the meeting to the public.

Cindy Kane, 174 Weston Avenue, informed the Council that Pilgrim Pipeline has sent intimidating letters to property owners stating they would use eminent domain if needed to allow them access to enter private lands. Ms. Kane urged the Council to pass a resolution opposing the pipeline.

Michael Dean, 181 N. Passaic, questioned why the Council would consider allowing Pilgrim Pipeline to conduct a survey of Borough-owned land and urged the Council to pass a resolution opposing the pipeline.

Susan Chumura, 6 Bartow Lane, commented her property lies within 500' of the proposed pipeline and urged the Council to oppose the Pilgrim Pipeline project.

Tim Hyde, 10 Woodland Road, commented that the pipeline would provide no benefit to Chatham Borough and urged the Council to pass a resolution opposing the proposed Pilgrim Pipeline at tonight's meeting. Council President Fife questioned Mr. Lott on legal procedure should the Council wish to move forward with a resolution not listed on the agenda. Mr. Lott advised any Council Member may offer a resolution on any topic by motion, which can be referred for memorialization at the following meeting.

Bernie Vella, 58 N. Summit Avenue, questioned why Resolution #14-330 was placed on the Consent Agenda. Council Member Collander answered that any resolution placed on the Consent Agenda can be removed for discussion and separate action. Council Member Kass clarified that the discussion determining whether or not there was a need for Resolution #14-330 occurred at the previous meeting and over the past two months more information became available, including tonight's presentation.

Branden Keating, 2 Garden Place, voiced his opposition to the pipeline on moral grounds and commented that job growth must move toward "green" jobs.

Paul Suszcynski, 23 Kimball Street, commented that in his previous career he worked at the Linden refinery, which he said had many high-level electrical systems in place to control and safeguard the probability of explosions occurring at the facility. He reminded everyone that even with the best of electrical safeguard systems things can go wrong.

Christine Lehmejian-Karaszewski, 38 Broadview, commented that the role of the Council Members is to represent the interests of the residents.

Martina Sangimino, 49 Rowan Road, sought clarification on why Resolution #14-330, which proposes to give Pilgrim Pipeline access to Borough property to conduct a survey, is needed if the pipeline is built along PSE&G's right-of-way. Mr. Lott advised that a request was received from Pilgrim Pipeline proposedly because the pipeline route crosses over a parcel of land owned by the Borough.

Christine Chmura, 4 Meadow Road, commented that her property backs up to the proposed pipeline and informed the Council that she is concerned about her safety and health. She encouraged the Borough to be leaders in green energy initiatives and jobs.

Cindy Wilson, 3 Jessica Court, commented that her property backs up to the PSE&G power lines, where there are three existing gas lines. After witnessing the destruction caused by a gas line rupture in Edison, New Jersey 20 years ago, she questioned the safety of constructing a pipeline through this area. Ms. Wilson also displayed a scrolling of several printed pages of articles evidencing numerous oil pipeline spills that occurred throughout the county, which she said she found by performing a simple Google search.

Council Member James Collander confirmed to the audience that the Council represents the community and interests of its citizenry. He also assured everyone that as residents themselves, all Members of the Council have a vested concern in doing what is in the best interest of the town. Council Member Collander then voiced his interest in making a motion to pull Resolution #14-330 from the agenda and stated he would also like to make a motion to present a resolution opposing the Pilgrim Pipeline. Mr. Lott advised that before proceeding with a motion, Council President Fife should first inquire whether there are any more comments from the public to be heard; if not, public comments should be closed before proceeding with motions.

Seeing no one wishing to speak Council President Fife closed the meeting to the public.

Council Member James Collander sought clarification on how he should offer a motion to pull Resolution #14-330 from the Consent Agenda, as well as, offer a motion to oppose the Pilgrim Pipeline project. Mr. Lott advised that in following parliamentary procedure, a motion should be first offered to remove Resolution #14-330 from the Consent Agenda for a vote, followed by a motion to approve or vote down Resolution #14-330. Finally, a third motion can be made to oppose the Pilgrim Pipeline project, which would be memorialized at the next meeting by a written resolution.

**Motion to Remove Resolution #14-330 from the Consent Agenda for a Vote**

Council Member James Collander made a motion to remove Resolution #14-330 from the Consent Agenda for a vote. The motion was seconded by Council Member John Holman. Upon a voice vote, the motion carried and Resolution #14-330 was removed from the Consent Agenda for a vote.

**RESOLUTION REMOVED FROM THE CONSENT AGENDA**

**RESOLUTION #14-330**

**RESOLUTION PERMITTING PILGRIM PIPELINE HOLDINGS, LLC ACCESS TO CERTAIN BOROUGH PROPERTY FOR THE PURPOSE OF PREPARING A PIPELINE SURVEY**

**WHEREAS**, Pilgrim Pipeline Holdings, LLC is proposing to develop an East Coast pipeline to carry crude oil from Albany, New York to refineries in Linden, New Jersey, and to carry refined petroleum products northbound from New York Harbor to Upstate New York; and

**WHEREAS**, the Borough Administrator has informed the Mayor and Council at their October 27, 2014 closed session that representatives from Pilgrim Pipeline Holdings, LLC project management team have contacted the Borough seeking permission to access certain Borough property for the purpose of preparing a pipeline survey for the proposed Pilgrim Pipeline from Albany, New York to Linden, New Jersey; and

**WHEREAS**, the Mayor and Borough Council asked the Borough Administrator to notify Pilgrim Pipeline Holdings, LLC that access to Borough property for surveying purposes only is authorized.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby consent to Pilgrim Pipeline Holdings, LLC’s request seeking permission to access certain Borough property for the purpose of preparing a pipeline survey, contingent upon the Borough receiving a copy of the pipeline survey once completed; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator is hereby directed to advise Pilgrim Pipeline of the Borough’s consent and to request a copy of the pipeline survey once completed.

**Motion to Vote on Resolution #14-330**

Council Member John Holman made a motion to vote down Resolution #14-330. The motion was seconded by Council Member Gerald Helfrich. Upon a voice vote, the motion carried and Resolution #14-330 was voted down.

**Motion to Draft a Resolution Opposing the Proposed Pilgrim Pipeline Project for Presentation at the November 24<sup>th</sup> Council Meeting**

Council Member James Collander made a motion for a draft a resolution opposing the proposed Pilgrim Pipeline Project to be presented at the November 24<sup>th</sup> Council meeting. Motion seconded by Council Member Gerald Helfrich.

Council President Victoria Fife asked the Borough Clerk for a roll call vote.

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

Council President Victoria Fife confirmed a resolution opposing the Pilgrim Pipeline project will be presented at the November 24<sup>th</sup> Council meeting.

## **REPORTS**

Due to the late hour, there were no reports from the Council Committees.

## **MAYOR'S REPORT**

Mayor Bruce Harris confirmed letters have been sent to volunteers whose terms are due to expire at the end of the year on the boards and commissions to inquire if they would like to be re-appointed. Mayor Harris stated volunteers are needed to serve on the Environmental Commission and Shade Tree Commission, among other boards, commissions and committees, and encouraged any interested resident to submit a volunteer application for consideration.

## **ADMINISTRATOR'S REPORT**

Mr. Robert Falzarano reported that policies and procedures are being drafted for the handling and processing of Planning Board and Zoning Board of Adjustment applications. The new policies and procedures will incorporate a review and approval procedure by all Borough emergency service providers and will provide a comprehensive application checklist and fee schedule. The draft has been circulated to all Department Heads for review and comment. Mr. Falzarano also reported that Post Office Plaza and Bowers Lane will be paved on Wednesday, November 12<sup>th</sup>. Businesses have been notified of alternative parking areas, which can be utilized when the lots are closed for paving. Lastly, Mr. Falzarano reported that preparation of the draft 2015 budget is underway. The Finance Committee will be meeting again on Thursday, November 13<sup>th</sup>.

## **CONSENT AGENDA**

Council President Fife announced the following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There would be no separate discussion of these items unless a Council Member so requests, in which event the item would be removed from the Consent Agenda and considered in its normal sequence on the Agenda. Resolutions #14-325 through #14-329 have been placed on the Consent Agenda. Resolution #14-330 had been removed.

## **FINANCE**

### **RESOLUTION #14-325**

#### **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 #14-326**

#### **RESOLUTION AUTHORIZING THE REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that a duplicate payment was made by the seller's mortgage lender and purchaser's mortgage lender at the date of closing resulting in an overpayment of property taxes; and

**WHEREAS**, the Tax Collector has further advised a refund for the duplicate property tax overpayment is to be made as follows:

<b>BLK/LOT</b>	<b>OWNERS &amp; PROPERTY ADDRESS</b>	<b>AMOUNT</b>	<b>YEAR/QTR</b>
89 / 14	Van Arsdale, Elizabeth 148 Lafayette Avenue	\$3,129.83	2014 - 4Qtr.

Homeowner mailed tax bill to the Borough of Chatham in error.  
It was deposited and therefore needs to be refunded to the Township of Chatham.

Make check payable and mail to:  
Township of Chatham,  
Attn. Mary Ellen Babyack  
58 Meyersville Road  
Chatham, NJ 07928

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund for the duplicate overpayment of property taxes as herein referenced.

### **APPOINTMENTS**

#### **RESOLUTION #14-327**

#### **RESOLUTION APPOINTING FUND COMMISSIONER TO THE MORRIS COUNTY JOINT INSURANCE FUND**

**WHEREAS**, Public Law 1983, c.372 (N.J.S.A. 40A:10-36 et seq.) permits municipalities to join together to form a joint insurance fund; and

**WHEREAS**, the Morris County Municipal Joint Insurance Fund is duly constituted as a Municipal Self-Insurance Fund; and

**WHEREAS**, the Borough of Chatham is a member of the Morris County Municipal Joint Insurance Fund, and

**WHEREAS**, N.J.S.A. 40A:10-36 et seq., as well as, the Bylaws of the Morris County Municipal Joint Insurance Fund provide that “in the manner generally prescribed by law, each member shall appoint one (1) commissioner to the Fund; and

**WHEREAS**, each member shall select either a member of its governing body or one of its employees; and

**WHEREAS** the term of the appointment is either:

1. A commissioner, other than the special commissioner, who is a member of the appointing municipality's governing body shall hold office for two (2) years or for the remainder of his/her term of office as a member of the governing body, whichever shall be less; or.
2. Commissioners who are employees of the appointing municipality shall hold office at the pleasure of the utility authority and can be removed by the municipality at any time without cause.

**BE IT RESOLVED** that the Mayor and Council of the Borough of Chatham does hereby appoint the Borough's Chief Finance Officer, Timothy Day, to serve as Fund Commissioner to the Morris County Municipal Joint Insurance Fund; and

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

**CONTRACT**

**RESOLUTION #14-328**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO JML LANDSCAPING, INC. FOR THE SHEPARD KOLLOCK PARK SPRINKLER SYSTEM, IN THE AMOUNT NOT TO EXCEED 22,162.00**

**WHEREAS**, the Borough Engineer has indicated that the sprinkler system at Shepard Kollock Park is in need of improvements, and

**WHEREAS**, the Borough Engineer solicited and received the following three (3) quotes for the required sprinkler upgrades:

<u>VENDOR</u>	<u>QUOTE AMOUNT</u>
1. JML Landscaping, Inc.	\$22,162.00
2. Growing Concern, Inc.	\$30,463.00
3. R & R Irrigation Co. Inc.	\$24,125.00

And,

**WHEREAS**, the Borough Engineer and the Borough Qualified Purchasing Agent have reviewed all quotes and have deemed the quote submitted by JML Landscaping, Inc., of Neshanic Station N.J., in the amount of \$22,162.00 to be the lowest responsible quote; and

**WHEREAS**, the Borough Engineer recommends that the award of the contract be made to JML Landscaping, Inc., in the amount of \$22,162.00; and

**WHEREAS**, the Director of Finance has confirmed that sufficient funds are available in Capital Improvement Fund Account # C-04-55-911-501 for the award of this contract.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Borough Engineer and hereby authorizes an award of contract be made to JML Landscaping, Inc., of Neshanic Station N.J., in the amount of \$22,162.00, in accordance with the specifications upon which quotes were received and accepted; and

**BE IT FURTHER RESOLVED**, that the Council authorizes the Mayor to execute the contract on behalf of the Borough.

**SHARED SERVICE**

**RESOLUTION #14-329**

**RESOLUTION AMENDING THE INTERLOCAL SERVICE AGREEMENT FOR UNIFORM CONSTRUCTION CODE SERVICES WITH THE BOROUGH OF MADISON**

**WHEREAS**, Resolution #13-381 adopted by the Borough Council on November 25, 2013 authorized the Borough to enter into an Interlocal Service Agreement with the Borough of Madison for all state mandated Uniform Construction Code Services pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.); and

**WHEREAS**, the Borough entered into an Interlocal Service Agreement with the Borough of Madison on November 26, 2013, which provided, among other things, a three (3) year term beginning January 1, 2014 and terminating on December 31, 2016; and

**WHEREAS**, the parties wish to amend the Interlocal Service Agreement to establish a four (4) year term in accordance with N.J.A.C. 5:23-4.6(b)3; and

**WHEREAS**, the parties wish to stipulate to certain matters as set forth in N.J.A.C. 5:23-4.6 through 4.8 providing (i) the term of office of any construction official shall be for four (4) years; (ii) only one central office shall be required, however, the parties may establish offices which are reasonably accessible in terms of distance, location and function, and (iii) the Borough of Madison, as provider, shall administer and enforce the Uniform Construction Code.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby amend the Interlocal Service Agreement as set forth herein; and

**BE IT FURTHER RESOLVED**, by the Borough Council that the Mayor is authorized to execute the Amendment to the Interlocal Service Agreement for Construction Services with the Borough of Madison.

#### **CONSENT AGENDA VOTE:**

Council President Fife asked Council Member Gerald Helfrich to proceed with Resolutions #14-325 through #14-329 listed on the Consent Agenda.

Council Member Helfrich moved to approve the resolutions presented on the Consent Agenda. Motion seconded by Council Member James Collander. A voice vote was taken and all Resolutions listed on the Consent Agenda were approved unanimously.

#### **ADD-ON RESOLUTIONS**

None.

#### **ORDINANCE FOR FIRST READING**

Council President Victoria Fife asked Council Member James Collander to introduce Ordinance #14-11.

Council Member Collander introduced Ordinance #14-11 by title as follows:

#### **ORDINANCE #14-11**

#### **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 15 OF THE BOROUGH CODE RELATED TO THE BOROUGH FIRE DEPARTMENT**

Council Member Collander explained the purpose of the Ordinance and moved for its introduction on First Reading.

Borough Attorney James Lott stated the Ordinance will be introduced at tonight's meeting by title only and the full text of the Ordinance will be available on the website Tuesday morning.

Council Member Collander read:

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

**BE IT RESOLVED**, that at the Council meeting to be held on November 24, 2014 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

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

Council Member Collander made a motion to approve Ordinance #14-11 on first reading.

Motion seconded by Council Member Holman.

Council President Fife asked the Borough Clerk for a Roll Call Vote:

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

The Borough Clerk stated Ordinance #14-11 passed on first reading and will be scheduled for second reading and public hearing at the November 24, 2014 meeting of the Mayor and Council

Council President Victoria Fife asked Council Member James Lonergan to introduce Ordinance #14-12.

Council Member Lonergan introduced Ordinance #14-12 by title as follows:

**ORDINANCE #14-12**

**AN ORDINANCE TO AMEND THE SALARIES AND WAGES FOR CERTAIN MUNICIPAL POSITIONS OF THE BOROUGH OF CHATHAM FOR THE YEAR 2015**

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

Council Member Lonergan read:

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

**BE IT RESOLVED**, that at the Council meeting to be held on November 24, 2014 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

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

Motion seconded by Council Member Helfrich.

Council President Fife asked the Borough Clerk for a Roll Call Vote:

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

The Borough Clerk stated Ordinance #14-12 passed on first reading and will be scheduled for second reading and public hearing at the November 24, 2014 meeting of the Mayor and Council

Council President Victoria Fife noted there would be no Executive Session at tonight's meeting and opened the meeting to the public for any further public comment.

**PUBLIC COMMENT**

Michael Dean, 181 N. Passaic, thanked the Borough Council for moving forward with a resolution opposing the Pilgrim Pipeline project.

Ed Barkmanian, reporter for the Chatham Alternative Press, sought clarification on Salary Ordinance #14-12.

**ADJOURNMENT**

Having no further business to be conducted, Council Member Gerald Helfrich made a motion to adjourn the meeting. Motion seconded by Council Member John Holman.

Meeting adjourned at 9:25 p.m.

Respectfully Submitted:

*Robin R. Kline*

Robin R. Kline, MAS, RMC, CMR  
Borough Clerk  
BOROUGH OF CHATHAM