

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

**November 24, 2014 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, November 24, 2014 at 7:15 p.m. in the Council Chambers in the Municipal Building, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

The Mayor and Borough Council led the assembled in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Harris asked for a moment of silence 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.

In addition, the Borough Clerk announced that a 48-Hour Notice was transmitted electronically to the press notifying of the change in the meeting time from 7:30 p.m. to 7:15 p.m. and such notice was posted on the Municipal Bulletin Board and filed with the Borough Clerk in accordance with the Open Public Meetings Act.

**ROLL CALL**

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 Member 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

Mayor Bruce A. Harris asked Council President Victoria Fife to read Resolution #14-331.

**RESOLUTION TO RECESS INTO CLOSED SESSION**

**RESOLUTION #14-331**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it shall recess into executive 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:

- Attorney-Client Privilege:
1. Property Tax Appeals/Settlements – Mr. O'Donnell and Ms. DePierro
    - New Way Associates, 169 Main Street, Block 123, Lot 1
    - Andrew & Doreen Acampora, 87 Watchung Avenue, Block 109, Lot 5

## 2. Property Tax Litigation Strategy 2014-2015

**BE IT FURTHER RESOLVED**, 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 in public session after this closed session.

Council President Victoria Fife moved Resolution #14-331. Motion seconded by Council Member John Holman. A voice vote was taken and Resolution #14-331 was approved unanimously.

The Mayor and Council adjourned into Closed Session at 7:20 p.m.

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Mayor Bruce Harris reconvened the meeting into Public Session at 7:40 p.m. and asked the Borough Clerk to take the roll call.

### **ROLL CALL UPON RECONVENING INTO PUBLIC SESSION**

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 Member 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

### **PROCLAMATION**

Mayor Bruce Harris acknowledged the presence of Mr. Dennis Salko, a member of the Northern New Jersey Pancreatic Cancer Action Network, and proceeded to read the following proclamation:

#### **DECLARING THE MONTH OF NOVEMBER “PANCREATIC CANCER AWARENESS MONTH” IN THE BOROUGH OF CHATHAM**

**WHEREAS**, in 2014, an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease; and

**WHEREAS**, pancreatic cancer is currently the fourth leading cause of cancer death in the United States and is projected to become the second leading cause of cancer death by 2020; and

**WHEREAS**, when symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years; and

**WHEREAS**, the *Recalcitrant Cancer Research Act* was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

**WHEREAS**, the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

**WHEREAS**, the Pancreatic Cancer Action Network and its affiliates support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

**WHEREAS**, the good health and well-being of people are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

**NOW, THEREFORE**, I, Bruce A. Harris, Mayor of Chatham Borough, together with the Council of the Borough of Chatham, do hereby proclaim the month of November as

**“PANCREATIC CANCER AWARENESS MONTH”**

In the Borough of Chatham and urge all citizens of Chatham Borough to become more aware about pancreatic cancer and its early detection, causes, and effective treatments.

Council Member James Lonergan moved to approve the Proclamation. Motion seconded by Council Member John Holman. A voice vote was taken and the Proclamation was approved unanimously.

Mayor Bruce Harris then presented the Proclamation to Mr. Dennis Salko, who thanked the Borough for its continued support of raising awareness to the early detection and effective treatments of pancreatic cancer. Mr. Salko commented that his late wife passed away from pancreatic cancer, which has inspired him to become an advocate for pancreatic cancer awareness.

**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.

Before Mayor Harris opened the meeting to the public, he announced the Borough is seeking to recruit volunteers to fill immediate vacancies on the Environmental Commission (at least two members are needed), Historic Preservation Commission (one member is needed), and the Library Board of Trustees (one new Trustee is needed). Mayor Harris further mentioned that the Borough is also looking to appoint members to the Pool Advisory Committee who can help make the Borough Pool a profitable enterprise for the community. He encouraged interested residents to submit their volunteer application for consideration.

Mayor Harris opened the meeting to the public and asked that comments be limited to Resolution #14-332.

Council Member John Holman briefly highlighted some of the key points provided in the resolution opposing the pipeline, including the formation of an advisory committee, to be known as the Chatham Borough Pilgrim Pipeline Advisory Committee. The advisory committee will be responsible for obtaining information on the pipeline, advising the Mayor and Council, and conducting information sessions for residents and maintaining liaisons with other groups opposed to the pipeline.

Mayor Harris, who authored the resolution, stated that the resolution does not end the Borough's initiative in opposing the proposed Pilgrim Pipeline. He reported that he met with the Borough's legislative representatives from the 21<sup>st</sup> Legislative District, namely Senator Tom Kean, Jr. and Assemblywomen Nancy Munoz, who will be working with legislative representatives from the 27<sup>th</sup> Legislative District (representing Madison, Florham Park, and Chatham Township among other communities). A multi-town Town Hall meeting is being planned with six communities expressing their interest in participating (Chatham Borough, Chatham Township, Harding, Florham Park, East Hanover and Madison), as well as, state regulators. Mayor Harris also announced that a Landowner Rights Workshop will be held at the Library of the Chathams on December 8<sup>th</sup> at 6:30 p.m. and advised that additional information about the workshop can be found on the Borough's website.

Susan Chumura, 6 Bartow Lane, questioned the role Council Member Kass would serve as one of the three Council Member liaisons appointed to the Chatham Borough Pilgrim Pipeline Advisory Committee considering the position she has voiced in not consistent with that of the public. Ms. Chumura further expressed concern that the resolution makes a reference to inviting Pilgrim Pipeline officials to speak to residents about the project, which she opposes.

Michael Dean, 181 N. Passaic, thanked Council Member Kass and Council Member Lonergan for their comments at the November 10<sup>th</sup> meeting. Mr. Dean encouraged Borough officials to continue to take progressive steps in opposing the pipeline.

Branden L. Keating, 2 Garden Place, commented that the Chatham Citizens Group will conduct community outreach in its efforts to oppose the pipeline and urged Borough officials to encourage legislative representatives to publicly oppose the Pilgrim Pipeline. Mr. Keating thanked the Mayor and Council for introducing the resolution opposing the pipeline.

Ida Picker, 10 Garden Avenue, commended the Mayor and Council on its well-written resolution opposing the Pilgrim Pipeline. Ms. Picker pointed out that the New York Sunday Times featured a front page investigative story reporting on the pitfalls and dangers of fracking in South Dakota and the Monday edition contained a story reporting on the connection between oil and politics. She encouraged everyone to become informed of the risks and dangers oil pipelines pose.

Fay Molesphini, identified herself as a member of the Women's Club of New Jersey and proud member of the Chatham Town and Country Garden Club. She stated she has called the Governor's office and Legislative offices voicing her strong opposition to the proposed pipeline. Ms. Molesphini reminded the community how it fought hard to stop the proposed jetport and encouraged all residents to contact their elected representatives to voice their opposition to the pipeline.

Burt Rae, 63 Rowan Road, commented that he supports the Borough's efforts in opposing the Pilgrim Pipeline and applauded the due process efforts the Borough is taking which will be defensible.

Marilyn Tepper, a Florham Park resident, encouraged Borough officials to get the word out by contacting the press and media on the dangers posed by the pipeline and the potential threat of contaminating a water supply that 3.2 million people in the region depend on. Council Member John Holman advised that New York Channel 2 News covered the story and reported on the bullying tactics used by Pilgrim Pipeline representatives when approaching property owners. The news clip can be found on YouTube.

Monica Schaffer, 45 N. Hillside Avenue, questioned who takes responsibility if an eminent domain claim is made to take property. She reminded the Council that there is a Superfund Site in Chatham Township, which has not been remediated. Council Member Alida Kass responded that long-term remediation clean up costs would not be borne by a governmental entity and is of great concern to communities.

Seeing no one wishing to speak Mayor Harris closed the meeting to the public.

Mayor Bruce Harris advised that Chatham Borough did not sign a form resolution like many other towns but rather wanted to take a different approach in addressing the serious issues and concerns that affect Chatham. Mayor Harris further reported that the Borough's resolution creates an advisory committee to advise the governing body on the issues going forward and will interface with legislative representatives and other towns. He applauded the efforts of the Chatham Citizens Group and mentioned that the advisory committee will work together with the Citizens Group to get answers to all questions. Mayor Harris further expressed his appreciation in the interest he received from Council Members Kass, Holman and Collander in seeking to be appointed as Council liaisons to the Chatham Borough Pilgrim Pipeline Advisory Committee.

Mayor Harris proceeded to read Resolution #14-332.

**RESOLUTION (NON-ROUTINE; NON-CONSENT)**

**RESOLUTION #14-332**

**RESOLUTION OPPOSING PILGRIM PIPELINE HOLDINGS, LLC'S PROPOSED UNDERGROUND OIL PIPELINE FROM ALBANY, NY TO LINDEN, NJ TRAVERSING THE BOROUGH OF CHATHAM**

**WHEREAS**, Pilgrim Pipeline Holdings, LLC ("Pilgrim") is proposing to build a bi-directional pipeline for the purposes of transporting crude oil and other refined petroleum products between Albany, New York and the refineries in Linden, New Jersey that would traverse the Borough of Chatham, NJ; and

**WHEREAS**, the pipeline will carry oil that has been extracted from North Dakota's Bakken shale through the process of hydraulic fracturing, or fracking, a method of oil and gas extraction that involves pumping toxic chemicals into the shale, threatening ground water, creating radioactive waste and releasing large quantities of methane gas into the atmosphere; and

**WHEREAS**, the proposed route for the pipeline will cross the New Jersey Highlands region, an area that has been afforded special protection by the New Jersey State Legislature by its passage, in 2004, of the New Jersey Highlands Water Protection and Planning Act, which Act created the Highlands Water Protection and Planning Council and the Highlands Regional Master Plan to ensure resource based planning would be used in the Highlands to combat sprawl and the depletion of water quality and quantity as the region provides drinking water to 5.4 million state residents; and

**WHEREAS**, the proposed route for the pipeline also crosses the Buried Valley Aquifer, which has been designated as a “sole source aquifer” by the United States because of the high percentage of residents in the region who are dependent on the aquifer for potable water, including the Borough of Chatham, which obtains its water from wells that draw from the Buried Valley Aquifer; and

**WHEREAS**, the Borough Council of the Borough of Chatham is charged with the wise stewardship of our natural resources for future generations and has long recognized the importance of preserving and protecting its open spaces and water resources by adopting an Open Space and Recreation Plan and a Wellhead Protection Ordinance, and has a responsibility to provide a safe environment for all its residents; and

**WHEREAS**, at its meeting on November 10, 2014, the Borough Council discussed the safety and environmental issues arising from the proposed construction of the pipeline, as well as potential harm to municipal infrastructure, the possible adverse impacts of pipeline construction equipment, including the compaction of soil that would result in a reduction in water absorption rates, and the negative impacts on property values and upon future development in the Borough; and

**WHEREAS**, the Borough Council recognizes that there is no substitute for water and is extremely concerned about the high risk that a leak in or explosion of the pipeline will compromise our aquifer for years or decades to come as the pipeline will cross the Buried Valley Aquifer; and

**WHEREAS**, the Borough Council is concerned about the hazard the project may create due to the nature and volume of highly volatile crude oil and crude oil products flowing through the pipeline, as well as its proposed route, which crosses through residential neighborhoods and passes by schools, should an explosion and or leak occur; and

**WHEREAS**, the Borough Council is concerned that the record of pipeline leaks in this nation suggest that neither current pipeline technology nor federal pipeline inspection resources are adequate to mitigate the dangers this pipeline poses to our environment.

**BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham, in the County of Morris, that the Mayor and Borough Council opposes the construction of the Pilgrim pipeline and calls for a moratorium on any and all planning, surveying or construction of said pipeline through the Borough of Chatham (except as may be conducted by governmental agencies) as the project will negatively impact the Borough’s sole source of water as well as its other valuable natural resources; and

**BE IT FURTHER RESOLVED**, that the New Jersey Department of Environmental Protection be directed to conduct a full environmental impact study, including a Highlands Act review, to assess the myriad environmental consequences associated with this proposed project; and

**BE IT FURTHER RESOLVED**, that, in recognition of the need for the Mayor and Borough Council, and all Borough residents, to be kept informed about this project, that it hereby establishes an advisory committee, to be known as the Chatham Borough Pilgrim Pipeline Advisory Committee (the “Committee”), which Committee will be responsible for obtaining information on the pipeline, advising the Mayor and Borough Council thereon, and conducting information sessions for residents (which may include inviting Pilgrim officials to speak to residents about the project), otherwise informing Borough residents about the project and establishing and maintaining liaisons with other groups opposed to the pipeline; and

**BE IT FURTHER RESOLVED**, that the initial members of the Committee shall be: Len Resto, Kate Murphy, Tony Britt and Mayor Dick Plambeck; and

**BE IT FURTHER RESOLVED**, that Council Member John Holman, Council Member Alida Kass and Council Member James Collander shall serve as liaisons from the Council to the Committee; and

**BE IT FURTHER RESOLVED**, that, recognizing that this resolution is only the beginning of our expression of opposition to the project that all concerned Borough residents are encouraged to maintain vigilance about this project and to individually contact their county, state and federal officials to express their opposition to this project; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to Governor Chris Christie, Congressman Rodney Frelinghuysen, Senate President Steven M. Sweeney, Assembly Speaker Vincent Prieto, State Senator Thomas H. Kean, Jr., Assembly Republican Leader Jon Bramnick, Assemblywoman Nancy Munoz, the governing bodies of all Morris County Municipalities and the Morris County Board of Chosen Freeholders.

Mayor Bruce Harris opened Council discussion on Resolution #14-332.

Council Member James Collander stated that the effort to oppose the pipeline may be a long, difficult and expensive process and noted that the Highlands may be a major roadblock to the proposed project.

Council Member John Holman reported that Council President Victoria Fife has already reached out to Ray Codey, Madison’s Borough Administrator, who has informed that Senator Codey is involved and will be working with Senator Kean, Assemblyman Bramnick and Assemblywoman Munoz in organizing a consolidated Town Hall meeting with Madison, Chatham Borough, Chatham Township, Hanover, East Hanover, Florham Park and Harding Township. Council Member Holman encouraged all residents to contact their legislative representatives in an effort to make their voices heard.

Council Member Alida Kass commented that she appreciated everyone’s comments and emails received over the past two weeks. She expressed her concern that Borough officials should proceed with both procedural fairness and procedural effectiveness at this early point in time in the process. She stated that she is hesitant to condemn a project until all the facts are known and mentioned she would like to extend the courtesy to Pilgrim Pipeline representatives to hear from them. Council Member Kass agreed that questions raised concerning who would be responsible for operating the pipeline and who would be responsible for protecting the aquifer are matters of great concern.

Council Member James Collander stated that the notion that the Borough should not have any communication with Pilgrim Pipeline would be a mistake and proffered that for the Borough to

formulate effective strategies and negotiations, it is important to understand what Pilgrim Pipeline is trying to do.

Mayor Bruce Harris closed Council discussion and asked for a motion.

Council Member John Holman moved to approve Resolution #14-332. Motion seconded by Council Member James Collander. A voice vote was taken with five Council Members in favor; Council Member Alida Kass opposed the motion.

Mayor Bruce Harris recognized Mr. Bill Heap, a member of the Chatham Jaycees, who announced the Jaycees will be holding its 47<sup>th</sup> Annual Christmas Tree Sale beginning Saturday, November 29<sup>th</sup> through December 22<sup>nd</sup>. Sale hours are Sunday – Friday 6:00 p.m. to 10:00 p.m. and Saturdays 9:00 a.m. to 7:00 p.m. Proceeds benefit Borough organizations. Mayor Harris encouraged all residents to patronize the Chatham Jaycees Christmas Tree Sale and also to consider volunteering some of their time to help assist in the annual event.

### **RESOLUTION #14-333**

#### **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:

November 10, 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:

November 10, 2014

Council Member Gerald Helfrich moved to approve Resolution #14-333. Motion seconded by Council Member John Holman. A voice vote was taken and Resolution #14-333 was approved unanimously.

#### **DISCUSSION ITEMS**

**Recycling Depot Security** – Council Member John Holman reported two adjacent businesses and NJ Transit have property rights and unmonitored access to the Borough's Recycling Depot. At times when entrance gates are left unlocked, the Recycling Depot is being used to dump construction debris and other materials, which then must be cleaned and removed by the Borough's DPW crews. In an effort to address the security of the Recycling Depot, the Public Works Planning Committee is exploring several options, such as installing surveillance cameras and fencing. The Committee also will be working cooperatively with the two adjacent property owners and NJ Transit.

**Water Master Plan** – Mr. Vince DeNave reported the integrity of the Borough's water system infrastructure is pretty good; however, proposed NJDEP mandates may require the replacement of all 4-inch water lines. Mr. DeNave recommended that the Borough should replace 4-inch water lines on an "as needed" basis with 6-inch lines. Some 4-inch water lines are close to 100 years old. Twenty-nine water line breaks occurred for the period 2004 to 2013 and the Borough's DPW continues to track problematic water lines. He further reported that well pumps, well

houses and tanks are aging and will need to be replaced at some point in time. The last inspection occurred in 2008. Mr. DeNave recommended that the Borough's annual flushing of water lines should be documented and made part of the Water Master Plan to help determine when water line valves need to be replaced. With respect to the Borough's wells, all three Borough wells are located proximate to each other, increasing the likelihood that all three wells may be decommissioned in the event of a ground water contamination event. Mr. DeNave recommended that a study be conducted to investigate and identify the potential location of a fourth well. Council Member Gerald Helfrich recommended that the matter be reviewed by the Finance Committee.

**Hedges Avenue Sewer Line** – Mr. Vince DeNave reported a significant rain event occurred in April 2014, which overwhelmed the sewer system. Four homes along Hedges Avenue experienced a backflow of waste water into their basements as a result. Mr. DeNave further reported that 16-inch sewer lines tie into 48-inch sewer lines, which flow into the sewage plant. During significant storms, these larger sewer lines fill to capacity with rain and flood waters. Root growth and grease issues restrict the flow of water through the lines further compromising the flow capacity. The Borough continues to conduct I & I studies and lining of sewer lines to prevent infiltration of water into the sewer system. In efforts to help prevent the backflow of waste water into home basements, Mr. DeNave recommended that all homes in identified areas should be required to install backflow preventer valves, which can be incorporated into the construction application process.

**Zoning Permit Fees** – Mr. James Lott and Mr. Vince DeNave reported a fee schedule has been prepared and a fee resolution will be presented in the beginning of 2015.

**2015 Fees: Recreation, Solid Waste, Sewer and others** – Council Member James Lonergan reported solid waste fees will remain flat for 2015. The sewer fee will increase 2% increase in 2015. Council Member Lonergan reported recreation programs are now run by clubs and are running efficiently. Some recreation program fees are expected to decrease in 2015.

**Borough Hall Reorganization** – Council President Victoria Fife, Chair of the Personnel Committee, asked Mr. Falzarano to provide a brief report on the Borough's reorganization plan. Mr. Falzarano reported the need to reorganize municipal departments began in 2013 due to budget constraints, the state-mandated 2% cap, and outsourcing of municipal services through shared service agreements over the past five years. Mr. Falzarano reported the shared service program saved the taxpayers approximately \$1.4 million over four years. Full-time staffing was reduced from 66 employees in 2008 to 49 employees in 2014. During this period, services were not decreased. New programs such as White Lights, Chatham Clean, and Chatham Cares and Shares have created new roles and responsibilities, which are supported by Borough staff. To help address current and new demands, and to formally centralize services and support provided to community events, Mr. Falzarano reported that a new Community Services component will be created.

Mr. Falzarano further reported on the relocation of the Administrator's, Administrative Assistant and Engineer's office to the main floor. Relocating these offices will make available additional rentable office space on the upper level. The relocation and fit up of municipal officers will take place between December 2014 and January 2015. Mr. Falzarano mentioned there will be no major construction associated with the relocation of offices.

Lastly, Mr. Falzarano presented a color-keyed Table of Organization detailing the proposed reorganization plan. In addition to showing the reorganization of the Borough's staff, the organizational chart readily captures the extent volunteer boards, commissions and committees add to the Borough government's structure and delivery of services.

Council Member James Collander mentioned that a critical component of the reorganization plan concerns cross-training of employees in the delivery of services, as well as, succession planning as Borough employees retire.

Mayor Harris pointed out that the reorganization plan also incorporates the "team" concept among Borough employees and departments and gave as an example, the Borough's public communications. Press releases are handled by Kevin O'Shea (Police Department), website management is handled by Robin Kline (Borough Clerk's office), and TV/media updates are handled by Carol Nauta (Recreation Department). While the Borough cannot create a single department, it has formalized "team" interactions.

**Narcan Program** – Chief Philip Crosson reported that the Chatham Borough Police Department will be applying to the state to participate in the Narcan<sup>®</sup> Administration Program. Once registered, the Police Department will receive training and equip police officers with the antidote Narcan<sup>®</sup> to treat persons experiencing an opioid overdose from heroin or prescription drugs in efforts to prevent fatalities. Chief Crosson stated this initiative will be beneficial to the community and shared that he has learned that many police departments have had the need to administer Narcan<sup>®</sup> to senior citizens who accidentally overdose on prescription drugs.

## **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.

Mayor Harris opened the meeting to the public.

Barbara Murray, 11 Schindler Court, asked for clarification on the proposed M District Ordinance and questioned why the Borough is expanding residential uses within the Overlay Zone.

Michael Dean, 181 N. Passaic, commented that the Borough approved a water study years ago to be performed for Center Avenue but the proximity to Route 24 was a concern. Mr. Dean asked the Mayor and Borough to invite the School Superintendent to make a presentation on the school budget and referendum. Mayor Bruce Harris responded that Dr. LaSusa is tentatively scheduled for March 25, 2015.

Seeing no one wishing to speak Mayor Harris closed the meeting to the public.

## **ORDINANCES FOR SECOND READING**

Mayor Harris asked Council President Fife to proceed with Ordinance #14-09.

Council President Fife read Ordinance #14-09 entitled:

**ORDINANCE #14-09**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 165 OF THE LAND DEVELOPMENT REGULATIONS OF THE BOROUGH CODE RELATED TO THE M-1, -2 and -3 DISTRICTS AND CREATING A NEW GATEWAY OVERLAY DISTRICT IN ACCORDANCE WITH THE 2013 MASTER PLAN AMENDMENT**

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

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

The Borough Clerk stated a legal notice was published indicating that Ordinance #14-09 was introduced and passed on first reading at the October 27, 2014 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on November 24, 2014 for consideration of final adoption. In addition, Notice of the public hearing and second reading for said Ordinance was provided to the Morris County Planning Board and to the Municipal Clerk of every municipality within 200' of the proposed zoning change, namely, the Borough of Florham Park, the Borough of Madison, the City of Summit, the Township of Chatham, and the Township of Millburn, via certified mail on October 28, 2014, in accordance with N.J.S.A. 40:55D-62.1 and N.J.S.A. 40:55D-15.

Ordinance #14-09 was referred to the Chatham Borough Planning Board for review via hand-delivery to the Chatham Borough Planning Board Administrative Secretary on October 28, 2014 and on November 13, 2014, the Borough of Chatham Planning Board submitted its Resolution with its findings and recommendation to the Mayor and Council.

Notifications of the public hearing for said Ordinance were mailed to the owners of real property within 200' in all directions of the boundaries of the M Zone Districts and Gateway Overlay District via certified mail and regular mail. Copies of the Ordinance were made available to the general public and posted in accordance with law.

Mr. Lott advised the Mayor and Council that technical amendments were made to the Ordinance to correct citation errors and that a motion to accept the amendments would be in order. Mr. Lott further advised, and stated for the record, that the technical amendments to the Ordinance are not substantive revisions and therefore do not require additional noticing.

**MOTION TO APPROVE AMENDMENTS TO ORDINANCE #14-09**

Council Member James Lonergan made a motion to approve the technical amendments to Ordinance #14-09. Motion seconded by Council Member James Collander. A voice vote was taken and the motion was approved unanimously.

Mayor Harris asked Council President Fife to provide a brief overview of the Ordinance.

Mayor Harris opened the public hearing on Ordinance #14-09 and invited any member of the public to be heard.

Tom Clingan, 2 Schindler Court, questioned why the new ordinance does not provide the same restrictive language as the old ordinance, providing that light manufacturing uses cannot create noise, light, dust or fumes and also providing that manufacturing must be performed in a fully enclosed building. For these reasons, Mr. Clingan opposed the Ordinance and requested the Council to delay adopting the Ordinance pending further review.

Michael Dean, 181 N. Passaic, questioned the maximum number of housing units that can be developed in the M Districts and Overlay Zone and voiced his concern that with more housing units the schools will need to accommodate a growing student body, which in will cost more tax dollars to support.

Robert Simon, Esq., representing Mr. David Hill, 25 Commerce Street, voiced his objection to the M-1 District zone stating that the ordinance does not comply with N.J.S.A. 40:55D-62, which provides that zoning must allow for the adequate and safe use of vehicles, and N.J.S.A. 40:55D-35, which provides that all properties must abut a public street or right-of-way. Mr. Simon asserted that the M-1 District zoning allows overexpansion of pre-existing, non-conforming uses. Allowing 3-storied buildings promotes overuse of lots, especially considering that there is not enough adequate parking. He further asserted that the overuse will spill into his client's property, impacting his client's use of his property.

George Bauer, 27 Watchung Avenue, questioned if current uses are automatically grandfathered under the new zoning. Mr. Lott advised that the Zoning Board of Adjustment decides grandfather rights, not the Mayor and Council and further advised establishing grandfather rights is a fact-sensitive determination upon application to the Zoning Board of Adjustment. Mr. Bauer also questioned if the property is sold for the same use, would the grandfather rights be transferred to the new owner. Mr. Lott again answered that the Zoning Board of Adjustment decides grandfather rights.

Loretta Standing, 9 Schindler Court, inquired if the Borough has received any interest from prospective developers to develop the rezoned properties and commented that she is hopes the Borough ensures that future development is attractive and does not create any nuisances.

Bill McMahan, owner of Crown Oil, asked for clarification on grandfather rights of current property owners and inquired whether a grandfather provision could be included in the new zoning ordinance. Mr. Lott advised that the Zoning Board of Adjustment decides grandfather rights, not the Mayor and Council and further advised establishing grandfather rights is a fact-sensitive determination upon application to the Zoning Board of Adjustment.

Vincent Vargas, 45 River Road, voiced his concern that the new zoning will put small businesses out of business and questioned why the new zoning allows development of residential uses in that area.

Robert Podvey, Esq., representing 4 Watchung Avenue, commented that his client received a Notice of Violation from the Borough's Zoning Officer for storage of cars on the property used by Douglas Motors in Summit. Mr. Podvey informed the Mayor and Council that if cars cannot be stored on the site his client may be put out of business. He confirmed that an application has been filed on behalf of his client with the Zoning Board of Adjustment and conveyed that he is hopeful that the Borough would be willing to work with his client in efforts of helping to keep the business viable.

Bob Harmon, 14 Schindler Court, inquired what consideration, if any, has been given to traffic flow.

Seeing no one else wishing to be heard, Mayor Harris closed the public hearing on Ordinance #14-09.

Mayor Harris opened Ordinance #14-09 for Council discussion.

Council Member Gerald Helfrich questioned why §165-29C of the proposed ordinance does not include restrictions regarding noise, vibrations, smoke, dust, odor, lighting or toxic waste raw materials if those restrictions were provided in the existing zoning ordinance.

Council Member John Holman sought further clarification on grandfathering rights of property owners versus transferring of grandfather rights to new property owners. Vince DeNave, Borough Engineer and Zoning Officer, clarified that lawful pre-existing non-conforming uses would be grandfathered; however, in those instances where pre-existing non-conforming uses were not lawful uses, an application could be made before the Zoning Board of Adjustment seeking appropriate variances.

Council Member Victoria Fife assured everyone in attendance that the vision of the M Districts rezoning was never intended to put any business out of business and is consistent with the Borough's Master Plan.

**MOTION TO AMEND §165-29c OF ORDINANCE #14-09**

Council Member Gerald Helfrich made a motion to amend §165-29C to include the following language:

§ 165-29 Principal permitted uses in the M-3 District. Principal permitted uses on land and in buildings in the M-3 District shall be as follows:

- C. Light manufacturing and assembly or treatment of products from previously prepared materials including art fabrication but excluding the synthesis and/or storage of chemical or flammable products which do not produce noticeable noise, vibration, smoke, dust, odors, heat, glare or hazardous or toxic waste or materials.

Motion was seconded by Council Member James Collander. A voice vote was taken and the motion was approved unanimously.

Council President Victoria Fife offered the Ordinance, as amended, and moved its adoption:

**BE IT RESOLVED**, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

Council Member James Collander seconded the motion.

Mayor Harris 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		x			
Helfrich			x			
Kass			x			

Mayor Harris declared Ordinance #14-09 adopted and finally passed and requested the Clerk to

publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

Mayor Harris asked Council Member John Holman to proceed with Ordinance #14-10.

Council Member Holman read Ordinance #14-10 entitled:

**ORDINANCE #14-10**

**BOND ORDINANCE TO AUTHORIZE THE FUNDING OF A PORTION OF THE COST OF THE REHABILITATION OF THE MADISON-CHATHAM JOINT MEETING'S MOLITOR WATER POLLUTION CONTROL FACILITY IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,334,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

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

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

The Borough Clerk stated a legal notice was published indicating that Ordinance #14-10 was introduced and passed on first reading at the October 27, 2014 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on November 24, 2014 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with law.

Mayor Harris opened the public hearing on Ordinance #14-10 and invited any member of the public to be heard. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council Member Holman offered the Ordinance and moved its adoption:

**BE IT RESOLVED**, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

Council Member Gerald Helfrich seconded the motion.

Mayor Harris asked the Borough Clerk for a Roll Call Vote.

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

Mayor Harris declared Ordinance #14-10 adopted and finally passed and requested the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

Mayor Harris asked Council Member Collander to proceed with Ordinance #14-11.

Council Member Collander read Ordinance #14-11 entitled:

**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**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on November 10, 2014.

The Borough Clerk stated a legal notice was published indicating that Ordinance #14-11 was introduced and passed on first reading at the November 10, 2014 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on November 24, 2014 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with law.

Mayor Harris opened the public hearing on Ordinance #14-11 and invited any member of the public to be heard. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council Member Collander offered the Ordinance and moved its adoption:

**BE IT RESOLVED**, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

Council Member Gerald Helfrich seconded the motion.

Mayor Harris 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			

Mayor Harris declared Ordinance #14-11 adopted and finally passed and requested the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

Mayor Harris asked Council President Fife to proceed with Ordinance #14-12.

Council President Fife read Ordinance #14-12 entitled:

**ORDINANCE #14-12**

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

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on November 10, 2014.

The Borough Clerk stated a legal notice was published indicating that Ordinance #14-12 was introduced and passed on first reading at the November 10, 2014 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on November 24, 2014 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with law.

Mayor Harris opened the public hearing on Ordinance #14-12 and invited any member of the public to be heard. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council President Fife offered the following Ordinance and moved its adoption:

**BE IT RESOLVED**, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

Council Member Gerald Helfrich seconded the motion.

Mayor Harris asked the Borough Clerk for a Roll Call Vote.

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

Mayor Harris declared Ordinance #14-12 adopted and finally passed and requested the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

**REPORTS**

**BOARD & COMMISSION MEMBERS AND LIAISON REPORTS**

Due to the late hour of the meeting, and having further business to be conducted on the agenda, Board and Commission Members and Liaison Reports were not given at tonight's meeting.

**MAYOR'S REPORT**

Mayor Bruce A. Harris publicly thanked Morris County Freeholder John Cesaro for helping the Borough get paving dates scheduled for Post Office Plaza after it became apparent to Borough officials that the contractor, who the Borough used through the county's cooperative pricing bid program, was backlogged on jobs throughout the county.

Mayor Harris also reported he attended a meeting with the new New Jersey Commissioner of Transportation, Jamie Fox, who met with a number of Mayors and State Legislators to talk about what is going on in the New Jersey Department of Transportation (“DOT”). Mayor Harris reported he mentioned some of the problems the Borough has been experiencing with Route 124 and regional traffic planning and was told DOT officials can assist the Borough with respect to planning.

Council Member James Collander reported that traffic and parking is particularly problematic at the crossroad of Main Street and North Hillside Avenue. New parking signage will be posted indicating “No On-Street Parking” on a portion of North Hillside Avenue in efforts to free up traffic problems.

### **ADMINISTRATOR’S REPORT**

Mr. Robert Falzarano reported that the final leaf collection schedule has been posted on the website and began today. DPW will work overtime to accommodate leaf collection before the forecasted snow fall on Wednesday. Mr. Falzarano confirmed that Post Office Plaza has been paved. Goals and objectives for 2015 are being prepared. Lastly, Mr. Falzarano reported that the Borough received a certificate of honorable mention from Rutgers Center of Government Services for the Police Department’s distracted driving video.

### **CONSENT AGENDA**

Mayor Bruce Harris announced 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 #14-334 through Resolution #14-337 have been placed on the Consent Agenda.

### **RESOLUTION[S] REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE**

None.

### **FINANCE**

#### **RESOLUTION #14-334**

#### **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 #14-335**

#### **RESOLUTION AUTHORIZING TRANSFERS BETWEEN CERTAIN BUDGET APPROPRIATIONS IN THE 2014 CURRENT FUND BUDGET PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, N.J.S.A. 40A:4-58 provides that transfers may be made between appropriation accounts in the General Budget in the last two months of the fiscal year; and

**WHEREAS**, such transfers are made to cover expenses in accounts in excess of that anticipated and from accounts having expenses in lesser amounts than anticipated: and

**WHEREAS**, these transfers do not affect the total of the operations budget as originally approved in the 2014 Current Fund Budget.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham, in the County of Morris, State of New Jersey, that the Chief Financial Officer is hereby authorized to make the following line-item transfers in the 2014 Current Fund Budget with an effective date of November 24<sup>th</sup>, 2014 in accordance with N.J.S.A. 40A:4-58:

**CHATHAM BOROUGH  
BUDGET TRANSFERS - 2014**

Account Name	Account Number	Transfer To	Transfer From
<b><u>TO</u></b>			
Administrative S&W	4-01-20-100-010	\$ 21,850.00	
Financial Admin. S&W	4-01-20-130-010	\$ 6,500.00	
Planning S&W	4-01-21-180-010	\$ 4,850.00	
Board of Adjustment S&W	4-01-21-185-010	\$ 3,900.00	
Buildings & Grounds OE	4-01-26-310-200	\$ 15,000.00	
Fleet Maintenance OE	4-01-26-315-200	\$ 6,000.00	
Municipal Alliance	4-01-20-100-242	\$ 1,500.00	
Tax Assessor OE	4-01-20-150-200	\$ 4,000.00	
Legal OE	4-01-20-155-200	\$ 5,000.00	
Joint Municipal Court	4-01-43-490-299	\$ 1,100.00	
Natural Gas	4-01-31-446-200	\$ 4,000.00	
<b><u>FROM</u></b>			
Parking S&W	4-01-25-245-010		\$ 29,000.00
Borough Clerk S&W	4-01-20-120-010		\$ 21,000.00
Tax Collection S&W	4-01-20-145-010		\$ 2,300.00
Engineering S&W	4-01-20-165-010		\$ 11,900.00
Assessment- S&W	4-01-20-150-010		\$ 500.00
Board of Health S&W	4-01-27-330-010		\$ 9,000.00
<b>Totals</b>		<b>\$ 73,700.00</b>	<b>\$ 73,700.00</b>

and,

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution adopted by not less than a two-thirds (2/3) vote of the full membership of the governing body shall be forwarded to Borough Administrator and to the Chief Finance Officer/Treasurer.

**OTHER**

**RESOLUTION #14-336**

**RESOLUTION APPROVING THREE EAGLE SCOUT PROJECTS PROPOSED BY GRANT HAUCK, TRISTAN THOMAS AND MICHAEL SALVO, SCOUT TROOP 8, TO BE CONSTRUCTED AND INSTALLED ON BOROUGH-OWNED PROPERTY**

**WHEREAS**, Tristan Thomas, Grant Hauck and Michael Salvo, Scout Troop 8, have each requested permission to construct and install their proposed Eagle Scout project on Borough-owned property; and

**WHEREAS**, Tristan Thomas proposes to design and build a bird blind in Wuhala Woods, a wooded area located in the northern section of the Borough, which will help visitors observe birds and wildlife without disturbing their habitat as his Bird Blind Eagle Scout project; and

**WHEREAS**, Grant Hauck proposes to design and build a hiking trail complete with bog bridges through the Wuhala Woods area as his Wuhala Woods Trail Recovery Eagle Scout project; and

**WHEREAS**, Michael Salvos proposes to rebuild and revitalize the benches and tables at Memorial Park and will build and install a children's reading area at the Library of the Chathams as his Benches and Tables at the Library of the Chathams and Memorial Park Eagle Scout project; and

**WHEREAS**, the Mayor and Council recognizes that each of the proposed Eagle Scout projects would be beneficial to the community and enjoyed by many residents.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby approve the referenced Eagle Scout projects proposed by Tristan Thomas, Grant Hauck and Michael Salvo, Scout Troop 8, and hereby grant permission to each Eagle Scout candidate to construct and install their proposed Eagle Scout project on Borough-owned property; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council commend Tristan Thomas, Grant Hauck and Michael Salvo for their efforts in designing and building projects that will benefit the Chatham Borough community.

#### **RESOLUTION #14-337**

#### **RESOLUTION AUTHORIZING THE CHATHAM BOROUGH POLICE DEPARTMENT TO REGISTER AND PARTICIPATE IN THE NEW JERSEY DEPARTMENT OF HEALTH FOR PARTICIPATION IN THE NARCAN<sup>®</sup> ADMINISTRATION PROGRAM**

**WHEREAS**, in April 2014, Governor Chris Christie announced the formation of a pilot program in Ocean and Monmouth Counties that would train and equip police officers to administer the antidote Narcan<sup>®</sup> to persons suffering from an overdose of heroin or prescription narcotics; and

**WHEREAS**, the Chatham Borough Police Department is desirous of registering with the New Jersey Department of Health Office of Medical Services Naxoxone (Narcan<sup>®</sup>) Administration Program to receive training to equip police officers to administer the antidote Narcan<sup>®</sup> to persons experiencing, or believed to be experiencing, an opioid overdose from heroin or prescription narcotics to prevent fatalities often associated with an opioid overdose; and

**WHEREAS**, the Narcan<sup>®</sup> Program includes the following requirements:

- a. Each local law enforcement agency must utilize a Standard Operating Procedure for the use of Narcan;
- b. Each agency must designate a Narcan Program Coordinator who will be responsible for training all police personnel at their agency and ensuring Narcan kits are properly deployed;
- c. A County Coordinator is designated in each participating county to oversee the training and distribution of Narcan kits to the municipal Program Coordinators after all personnel are trained;

- d. Training is accomplished through a “Train the Trainers” model whereby a designated officer participates in training sessions, then takes that training back to his or her home policing agency and trains follow officers; and
- e. Each municipal officer’s name and training certification is supplied to the County Coordinator prior to issuance of the Narcan kits. Narcan kits are prescribed for each officer, once that officer has been certified after training.

**WHEREAS**, the Morris County Prosecutor’s Office has agreed to serve as the designated County Coordinator for Morris County and oversee the training and distribution of Narcan<sup>®</sup> kits once personnel are trained for participating agencies in the county; and

**WHEREAS**, the Mayor and Council of the Borough of Chatham fully support the initiatives and goals of the Naxoxone (Narcan<sup>®</sup>) Administration Program and authorize the Chatham Borough Police Department to register and participate in the New Jersey Department of Health Office of Medical Services Naxoxone (Narcan<sup>®</sup>) Administration Program, which has already begun to be implemented in Morris County.

**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.

**CONSENT AGENDA VOTE:**

Mayor Bruce Harris asked Council Member John Holman to proceed with Resolution #14-334 through #14-337 listed on the Consent Agenda.

Council Member Holman 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.

**ORDINANCE FOR FIRST READING**

Mayor Bruce Harris asked Council Member John Holman to introduce Ordinance #14-13.

Council Member Holman introduced Ordinance #14-13 by title as follows:

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING DEDICATION OF A PORTION OF BLOCK 134, LOT 29 (APPROXIMATELY 1.8 ACRES)**

Mr. Lott briefly explained the purpose of the Ordinance.

Council Member John Holman moved for introduction on First Reading and read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on November 24, 2014.

**BE IT RESOLVED**, that at the Council meeting to be held on December 8, 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. And I do so move.

Mayor Harris 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			

Mayor Bruce Harris asked Council Member Alida Kass to introduce Resolution #14-338.

Council Member Alida Kass read Resolution #14-338 by title as follows:

**RESOLUTION #14-338**

**RESOLUTION TO ADJOURN INTO CLOSED SESSION**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it shall 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:

- Contract Negotiation:
1. Joint Recreation Agreements – Council Member James Lonergan
  2. Perrin Street Vacation – Mr. Lott
  3. Acquisition of Public Property – Luciano Commerce Street Land Donation – Mr. Lott
  4. Professional Services Evaluations – Mr. Robert Falzarano

- Litigation Matter:
1. Hill vs. DeFalco

**BE IT FURTHER RESOLVED**, 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 not return to public session after this closed session.

Council Member Alida Kass moved Resolution #14-338.

Motion seconded by Council Member Collander.

A voice vote was taken and Resolution #14-338 was approved unanimously.

The Mayor and Council adjourned into Closed Session.

**ADJOURNMENT**

Meeting adjourned 10:41 p.m.

Respectfully Submitted:

*Robin R. Kline*

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