

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

**December 14, 2015 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Tuesday, December 14, 2015 at 7:30 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:

Pursuant to the requirements of R.S. 10:4-10, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board on the main floor of the Municipal Building, emailed to the Independent Press, the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and The Alternative Press and filed with the Borough Clerk, all on January 2, 2015.

**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 Member Victoria Fife  
Council President Gerald J. Helfrich  
Robert J. Falzarano, Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Robin R. Kline, Borough Clerk

Council Member Alida Kass was absent.

Mayor Bruce Harris began the meeting by announcing that there are several great events scheduled on tonight's agenda. He asked Council Member James Collander, chair of the Public Safety Committee, to proceed with Resolution #15-365.

Council Member Collander read Resolution #15-365 in full as follows:

**RESOLUTIONS (APPOINTMENTS)**

**RESOLUTION #15-365**

**RESOLUTION PROMOTING LIEUTENANT BRIAN GIBBONS TO THE RANK OF  
CAPTAIN OF POLICE**

**WHEREAS**, in September 2002, Brian Gibbons was appointed Patrolman; and

**WHEREAS**, in July 2007, Patrolman Gibbons was promoted to Sergeant; and

**WHEREAS**, Sergeant Gibbons was promoted to Lieutenant on August 9, 2010; and

**WHEREAS**, Lieutenant Gibbons is a certified Police Executive and has completed numerous advanced law enforcement training courses in supervision and tactical operations and serves as instructor for the Morris County Police Training Academy teaching law enforcement operations to the basic class; and

**WHEREAS**, Lieutenant Gibbons received a Master's Degree from Fairleigh Dickinson University and holds numerous law enforcement certifications; and

**WHEREAS**, the Public Safety Committee reviewed the Police Department Reorganization Plan submitted by Chief Phillip Crosson and recommended to the Mayor and Borough Council that the Police Department Reorganization Plan be approved; and

**WHEREAS**, in accordance with the Police Department Reorganization Plan and the Police Promotional Policy and Procedures, Chief Phillip Crosson recommends that Lieutenant Brian Gibbons be promoted to the rank of Captain; and

**WHEREAS**, pursuant to the Code of the Borough of Chatham, Chapter 48, *Police Department*, §48-5.A., and in accordance with N.J.S.A. 40A:14-118 et seq., all members of the Chatham Borough Police Department shall be appointed by the Mayor with the consent and approval of the Borough Council; and

**WHEREAS**, Mayor Bruce Harris concurs with the recommendation made by Chief Crosson and wishes to appoint Lieutenant Brian Gibbons to the rank of Captain in the Chatham Borough Police Department.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that they hereby concur with the Mayor's appointment of Lieutenant Brian Gibbons to the rank of Captain in the Chatham Borough Police Department and provide their consent; and

**BE IT FURTHER RESOLVED**, that effective December 14, 2015, Lieutenant Brian Gibbons is hereby promoted to the rank of Captain at an annual salary of \$145,481.00 to be pro-rated for the remainder of 2015; and

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Chatham that the Mayor is authorized to sign the Police Captain Employment Agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council congratulate and extend their best wishes to Captain Brian Gibbons.

Council Member Collander made a motion to approve Resolution #15-365. Council Member Fife seconded the motion. A voice vote was taken and Resolution #15-365 was approved unanimously.

#### Administration of the Oath of Office

The Borough Clerk administered the oath of office to Police Captain Brian Gibbons, who was accompanied by his wife and son.

Following the oath of office, Police Chief Philip Crosson, Jr. asked Mr. Falzarano, who is a retired Chief of Police for Long Hill Township, to accompany him in presenting the Police Captain's badge to Captain Gibbons. Chief Crosson praised Captain Gibbons for his dedication in serving the needs of the community and mentioned that Captain Gibbons brings a plethora of talent and knowledge to his new role in the Police Department.

Mayor Harris and the Borough Council congratulated Captain Gibbons on his promotion and wished him well in his new position.

Mayor Harris asked Council Member John Holman, chair of the Public Works Planning Committee, to proceed with Resolution #15-366.

Council Member Holman read Resolution #15-366 in full as follows:

**RESOLUTION #15-366**

**RESOLUTION TO APPOINT ERMINIO (TONY) TORELLO TO THE POSITION OF DIRECTOR OF PUBLIC WORKS**

**WHEREAS**, Erminio (Tony) Torello was appointed roads and parks laborer on August 29, 1989; and

**WHEREAS**, in 1992 Tony was appointed water and sewer laborer; and

**WHEREAS**, in August 1999 Tony was promoted to Lead Person; and

**WHEREAS**, on April 23, 2013, Tony was appointed Deputy Public Works Director; and

**WHEREAS**, Tony has completed numerous advanced training courses in supervision, water treatment operations and public works operations; and

**WHEREAS**, Tony is a certified Public Works Manager with special licenses for water and sewer operations; and

**WHEREAS**, the Personnel Committee has reviewed Tony's performance and qualifications; and

**WHEREAS**, after review, the Personnel Committee recommended that Erminio (Tony) Torello be promoted to Director of Public Works effective December 14, 2015 at an annual salary of \$111,000.00 to be pro-rated for the remainder of 2015.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that effective December 14, 2015, Erminio (Tony) Torello is hereby appointed Director of Public Works; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council congratulate and extend their best wishes to the new Director of Public Works, Erminio (Tony) Torello.

Council Member Holman made a motion to approve Resolution #15-366. Council Member Lonergan seconded the motion. A voice vote was taken and Resolution #15-366 was approved unanimously.

Administration of the Oath of Office

The Borough Clerk administered the oath of office to Public Works Director Erminio (Tony) Torello, who was accompanied by his wife and son.

Mayor Harris and the Borough Council congratulated Mr. Torello on his promotion and wished him well in his new position.

**PRESENTATIONS**

**Police Accreditation Certification**

Mayor Harris introduced Mr. Harry Delgado, accreditation program manager with the New Jersey Association of Chiefs of Police, and invited him to present the Police Accreditation Certification to the Chatham Borough Police Department.

Mr. Delgado opened his presentation by stating that the Chatham Borough Police Department is recognized as being one of the best in the state, and in the nation. He stated that there are over 460 police agencies in the state of New Jersey eligible for accreditation under the New Jersey Association of Police Chiefs standards; however, only 146 police departments have achieved accreditation. He advised that accreditation is a rigorous process, requiring support from elected officials, strong leadership from the Chief of Police, and the engagement from all rank and file officers in the police force. Mr. Delgado emphasized that accreditation provides evidence of a police agency's commitment to excellence in meeting the community's needs. He specifically recognized the Chatham Borough Police Department for the community policing model used to serve the community. The department divided the Borough into six zones, with a sergeant in charge of each zone as a direct contact to the community. Mr. Delgado noted that this community policing model allows the police department to build community partnerships and pointed out that he knew of only one other police force in New Jersey using this model.

Mr. Delgado proceeded to present Chief Crosson with the Certificate of Accreditation on behalf of the New Jersey Association of Chiefs of Police and the New Jersey Law Commission. He congratulated Chief Crosson, the Chatham Borough Police Department, Mayor Harris, the Borough Council, and the entire community and stated the Chatham Borough Police Department joins a very exclusive group of law enforcement agencies.

Chief Crosson accepted the Certificate of Accreditation on behalf of the Chatham Borough Police Department.

Mayor Harris and the Borough Council congratulated Chief Crosson and the police department in receiving the accreditation award and expressed their thanks and appreciation for the department's excellence in policing.

### **Chief's Achievement Award Presented to Captain Brian Gibbons and Mr. Kevin O'Shea**

Mayor Harris asked Council Member Collander to proceed with Resolution #15-367.

Council Member Collander read Resolution #15-367 in full as follows:

#### **RESOLUTION #15-367**

#### **RESOLUTION OF SPECIAL COMMENDATION TO CAPTAIN BRIAN K. GIBBONS AND EXECUTIVE ADMINISTRATIVE ASSISTANT KEVIN M. O'SHEA OF THE CHATHAM BOROUGH POLICE DEPARTMENT FOR THE CHIEF'S ACHIEVEMENT AWARD**

**WHEREAS**, Chatham Borough continually strives to provide the highest level of quality service to our community; and

**WHEREAS**, that highest level quality service is directly correlated with best practices in a specific professional field; and

**WHEREAS**, on July 9, 2012, the Borough of Chatham passed Resolution #12-280 authorizing the acceptance of a grant from the Morris County Joint Insurance Fund for base accreditation services and execution of a grant agreement; and

**WHEREAS**, the Chatham Borough Police Department immediately embarked on this noble pursuit; and

**WHEREAS**, on June 28<sup>th</sup> and 29<sup>th</sup>, 2015, with all necessary components complete, the Chatham Borough Police Department underwent an official on-site assessment by certified law enforcement assessors who personally inspected and evaluated all components and functions of the police department

including conducting interviews with select and random personnel to ensure compliance with and institutionalization of the programs professional standards; and

**WHEREAS**, on October 8, 2015, the Chatham Borough Police Department testified before the Board of Commissioners of the New Jersey State Association of Chiefs of Police Law Enforcement Accreditation Program regarding the findings in the on-site assessment report submitted by the certified assessors; and

**WHEREAS**, on October 8, 2015, the Board of Commissioners acknowledged the favorable on-site report and the effort put forth by all police department members in pursuing this arduous endeavor and voted unanimously to award accreditation to the Chatham Borough Police Department, and

**WHEREAS**, this success is a credit to the work ethic and dedication of all members of the Chatham Borough Police Department, both civilian and sworn; and

**WHEREAS**, the responsibility for ensuring compliance with all facets of this program to include, but not limited to, policy management, facility and equipment compliance, operational integrity, fiscal responsibility and overall agency compliance with the enumerated professional standards fall squarely on the shoulders of the Accreditation Manager and Assistant Accreditation Manager; and

**WHEREAS**, at this time, Chief Philip J. Crosson, Jr. would like to recognize the outstanding work ethic put forth toward this success by the Accreditation Manager, Executive Administrative Assistant Kevin M. O'Shea, and Assistant Accreditation Manager, Captain Brian K. Gibbons, by awarding them the Chatham Borough Police Department Chief's Achievement Award; and

**WHEREAS**, this recognition award is bestowed exclusively by the Chief of Police.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey that they commend Captain Brian K. Gibbons and Executive Administrative Assistant Kevin M. O'Shea for their dedication to duty and tireless effort in guiding the Chatham Borough Police Department; and

**BE IT FURTHER RESOLVED**, that through this special commendation, the Mayor and Council of the Borough of Chatham honor the service of Captain Brian K. Gibbons and Executive Administrative Assistant Kevin M. O'Shea as outstanding members of the law enforcement community in furtherance of professional standards in policing.

Council Member Collander made a motion to approve Resolution #15-367. Council President Helfrich seconded the motion. A voice vote was taken and Resolution #15-367 was approved unanimously.

Mayor Harris invited Chief Crosson to present the Chief's Achievement Award to Captain Gibbons and Executive Administrative Assistant Kevin M. O'Shea.

Chief Crosson presented the Chief's Achievement Award to Captain Brian Gibbons and Executive Administrative Assistant Kevin M. O'Shea.

Following the presentation, Chief Crosson acknowledged several dignitaries in attendance, including Bergenfield Chief of Police Kathy Madalone, (Ret.) Chief John Drake, (Ret.) Chief Don Cardinal, (Ret.) Lt. Rich Louch, (Ret.) Lt. Steve Ambrose, and (Ret.) Detective Bill Wahler and further acknowledged current and past members of the Chatham Borough Fire Department, who were in attendance. Chief Crosson expressed his appreciation to Mr. Harry Delgado, the New Jersey State Association of Chiefs of Police organization, Mr. Mike Rodgers and the Rogers Group, Mayor Harris, the Borough Council, and Mr. Falzarano for their support.

In his remarks, Chief Crosson congratulated Mr. Torello on his promotion to Director of Public Works. He thanked Captain Gibbons and Executive Administrative Assistant Kevin O'Shea for their direct involvement in the accreditation process and further congratulated all members of the Chatham Borough Police Department in achieving accreditation. He closed his remarks by again congratulating Captain Gibbons on his well-deserved promotion.

Captain Gibbons approached the podium to thank Mayor Harris, the Borough Council, Mr. Falzarano, Chief Crosson, and his family and friends for their support and confidence and pledged to continue to serve the Borough with a "Commitment to Community."

Mayor Harris proceeded with Resolution #15-368 and pointed out that Council Member Kass was not able to be present at tonight's meeting.

## **RESOLUTIONS (COMMENDATORY)**

### **RESOLUTION #15-368**

#### **RESOLUTION RECOGNIZING BOROUGH COUNCIL MEMBER ALIDA KASS FOR HER EXEMPLARY SERVICE TO CHATHAM BOROUGH**

**WHEREAS**, on November 5, 2013, Alida Kass was elected by the voters of the Borough of Chatham to serve on the Borough Council, fulfilling an expired term, and was sworn into office on November 11, 2013; and

**WHEREAS**, during her two years in elected office, Council Member Alida Kass continually sought to improve the quality of life for all Borough residents and demonstrated foresight, leadership, and fiscal responsibility in all operations of Borough government; and

**WHEREAS**, in her role as a Council Member, Alida devoted innumerable hours serving as a member of the Council's Public Works Committee, the Council's Shared Services and Third Party Agreements Committee, and the Council's Long-Range Traffic & Pedestrian Safety Planning Committee; and

**WHEREAS**, Council Member Kass further served as a member of the Madison Chatham Joint Meeting Finance Committee, Council liaison to the Environmental Commission, the Historic Preservation Commission, and the Shade Tree Commission, and also served as Council liaison to the Municipal Alliance of the Chathams, Open Space and Historic Preservation Trust Advisory Committee and the Pilgrim Pipeline Advisory Committee; and

**WHEREAS**, Alida carried out her duties as a Council Member and as a citizen of Chatham Borough with enthusiasm and in a conscientious, thoughtful and caring manner, and at all times dedicated herself to advancing the spirit of volunteerism that has helped make Chatham Borough the town we love; and

**WHEREAS**, Alida will always be remembered for her kindness and camaraderie when dealing with residents, businesses, and the Borough's workforce.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby recognize and commend Alida's enthusiasm, leadership, and dedication demonstrated during her tenure on the Borough Council; and

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Chatham, on behalf of the entire Chatham Borough community, that they hereby extend their grateful appreciation to Alida for her years of service as a Council Member and community volunteer, and commend her for all

she has achieved during her tenure on the Borough Council. We wish her and her family happiness and good health in the years to come. Alida, you will be missed!

Council President Helfrich made a motion to approve Resolution #15-368. Council Member Collander seconded the motion. A voice vote was taken and Resolution #15-368 was approved unanimously.

Mayor Harris asked Council Member Lonergan to proceed with Resolution #15-369.

Council Member Lonergan read Resolution #15-369 in full as follows:

**RESOLUTION #15-369**

**RESOLUTION RECOGNIZING BOROUGH COUNCIL MEMBER JOHN HOLMAN  
FOR HIS EXEMPLARY SERVICE TO CHATHAM BOROUGH**

**WHEREAS**, on November 2, 2009, John Holman was elected by the voters of the Borough of Chatham to serve on the Borough Council and was re-elected by the voters on November 6, 2012 to serve a second term; and

**WHEREAS**, during his six years in elected office, Council Member John Holman continually sought to improve the quality of life for all Borough residents and demonstrated foresight, leadership, and fiscal responsibility in all operations of Borough government; and

**WHEREAS**, in his role as a Council Member, John devoted innumerable hours chairing the Council's Public Works Committee, contributing as a member of the Council's Shared Services and Third Party Agreements Committee, and serving as a member of the Madison Chatham Joint Meeting Operating Committee; and

**WHEREAS**, Council Member Holman further served as Council liaison to the Board of Health, Joint Municipal Court, Joint Community Garden Advisory Committee, Chatham Borough Farmers' Market Advisory Committee, and the Chatham Borough Pilgrim Pipeline Advisory Committee; and

**WHEREAS**, John carried out his duties as a Council Member and as a citizen of Chatham Borough with enthusiasm and in a conscientious, thoughtful and caring manner, and at all times dedicated himself to advancing the spirit of volunteerism that has helped make Chatham Borough the town we love; and

**WHEREAS**, John will always be remembered for his kindness and camaraderie when dealing with residents, businesses, and the Borough's workforce.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby recognize and commend John's enthusiasm, leadership, and dedication demonstrated throughout his tenure on the Borough Council; and

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Chatham, on behalf of the entire Chatham Borough community, that they hereby extend their grateful appreciation to John Holman for his six years of service as a Council Member and community volunteer, and commend him for all he has achieved during his tenure on the Borough Council. We wish him and his family happiness and good health in the years to come. John, you will be missed!

Council Member Lonergan made a motion to approve Resolution #15-369. Council Member Fife seconded the motion. A voice vote was taken and Resolution #15-369 was approved unanimously.

Mayor Harris thanked Council Member Holman for his six years of service on the Borough Council and presented him with a framed Resolution and a chair that was used in the Council Chambers prior to the room being renovated.

Mayor Harris and the Borough Council thanked Council Member Holman for his service.

Mayor Bruce Harris proceeded with Resolution #15-370.

#### **RESOLUTION #15-370**

#### **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 23, 2015

December 2, 2015 Joint Special Meeting of the Mayor and Borough Council and the Planning Board

**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 23, 2015

Council Member Fife made a motion to approve Resolution #15-370. Council Member Collander seconded the motion. A voice vote was taken and Resolution #15-370 was approved unanimously.

Mayor Harris proceeded with Public Comments.

#### **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.

Bruce Ferguson, 28 Rowan Road, commented that he and several neighbors recently met with the Shade Tree Commission and Certified Tree Expert John Linson to discuss efforts that would need to be taken to save the ash trees in their neighborhood from devastation by the emerald ash borer. Mr. Ferguson reported that Mr. Linson re-examined the street trees and confirmed that the 33 street trees that Mr. Linson originally said should be removed could be treated. He asked Mayor Harris and the Borough Council to fund the treatment in an effort to save the ash trees.

Caesar Sweitzer, 9 Rowan Road, encouraged the Council to budget necessary funds so that the Shade Tree Commission would be able to treat the ash trees.

Mayor Harris responded that the maintenance of Borough trees are under the jurisdiction of the Shade Tree Commission and that the Commission would need to revise its 2016 budget submission to the Finance Committee. Council Member Lonergan, chair of the Budget and Finance Committee, concurred with Mayor Harris and further suggested that the Shade Tree Commission should prepare a tree maintenance plan with estimated costs so that appropriate funding could be allocated to meet the need.



Fran Drew, 32 Inwood Road, presented a document showing photographs of a Toledo, Ohio street before and after being devastated by the emerald ash borer. She reported that the emerald ash borer has been found in Warren, New Jersey and further reported that the Borough could lose up to 400-500 mature ash trees if the trees were not treated. Mrs. Drew reported that she walked the five block Rowan Road neighborhood with Mr. Linson, the Shade Tree Commission's certified tree expert, to examine each of the 33 street trees. She informed Mayor Harris and the Council that Mr. Linson has since revised his initial evaluation and confirmed that the 33 ash trees could be treated for the emerald ash borer.

Mayor Harris thanked Mrs. Drew for her comments and responded that saving the ash trees is a priority. He again mentioned that the Shade Tree Commission should prepare a listing of Borough trees requiring treatment so that the Commission's 2016 budget request could be revised and submitted to the Finance Committee before the 2016 budget is adopted in April. Mayor Harris further encouraged the Shade Tree Commission to enhance its public education initiative regarding the options residents could take to help control the emerald ash borer and protect their ash trees, and to make sure that property owners are better informed regarding the Shade Tree Commission's plan regarding ash tree treatment and removal.

Patrick Carroll, chair of the Shade Tree Commission, commented that he would be meeting with the Borough's Chief Financial Officer to go over the Commission's 2016 budget request. He further commented that the Shade Tree Commission reviewed the treatment of ash trees from a macro level and not street-by-street, which was shortsighted. He advised that the Commission would re-examine the total number of Borough ash trees that would require treatment and would be creating an aggressive tree-planting schedule.

Mr. Len Resto, 35 Center Street, thanked Council Member Holman for his service on the Borough Council and wished him well.

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

## **REPORTS**

### **COUNCIL COMMITTEE REPORTS**

**Budget and Finance** – Council Member Lonergan had nothing new to report.

**Long Range Traffic & Pedestrian Safety Planning** - Council Member Collander had nothing new to report.

**Public Safety & Emergency Services** - Council Member Collander had nothing new to report.

**Personnel** - Council Member Fife had nothing new to report.

**Public Works Planning** - Council Member Holman had nothing new to report.

**Shared Services & 3<sup>rd</sup> Party Agreements** - Council President Helfrich had nothing new to report.

### **MAYOR'S REPORT**

Mayor Bruce Harris reported that a copy of the draft 2016 Reorganization Agenda has been provided to the Council Members for their review. He asked that they each review the appointments to the boards, commissions, and advisory committees so that the agenda may be being finalized before the holidays.

Mayor Harris further announced that volunteers are needed for the Municipal Pool Advisory Committee and welcomed interested residents to submit a volunteer application for consideration.

## **ADMINISTRATOR'S REPORT**

Mr. Falzarano thanked Council Member John Holman for serving on the Borough Council and wished him well. Mr. Falzarano then reported that the Borough finished the year on a positive note and thanked Mayor Harris and the Borough Council for their support in providing the resources and opportunities needed to build a strong municipal workforce. He wished everyone a safe and happy holiday season.

## **CONSENT AGENDA**

The following items are considered 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 #15-371 through Resolution #15-376 have been placed on the Consent Agenda.

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

None.

## **APPOINTMENT**

### **RESOLUTION #15-371**

### **RESOLUTION RE-APPOINTING VINCENT DENAVE AS MUNICIPAL ENGINEER FOR THE BOROUGH OF CHATHAM**

**WHEREAS**, N.J.S.A. 40:69A-95 allows for the appointment of a Municipal Engineer for a term not to exceed three (3) years; and

**WHEREAS**, pursuant to the Code of the Borough of Chatham, Chapter 39, *Officers and Employees*, §39-32, the Municipal Engineer shall be a licensed Professional Engineer in the State of New Jersey and shall be appointed by a majority vote of the Council; and

**WHEREAS**, Vincent DeNave is a licensed Professional Engineer in the State of New Jersey and has been effectively serving as Municipal Engineer for the Borough since February 2008; and

**WHEREAS**, the Borough Administrator has recommended that Vincent DeNave be re-appointed Municipal Engineer.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that Vincent DeNave be and is hereby re-appointed as the Borough's Municipal Engineer for a three (3) year term, effective January 1, 2016 through December 31, 2018, at such terms and conditions as have been agreed upon with the Borough Administrator and in accordance with the Borough's Employee Policy Manual.

## **CONTRACTS**

### **RESOLUTION #15-372**

### **RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MELGAR CLEANING SERVICES, IN THE AMOUNT NOT TO EXCEED \$21,600.00**

**WHEREAS**, the Director of Public Works solicited competitive quotes from three (3) qualified contractors for janitorial services for calendar year 2016 for Borough Hall and Fire Headquarters; and

**WHEREAS**, three (3) quotations were received as follows:

<u>VENDOR</u>	<u>QUOTE AMOUNT</u>
1. Melgar Cleaning Services	\$21,600.00
2. A Plus Services	\$26,400.00
3. Best Choice	\$28,800.00

And,

**WHEREAS**, the value of this contract is less than the bid threshold of \$40,000.00, and therefore may be awarded by soliciting competitive quotes without advertising for bids under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Director of Public Works recommends that the award of the contract be made to Melgar Cleaning Services, 540 Main Street, Chatham N.J., in the amount of \$21,600.00; and

**WHEREAS**, Melgar Cleaning Services has completed and submitted a Business Entity Disclosure Certification certifying that they have not made any reportable contributions to a political and/or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit the contractor from making any reportable contributions through the term of this contract; and

**WHEREAS**, the Chief Financial Officer has confirmed that sufficient funds are available in Current Fund Account #6-01-26-310-240 for the award of this contract.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that it concurs with the recommendation of the Director of Public Works and hereby authorizes the Mayor to execute the contract with Melgar Cleaning Services, in the amount of \$21,600.00, in accordance with the specifications upon which quotations were received and accepted; 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.

#### **RESOLUTION #15-373**

#### **RESOLUTION AWARDING THE RENEWAL OF CONTRACT TO AMERICAN ALARM SYSTEMS, INC. FOR MAINTENANCE OF FIRE DETECTION EQUIPMENT AND SYSTEMS AND MONITORING OF SYSTEM SIGNALS, IN THE AMOUNT NOT TO EXCEED \$4,125.00**

**WHEREAS**, the Chatham Borough Hall, the Fire Department Building, and the Department of Public Works Complex are required to comply with the Uniform Fire Code as promulgated by the New Jersey Uniform Fire Safety Act; and

**WHEREAS**, the Borough's Fire Coordinator has reviewed the proposal submitted by American Alarm Systems, Inc. and has confirmed that it meets all requirements as set forth by the New Jersey Uniform Fire Safety Act; and

**WHEREAS**, the Borough's Fire Coordinator recommends the renewal of the contract with American Alarm Systems, Inc. for the maintenance of fire detection equipment and systems, and monitoring of system signals for the Chatham Borough Hall, Fire Department Building, and the Department of Public Works Building, for the period of January 1, 2016 to December 31, 2016, in the amount not to exceed \$4,125.00; and

**WHEREAS**, the Chief Financial Officer has confirmed sufficient funds are available in Current Fund Account #6-01-26-310-240 for the award of this contract.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that it concurs with the recommendation of the Fire Coordinator and hereby authorizes the Mayor to execute the renewal

contract with American Alarm Systems, Inc. for the maintenance of fire detection equipment and systems, and monitoring of system signals for the Chatham Borough Hall, Fire Department Building, and the Department of Public Works Building, for the period of January 1, 2016 to December 31, 2016, in the amount not to exceed \$4,125.00; 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.

## **FINANCE**

### **RESOLUTION #15-374**

#### **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 Chief Financial Officer.

### **RESOLUTION #15-375**

#### **RESOLUTION ESTABLISHING A DEDICATION BY RIDER TRUST FUND FOR DONATIONS RECEIVED TO SUPPORT FISHAWACK IN CHATHAM BOROUGH**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 permits the Borough to use dedicated revenues anticipated from donations in support of activities for the purposes to which said donations are made; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides that dedicated revenues anticipated from donations received are hereby anticipated as revenue and are hereby appropriated for the purpose to which said donations are made in accordance with N.J.S.A. 40A:5-29; and

**WHEREAS**, the Borough seeks to establish a dedication by rider trust fund for donations received to support Fishawack in Chatham Borough.

**BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham, County of Morris, New Jersey that they hereby request permission from the Director of the Division of Local Government Services to use dedicated revenues anticipated from donations in support of Fishawack activities in the Borough and to pay expenditures for the expenses of Fishawack activities through the Fishawack Trust Fund in accordance with N.J.S.A. 40A:5-29; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby directed to forward two (2) certified copies of this Resolution to the Director of the Division of Local Government Services; and

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

## **SHARED SERVICES**

### **RESOLUTION #15-376**

#### **RESOLUTION AUTHORIZING THE EXTENSION OF AN INTERLOCAL SHARED SERVICE AGREEMENT WITH THE BOROUGH OF SADDLE RIVER, BERGEN COUNTY, TO PROVIDE SERVICES OF QUALIFIED PURCHASING AGENT**

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides that local units of government may enter into a contract for the joint provision of any service which either party to said agreement is empowered to render or perform within its own jurisdiction; and

**WHEREAS**, in 2015, the Borough of Chatham entered into a shared service agreement for the services of a Qualified Purchasing Agent with the Borough of Saddle River; and

**WHEREAS**, the Borough of Chatham wishes to extend the shared service arrangement with the Borough of Saddle River for the services of a Qualified Purchasing Agent and the Borough of Saddle River is interested in providing such services to Chatham Borough in accordance with mutually-agreeable terms and conditions as set forth in a shared services agreement.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute a shared services agreement with the Borough of Saddle River for the services of a Qualified Purchasing Agent contingent upon the approval of the terms and conditions by the Borough Attorney; and

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

### **CONSENT AGENDA VOTE**

Council Member Holman moved to approve Resolution #15-371 through Resolution #15-376. Council Member Collander seconded the motion. A voice vote was taken and Resolution #15-371 through Resolution #15-376 listed on the Consent Agenda were approved unanimously.

### **ADD-ON RESOLUTIONS**

None.

Mayor Harris asked Council President Gerald Helfrich to proceed with Resolution #15-377.

Council President Helfrich made a motion to strike Resolution #15-377 from the agenda. Council Member Fife seconded the motion. A voice vote was taken and the motion to strike Resolution #15-377 from the agenda carried unanimously.

Resolution #15-377 was stricken from the agenda.

### **RESOLUTION #15-377**

#### **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:

Litigation Matter:

1. Declaratory Judgment Action Update – Mr. James Lott

**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.

**ADJOURNMENT**

Having no other business to be conducted, Council Member Holman made a motion to adjourn. Council Member Lonergan seconded the motion. A voice vote was taken and the motion for adjournment carried unanimously.

Meeting adjourned 8:52 p.m.

Respectfully Submitted:

*Robin R. Kline*

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