

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

September 14, 2015 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, September 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 and with special thoughts for Donna Cali-Charles, a former Borough employee and great community volunteer for many years.

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
Council Member Alida Kass
Robert J. Falzarano, Borough Administrator
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

Mayor Bruce Harris asked Council Member James Collander to proceed with Resolution #15-282.

Council Member Collander read Resolution #2015-282.

RESOLUTIONS (COMMENDATORY)

RESOLUTION #15-282

A RESOLUTION OF SPECIAL COMMENDATION TO SERGEANT MICHAEL MAHONEY #112 AND PATROLMAN MICHAEL PERMISON #129, CHATHAM BOROUGH POLICE DEPARTMENT FOR MEDICAL ASSISTANCE

WHEREAS, on April 26, 2015, Sergeant Michael Mahoney and Patrolman Michael Permison responded to a medical call involving a 31 year old unresponsive male victim who collapsed onto the bathroom floor; and

WHEREAS, while responding to the residence, the Morris County Communications Center advised patrol that CPR instructions were being given to the caller over the telephone; and

WHEREAS, moments later, Sergeant Mahoney and Patrolman Permison arrived and found the victim lying on the bathroom floor with no signs of life and no pulse; and

WHEREAS, as both officers arrived, the victim's mother was already attempting CPR; and

WHEREAS, Sergeant Mahoney quickly took over chest compressions as the victim's shirt was being cut off to apply a defibrillator; and

WHEREAS, Sergeant Mahoney continued with compressions in very tight quarters as Patrolman Permison assisted with the deployment of the defibrillator; and

WHEREAS, Sergeant Mahoney applied the defibrillator pads and continued performing CPR compressions waiting further instructions from the defibrillator; and

WHEREAS, the defibrillator recorded a "no shock advised" warning; and

WHEREAS, the victim began to exhibit signs of life slowly waking and breathing on his own; and

WHEREAS, the victim began to regain consciousness as the Chatham Emergency Squad arrived and assisted Sergeant Mahoney and Patrolman Permison with moving the victim into the living room where primary lifesaving medical aid was transferred to the Chatham Emergency Squad; and

WHEREAS, the Chatham Borough Police Department received a letter from the Chatham Emergency Squad Operations Lieutenant Joe Korkuch, formally recognizing Sergeant Mahoney and Patrolman Permison for their efforts which directly resulted in saving the victim's life; and

WHEREAS, after a full review of all reports by the Chief of Police, it is recommended that Sergeant Michael Mahoney and Patrolman Michael Permison be presented with the Medical Assistance Award for their prompt, proficient and direct action that resulted in lifesaving measures for a victim found lifeless and helpless; and

WHEREAS, the quick actions of Sergeant Mahoney and Patrolman Permison epitomize the professional and dedicated service of all members within the Chatham Borough Police Department and are in perfect harmony with the Chatham Borough Police Department's mission and vision statement.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey that Sergeant Michael Mahoney and Patrolman Michael Permison are hereby commended for their exemplary conduct and lifesaving efforts; and

BE IT FURTHER RESOLVED, that through this special commendation, the Mayor and Borough Council honor the service of Sergeant Michael Mahoney and Patrolman Michael Permison and recognize both officers as outstanding members of the law enforcement community.

Council Member James Collander made a motion to approve Resolution #15-282. The motion was seconded by Council Member Victoria Fife. A voice vote was taken and Resolution #15-282 was approved unanimously.

Mayor Harris recognized Chief Philip Crosson and Lieutenant Brian Gibbons who were in attendance to present Sergeant Michael Mahoney and Patrolman Michael Permison with service medals.

Council Member James Collander presented Sergeant Michael Mahoney and Patrolman Michael Permison with the Commentary Resolution adopted by the Mayor and Council.

Chief Crosson thanked Mayor Harris and members of the Borough Council for their support of policing efforts and for recognizing Sergeant Michael Mahoney and Patrolman Michael Permison for their exemplary conduct and lifesaving efforts.

Mayor Bruce Harris proceeded with Resolution #15-283.

RESOLUTION #15-283

RESOLUTION RECOGNIZING MAYOR RICHARD L. PLAMBECK FOR HIS EXEMPLARY SERVICE TO CHATHAM BOROUGH

WHEREAS, Richard L. Plambeck has been a resident of Chatham Borough since 1971, when he and his wife, Barbara, came to the Borough to raise their family; and

WHEREAS, Richard was elected and re-elected by the voters of Chatham Borough to serve on the Borough Council for three terms, served as Council President in 2002, and was elected in 2003 to serve as Mayor from 2004-2007, during which time he continually sought to improve the quality of life for all residents in Chatham Borough; and

WHEREAS, during his tenure as Mayor, he provided the vision and leadership to improve our water supply and recreation infrastructure, purchased open space for recreation and natural resource protection, maintained an open government by initiating the creation of a Borough website, supporting televising Borough meetings, and the creation of the televised community bulletin board; and

WHEREAS, after years of service in elected office, Richard devoted innumerable hours working tirelessly as an appointed member to many of the Borough's numerous boards, commissions and advisory committees. He was a founding co-chairman of the Borough's Open Space Advisory Committee, served on the Chatham Borough Planning Board, the Joint Chatham Community Garden Advisory Committee, the Pilgrim Pipeline Advisory Committee, and the Chatham Borough Environmental Commission, where he initiated the "Explore Chatham" Photography contest to showcase the Borough's ecology and history and updated the Borough's Environmental Resource Inventory; he has also been an active member of the Kiwanis Club of the Chathams and Madison; and

WHEREAS, Richard also served on several regional and statewide organizations. He served as Chairman on the Board of Trustees for the Passaic River Coalition, Vice-Chairman of the Morris County Open Space and Farmland Preservation Trust Fund Committee, Chairman of the Morris County Municipal Utilities Authority, Board of Trustees and Executive Board member for the Patriots' Path Council of the Boy Scouts of America, Board of Trustees and 1995 Fellow for Leadership New Jersey, and served as Co-Chair of Southeast Morris League for Strategic Solutions, addressing environmental, development, infrastructure and transportation issues and ensuring that the Borough's interests are well represented; and

WHEREAS, Richard has been an exceptional role model and mentor for Boy Scouts, working with many young individuals to help them plan and complete Eagle Scout service projects at Lum Field, Memorial Park, Milton Woods, Shepard Kollock Park, Stanley Park, Wuhala Woods, and at the Joint Chatham Community Garden in Woodland Park. He received Distinguished Service Awards from the Chatham Jaycees and Boy Scout Troop 8 in 2008, and in 2015 was recognized with a Lifetime Achievement Award by the Boy Scouts of America Patriots' Path Council; and

WHEREAS, Richard carried out his responsibilities as Mayor, Council Member, and citizen of Chatham Borough with an infectious enthusiasm and in a conscientious, thoughtful and caring manner, at all times dedicating himself to preserving the Borough's small town character and spirit of volunteerism that has helped make Chatham Borough the town we love; and

WHEREAS, Richard will always be remembered for his kindness, compassion and fairness when dealing with residents of the community, businesses, visitors, and the Borough workforce.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby recognize and commend Richard's dedication, enthusiasm, and leadership, which he has demonstrated to our community over the decades; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council, on behalf of our entire community and citizenry, do hereby extend their sincere grateful appreciation to Richard Plambeck for his years of dedicated service to our community and his positive attitude and exemplary work achieved during his tenure as Mayor and member of the Borough Council, and congratulate him on his well-earned retirement and wish him and his family happiness and good health in the years to come. Richard, you will be missed!

Council Member James Lonergan made a motion to approve Resolution #15-283. The motion was seconded by Council Member Victoria Fife. A voice vote was taken and Resolution #15-283 was approved unanimously.

Mayor Harris presented former Mayor Richard Plambeck with the Commendatory Resolution adopted by the Mayor and Council and thanked him for his many years of service to the community. Mayor Harris remarked that much of his involvement in the community has been a result of Richard's enthusiasm in welcoming him as a volunteer and also serving as a role model.

In accepting the Commendatory Resolution, Mr. Plambeck thanked his wife, Barbara, for her support throughout the years and thanked everyone who serves the community, whether they serve as an elected official, appointed volunteer or member of the Borough workforce. Mr. Plambeck also thanked Mayor Harris and members of the Borough Council for their recognition and expressed his pleasure in being able to serve the Borough.

Mayor Bruce Harris asked Council President Gerald Helfrich to proceed with Resolution #15-284.

Council President Gerald Helfrich read Resolution #15-284.

RESOLUTION #15-284

RESOLUTION TO ACCEPT THE RETIREMENT OF PUBLIC WORKS FOREMAN GEORGE TRAVER

WHEREAS, George Traver, Foreman in the Department of Public Works, has submitted written notification to the Borough of Chatham that he will be retiring from the Chatham Borough Department of Public Works effective October 1, 2015; and

WHEREAS, George Traver began his service as a Mechanic's Helper-Serviceman with the Chatham Borough Department of Public Works on December 23, 1980 and, as result of his demonstrated ability and diligent work, was promoted to the position of Utility Man/Operator on August 4, 1989 and promoted to the position of Foreman in the Department of Public Works Department on March 17, 1994; and

WHEREAS, during his tenure with the Department of Public Works, and as a dedicated volunteer firefighter with the Chatham Volunteer Fire Department, George has been called upon many, many times in the middle of the night, and in all weather conditions, whether to respond to water main breaks, plow snow-covered streets and sidewalks to ensure safe passage for early morning commuters and motorists, clear storm-damaged areas, or to respond to fire and other emergencies; and

WHEREAS, throughout his 34 years of service to the Borough, George demonstrated himself to be a well-qualified and conscientious public employee, who will truly be missed for his exemplary work and dedicated service.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that George Traver's retirement is hereby accepted with an effective date of October 1, 2015; and

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby extend their sincere and grateful appreciation to George Traver for his 34 years of outstanding service to the Borough of Chatham and congratulate him on his well-earned retirement and wish him happiness and good health in the years to come.

Council President Gerald Helfrich made a motion to approve Resolution #15-284. The motion was seconded by Council Member James Lonergan. A voice vote was taken and Resolution #15-284 was approved unanimously.

Council President Gerald Helfrich presented George Traver with the Resolution adopted by the Mayor and Council and thanked him for his 34 years of service to the community. Mr. Travers thanked the Mayor and Council for their recognition of his years of service and expressed his pleasure working for the Borough.

Mayor Bruce Harris asked Council Member James Collander to proceed with Resolution #15-285.

Council Member James Collander read Resolution #15-285.

RESOLUTION (APPOINTMENT)

RESOLUTION #15-285

RESOLUTION APPOINTING DANIEL FLYNN AS A MEMBER OF THE JUNIOR FIREMEN'S AUXILIARY COMPANY OF THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT

WHEREAS, Section 15-24 of the Borough Code established a Junior Firemen's Auxiliary Company to the Chatham Fire Department; and

WHEREAS, by Resolution #15-162 adopted by the Borough Council on April 13, 2015, the rules and regulations governing the operations of the Junior Firemen's Auxiliary Company were adopted; and

WHEREAS, the Mayor and Council of the Borough of Chatham recognize the valuable contributions volunteer firefighters make to our community every day of every year; and

WHEREAS, Daniel Flynn has expressed interest in becoming a member of the Junior Firemen's Auxiliary Company of the Chatham Borough Volunteer Fire Department; and

WHEREAS, the Fire Chief has recommended that Daniel Flynn be appointed as a member of the Junior Firemen's Auxiliary Company.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Daniel Flynn is hereby appointed as a member of the Junior Firemen's Auxiliary Company of the Chatham Borough Volunteer Fire Department.

Council Member James Collander made a motion to approve Resolution #15-285. The motion was seconded by Council President Gerald Helfrich. A voice vote was taken and Resolution #15-285 was approved unanimously.

The Borough Clerk administered the oath of office to Daniel Flynn. Attending the swearing-in were Mr. Flynn's family and members of the Chatham Volunteer Fire Department.

Council Member James Collander presented Daniel Flynn with the Resolution adopted by the Mayor and Council and commented that Mr. Flynn, a junior in the Chatham High School, is the first member to be appointed to the Junior Firemen's Auxiliary Company and expressed his gratitude for Daniel's interest in serving as a volunteer with the Chatham Volunteer Fire Department.

Mayor Bruce Harris proceeded with Resolution #15-286.

RESOLUTION #15-286

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:

August 10, 2015

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:

August 10, 2015

Council President Gerald Helfrich made a motion to approve Resolution #15-286. The motion was seconded by Council Member John Holman. A voice vote was taken and Resolution #15-286 was approved. Council Members Collander and Lonergan abstained.

DISCUSSION ITEMS

Floor Area Ratio – Council Member Victoria Fife introduced Ms. Susan Favate, Chair of the Planning Board, and Matthew Wagner, Vice Chair of the Planning Board. Council Member Victoria Fife reported that the Planning Board has been reviewing possible amendments to the Borough's floor area ratio ("FAR") calculations upon recommendations received from the Zoning Board of Adjustment and the Borough's Planner. She stated the floor area ratio ("FAR") calculation may restrict homeowners from upgrading and renovating older residential properties.

Susan Favate reported a subcommittee of the Planning Board reviewed the FAR calculations at length and provided its recommendation the Planning Board. She stated the proposed ordinance scheduled for first reading at tonight's meeting would amend the FAR calculations for residential properties and would expressly exclude open porticos and accessory structures such as detached garages from the FAR calculation. Set back and bulk zoning requirements would still need to be met by the applicant or a zoning variance must be obtained for relief. The proposed ordinance would amend the FAR calculation

to lot coverage to address further restrictions that are presented on smaller lots. Bulk zoning requirements would remain unchanged.

Council Member Alida Kass thanked the Planning Board for addressing the FAR calculations, which will help homeowners interested in making improvements and renovating their older homes. She cautioned, however, that allowing construction of detached garages and porches increase lot coverage. Mayor Bruce Harris responded that the Planning Board discussed this and the Planning Board's Planner advised that floor area ratio would likely be impacted before lot coverage became an issue.

Council President Gerald Helfrich inquired whether the Planning Board would consider abolishing the FAR calculations altogether. Ms. Favate responded that FAR calculations are an important tool to control bulk development and prevent out of scale development. Mr. Wagner further responded that the amended FAR calculations would provide some relief to homeowners who might otherwise need to apply for a variance with the Zoning Board of Adjustment.

Mayor Bruce Harris thanked Susan Favate and Mathew Wagner for their presentation and thanked them for serving on the Planning Board.

Front Lum Field: (a) Oak Tree – Mr. Robert Falzarano introduced Mr. John Linson, the Borough's Certified Tree Expert, who was present to answer questions of the Mayor and Council and provide further clarification to information and recommendations contained in his reports. Mr. Falzarano reported that Borough performed three separate examinations of the Lum Field oak tree. One inspection was a visual examination; two inspections involved internal examination of the tree's structure. He reported that an internal examination performed with a resistograph revealed an area of no resistance within the tree representing up to 29% of the tree's trunk structure; however, due to the large girth of the oak tree, a larger resistograph would be needed to accurately measure the full extent of the tree's internal decay. Mr. Falzarano presented a mock-up of the cross-section of the tree based on the resistograph's readings and Mr. Linson's report to show the potential extent of trunk decay.

Mr. Falzarano further reported that Mr. Linson's report recommended that activities under or around the tree should be restricted, which presents a liability risk to the Borough. Mr. Falzarano presented an aerial view of Lum Field, which marked a 100' perimeter from the center of the oak tree representing the tree's potential fall zone and immediate area that should be restricted from public access. The aerial view also showed that the oak tree is located approximately 200' to the softball field and stands within the soccer playing fields. Mr. Falzarano presented two options that the Borough could take to mitigate the risks and potential liabilities posed by the oak tree: 1. Fence the area around the tree and maximize the usable ballfield space by pruning back the tree; or 2. The Shade Tree Commission would decide to take down the tree.

Mr. Linson reported that hazardous trees are defined as having both a defect and target and further reported that the oak tree in Lum Field could be managed and made reasonably safe by pruning and following the recommendations provided by the tree experts. He stated that he was more concerned with individual limbs falling from the tree, not the entire tree falling. Mr. Linson reported that the hazard rating of 7, based upon his assessment of the tree, would not warrant the removal of the tree.

Mayor Harris sought clarification from Mr. Linson regarding his report's recommendation to restrict activity beneath the tree. Mr. Linson responded that with some remedial pruning, reduction of over-extended branches, and maintenance, he did not believe the tree would need to be fenced off or barricaded to restrict public access. He stated that it is his professional opinion that the tree should be preserved and that with some maintenance it would have another 25 years or more to live.

Council Member Victoria Fife questioned whether a potentially hazardous tree standing in a front yard would create a higher risk assessment than a similar tree standing in a field. Mr. Linson responded that the location of a tree would be a factor when rating the risk assessment of a hazardous tree and trees near homes would pose a higher risk.

Council Member James Lonergan questioned what level of risk is the Council willing to bear. He stated the oak tree presents an undue risk to the public and stressed that the Council's first priority is to ensure public safety. He called for a straw poll of the Council on whether they would take a risk on a hazardous tree standing on their front lawn. Council Members Kass, Holman, Collander and Fife responded they would not take such a risk.

Council President Gerald Helfrich sought clarification from Mr. Linson on whether pruning the tree and reducing over-extended branches would lower the tree's risk assessment. Mr. Linson confirmed that pruning back the branches twenty-five percent and pruning the over-extended branches would achieve a symmetrical and balance tree canopy and lower the risk assessment of the tree. Corrective pruning would make the tree more stable.

Council Member James Collander questioned whether the tree would likely twist if it were to fall due to the asymmetry of decay within the trunk structure. Mr. Linson responded that if the tree were to fall it would likely fall in an easterly direction based upon his assessment of the tree's weakest root structure. He further responded that trees generally drop their limbs as they begin to die and usually it is ground saturation, wind or storm events cause a tree to fall.

Council Member John Holman commented that since the Council has been advised of the hazardous condition of the oak tree and the risk to public safety, the Council has a responsibility to address this matter.

Council Member James Lonergan stated that the Council funds the planting and maintenance of trees in the Borough through its budget process and further stated that the Department of Public Works, not the Shade Tree Commission, performs most of the required tree work in the Borough. The Department of Public Works employs four employees who have completed core training in community forestry and hazardous tree identification and who maintain the Borough's tree inventory. Council Member Lonergan also reported that close to 75% of Morris County municipalities do not have Shade Tree Commissions yet all towns must actively manage trees in their communities. He further reported that approximately 75% of municipalities in the state do not have Shade Tree Commissions as well.

Mayor Bruce Harris asked Mr. Linson if he was confident in his advice that the risks associated with the oak tree in Lum Field would not prohibit hundreds of children participating in the Borough's youth soccer program from using the field. Mr. Linson responded that with proper pruning, care and inspections following storm events, he was confident that those activities could continue, although he stated he would not encourage picnics or the placement of park benches under the tree. Mayor Harris then informed Mr. Linson that the oak tree stands in the middle of the youth soccer field and asked again if he held the same opinion. To that Mr. Linson responded "it's not a good idea" and stated he would move the soccer field.

(b) Park – Council Member James Lonergan presented a proposal that would improve the capacity of lower Lum Field by creating a park for varied public uses and enjoyment. The proposal includes the planting of 12-14 trees to replace the scarlet oak, creating a shady buffer between the proposed playground and outdoor patio area and the soccer playing fields. The new park would create additional usable public space for use by the Farmer's Market, special events, and the general public.

Mayor Harris asked that the proposed concept plan be posted to the Borough's website for access and review by the public.

Mayor Harris closed the discussion and 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.

Len Resto, 35 Center Street, commented that the historic oak tree should be preserved by pruning and maintaining the tree and recommended that a fence be erected around the perimeter of the tree to restrict public access under the tree. To provide further protection to stabilize the tree from falling, he suggested that footings and bridge cabling be put in place. Mr. Resto applauded the Mayor and Council for conducting its due diligence by retaining several tree experts to examine the tree and stated that they should follow the recommendations provided by their tree experts. The tree can be cared for and preserved.

Patrick Carroll, 163 Hillside Avenue and Chairman of the Shade Tree Commission, commented that the Shade Tree Commission also places public safety as a priority. He stated that the tree experts have each concluded that the oak tree should be pruned and maintained and that it can live for 25 years or more and that the Shade Tree Commission will follow the advice of the tree experts. Mr. Carroll inquired whether an ulterior motive exists to create more recreation space on lower Lum Field. He informed the Mayor and Council that the Shade Tree Commission will be meeting on September 15th at which time it will formally vote to maintain the oak tree.

Ken Fekete, Lafayette Place, introduced himself as a member of the Shade Tree Commission and informed the Mayor and Council that members of the Shade Tree Commission undergo continuing education and training in community forestry and tree care each year. He voiced his displeasure that the Shade Tree Commission may be abolished because of its differing opinion with the Council's regarding the oak tree in Lum Field. He inquired why the Council, including the Council's liaison to the Shade Tree Commission, have not attended a Shade Tree Commission meeting to discuss the Council's concerns regarding the oak tree.

Christy Chumura, 4 Meadow Road, commented that each of reports submitted by different tree experts have concluded that the oak tree has not reached its lifespan and can be maintained. She disagreed with the Council's opinion that the oak tree poses a risk to the public and therefore must be removed and inquired whether an ulterior motive exists to create more recreation space. Ms. Chumura encouraged the Council to work with the Shade Tree Commission toward a mutually-agreeable solution and commented that she submitted a volunteer application seeking appointment to the Shade Tree Commission and reiterated her desire for appointment on the Shade Tree Commission.

Dan Moskowitz, 75 Chatham Street, introduced himself as a member of the Joint Recreation Advisory Committee and commented that he has served on the recreation advisory committee for six years. During those years he found that the Borough officials always valued the committee's input and recommendations. He informed the Mayor and Council that there are approximately 400 children

registered in the youth soccer program who play on the two practice fields on lower Lum Field where the oak tree stands. Mr. Moskowitz supported the proposal to remove the oak tree in Lum Field for the Borough to create a playground, soccer practice fields and park.

Susan Chumura, 6 Bartow Lane, questioned the Mayor and Council's motives in threatening to abolish the Shade Tree Commission and spoke in support of maintaining the oak tree in lower Lum Field.

Chris Corlin, 23 Yale Street, commented that recreation field space is at a premium in the Borough and spoke in support of the Council exploring all options than can create more recreation space to accommodate the Borough's growing needs. He further agreed with the Mayor and Council's position that their responsibility is to ensure public safety.

Julie Muller, 51 Broadview Terrance, commented that youth recreation programs are important to the community but also expressed her support to save the scarlet oak tree. She suggested that preserving the 175-year old tree presents an opportunity to educate children on the importance of environmental stewardship and encouraged the Council maintain the tree.

Fran Drew, 32 Inwood Road, commented that the certified arborist and two certified tree experts each concluded that the oak tree should be maintained. She further commented that the oak tree is a special tree in the community and inquired whether a public referendum question could be placed on the General election ballot in November to allow voters to decide the fate of the oak tree. Ms. Drew supported the proposal to improve lower Lum Field into a park for the enjoyment of all residents, young and old.

Steve Coffey, 12 Lincoln Avenue, commented that the tree experts have confirmed that the oak tree is diseased and is approaching the end of its life span. He expressed his concern that fallen limbs and branches pose a serious risk and stated public safety must be the Borough's first priority.

Michael Dean, 181 North Passaic, inquired how much the Borough has spent on the inspections of the oak tree and further questioned how much it would cost to perform the larger resistograph study on the tree. He then questioned whether the Joint Insurance Fund rates for the Borough would increase should the Shade Tree Commission be replaced with a Shade Tree Advisory Committee. Mr. Dean supported all efforts to prune and maintain the oak tree and further supported the proposal to improve lower Lum Field into a park for the enjoyment of adults and children alike.

Jennifer Chumura, 500 Main Street, Apt. 2D, inquired whether shared recreation fields and space could be explored with Madison Borough to accommodate the Borough's growing need. She also commented that Bernards Township has a historic tree located in a cemetery that is over 300 years and has become a symbol for their community. Ms. Chumura encouraged Borough officials to preserve the Borough's majestic and stately oak tree in Lum Field as a symbol to the Borough's strength and heritage.

Jack Drew, 32 Inwood Road, commented that Chatham Borough's charm and history is symbolized by the green-leafy trees that line its streets and supported the preservation of the oak tree.

Sandy Roos, 8 Garden Avenue, expressed her support that the Borough prune and maintain the oak tree in accordance with the tree experts' recommendations. She further commented that the New Jersey Shade Tree and Community Forestry Assistance Act provides resources, grant funding and tree-related liability protection to communities, ensuring that Shade Tree Commissions can remain in place to provide more livable communities through the care and management of trees.

Colleen Truppo, 10 Overlook Road, introduced herself as a member of the Shade Tree Commission and commented that the New Jersey Community Forestry website maintains a listing of historic trees throughout the state stated that the Borough's scarlet oak tree may be the second largest of its kind in the

state. Ms. Truppo acknowledged that the town provides much of the resources in manpower and budgeting for managing the Borough's trees, but also acknowledged that the volunteers serving on the Shade Tree Commission also provide much of their time, knowledge and training to help manage the Borough trees. She encouraged the Council and Shade Tree Commission to continue to work together.

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

Before moving to the next agenda item, Mayor Harris sought Mr. Linson's recommendation as to whether the youth soccer program can continue to use the play fields at lower Lum Field and which are located under and around the oak tree. Mr. Linson's answer was that "it's not a good idea to have children play soccer under the tree." Mayor Harris further inquired whether footings and cables would be beneficial in helping stabilize the oak tree to which Mr. Linson responded that it would not be a good idea and that "the tree is capable of supporting itself."

Closing the discussion of this matter, Mayor Harris summarized the three options the Borough could pursue with respect to the oak tree: 1. Support the park proposal at Lum Field presented at tonight's meeting; 2. take down the oak tree and continue the use of the field for youth soccer; or 3. Maintain the tree and install a fence around it, which would eliminate the use of the field for soccer.

Lastly, Mr. Linson informed the Mayor and Council that the estimated cost to prune and treat the oak tree would be around \$2,000.

DISCUSSION ITEM

2016 Parking Fees – Council Member James Lonergan reported that the Budget and Finance Committee recommends raising the annual parking fee for calendar year 2017 from \$435 to \$450. The daily parking rate would remain the same.

At this time Council Member John Holman left the meeting.

ORDINANCE FOR SECOND READING

Mayor Harris asked Council Member James Lonergan to proceed with Ordinance #15-10.

Council Member James Lonergan read Ordinance #15-10 entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$170,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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 August 10, 2015.

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

The Borough Clerk stated that a legal notice was published indicating that Ordinance #15-10 was introduced and passed on first reading at the August 10, 2015 meeting and further indicated the second reading and public hearing would be held at 7:30 p.m. on September 14, 2015 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 the Ordinance 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 James Lonergan 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 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		X			
Holman						X
Fife			X			
Helfrich			X			
Kass			X			

Mayor Harris declared this Ordinance 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

COUNCIL COMMITTEE REPORTS

Budget and Finance – In the interest of time, Council Member James Lonergan had nothing new to report at tonight's meeting.

Long Range Traffic & Pedestrian Safety Planning - In the interest of time, Council Member James J. Collander had nothing new to report at tonight's meeting.

Public Safety & Emergency Services - In the interest of time, Council Member James J. Collander had nothing new to report at tonight's meeting.

Personnel - In the interest of time, Council Member Victoria had nothing new to report at tonight's meeting.

Public Works Planning - In the interest of time, Council Member John Holman had nothing new to report at tonight's meeting.

Shared Services & 3rd Party Agreements - In the interest of time, Council President Gerald Helfrich had nothing new to report at tonight's meeting.

MAYOR'S REPORT

Mayor Bruce Harris commented that in the interest of time, he had no report at tonight's meeting.

ADMINISTRATOR'S REPORT

In the interest of time, Mr. Falzarano had no report at tonight's meeting.

CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so

requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Resolution #15-287 through Resolution #15-299 have been placed on the Consent Agenda.

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

None.

CONTRACTS

RESOLUTION #15-287

**RESOLUTION AUTHORIZING EXECUTION OF EASEMENT AGREEMENT WITH THE
RECTOR, WARDENS AND VESTRY OF ST. PAUL’S EPISCOPAL CHURCH**

WHEREAS, the Rector, Wardens and Vestry of St. Paul’s Church (the “Church”) is the owner of certain property located at 200 Main Street, Block 56, Lot 17, Chatham, New Jersey; and

WHEREAS, the Borough is the owner of a driveway running from North Passaic Avenue across Memorial Park to the Church Property (the “Borough Driveway”); and

WHEREAS, the Borough and the Church wish to enter into an Access and Parking Easement Agreement; and

WHEREAS, the agreement will grant the Church a non-exclusive access easement over and upon the Borough Driveway for ingress and egress between the Church Property and North Passaic Avenue; and

WHEREAS, the agreement will grant the Borough a non-exclusive easement for public vehicular parking in and on the parking spaces located within the Church parking lot, together with the non-exclusive right of ingress and egress to and from the parking spaces across the Church Property, including the access drive, as may be reasonably required to provide access to the Main Street public right-of-way or the Borough Driveway, for patrons of the Library and visitors to Memorial Park.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey that the Mayor and Borough Council hereby approve the Access and Parking Easement Agreement with the Rector, Wardens and Vestry of St. Paul’s Episcopal Church and authorize the Mayor and Borough Clerk to execute the agreement, subject to the prior review and approval of the Borough Attorney; 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 #15-288

**RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO LEASE
AGREEMENT TO PLACE A WIRELESS ANTENNA ON THE CHATHAM BOROUGH
MUNICIPAL BUILDING ROOFTOP**

WHEREAS, the Borough and New Cingular Wireless PCS, LLC (or its respective predecessor-in-interest) entered into a Lease Agreement to place a wireless antenna on the Chatham Borough Municipal Building rooftop dated April 22, 2002, as amended by that certain First Amendment to Lease Agreement dated February 26, 2013; and

WHEREAS, the parties mutually desire to renew the Lease subject to certain modifications as set forth in the Second Amendment to the Lease Agreement.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute the Second Amendment to the Lease Agreement with New Cingular Wireless PCS, LLC, subject to the prior review and approval of the Borough Attorney; 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 #15-289

RESOLUTION APPROVING THE PROPOSAL SUBMITTED BY SUSAN BLICKSTEIN, AICP/PP, PHD, BOROUGH PLANNER AND ELIZABETH C. MCKENZIE, AICP, PP FOR THE PREPARATION OF AMENDMENTS TO THE BOROUGH'S THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Mayor and Borough Council wish to authorize the preparation of amendments to the Borough's Third Round Housing Element and Fair Share Plan, along with the completion of such other studies as may be needed to document the Borough's ability to satisfy its Third Round Fair Share Obligation by Susan Blickstein, AICP/PP, PhD, Borough Planner, in consultation with Elizabeth C. McKenzie, AICP, PP; and

WHEREAS, Dr. Blickstein and Ms. McKenzie submitted a proposal dated July 20, 2015 outlining the proposed scope of work and project cost in an amount not to exceed \$25,000; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey that the Mayor and Borough Council hereby approve of the proposal dated July 20, 2015 submitted by Susan Blickstein, AICP/PP, PhD, Borough Planner and Elizabeth C. McKenzie, AICP, PP.

BE IT FURTHER RESOLVED, that Dr. Blickstein and Ms. McKenzie are hereby authorized to prepare amendments to the Borough's Third Round Housing Element and Fair Share Plan, along with the completion of such other studies as may be needed to document the Borough's ability to satisfy its Third Round Fair Share Obligation, in accordance with the proposal dated July 20, 2015.

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 #15-290

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH APPRAISAL SYSTEMS FOR APPRAISAL SERVICES RELATED TO ADDED ASSESSMENT INSPECTIONS IN THE BOROUGH

WHEREAS, there exists the need to contract for appraisal services related to added assessment inspections for the contract period commencing September 1, 2015 and expiring December 31, 2015; and

WHEREAS, the services to be provided are professional services exempt from public bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Tax Assessor and Tax Attorney recommends Appraisal Systems for appraisal services related to added assessment inspections; and

WHEREAS, the aggregate contract amount with Appraisal Systems shall not exceed \$15,000.00; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in capital account #5-01-20-155-201.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that the Mayor is authorized to execute a professional service contract with Appraisal Systems for appraisal services related to added assessment inspections; 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 #15-291

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 #15-292

RESOLUTION AUTHORIZING REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that a duplicate payment was made resulting in an overpayment of property taxes; and

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

BLK/LOT	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
6=8	Kania, Jeffrey & Christine 201 Washington Avenue	\$5,202.31 [Attorney paid twice]	2015/3Qtr.

Please make check payable & mail to:
John D. Rankin, Esquire
600 Alexander Road
Princeton, NJ 08540-6011

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

RESOLUTION #15-293

RESOLUTION AUTHORIZING REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that a duplicate payment was made resulting in an overpayment of property taxes; and

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

BLK/LOT	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
58=23	Roberts, John & Rissa 77 N Passiac Avenue	\$1,833.08	2015/3Qtr.

Make check payable & mail to:
Foundation Title, L.L.C
3840 Quakerbridge Road, Suite 120
Hamilton, NJ 08619

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

LAW & PUBLIC SAFETY

RESOLUTION #15-294

RESOLUTION ADOPTING THE MORRIS COUNTY MULTI-JURISDICTIONAL MULTI-HAZARDS MITIGATION PLAN UPDATE, PREPARED AND SUBMITTED BY THE MORRIS COUNTY OFFICE OF EMERGENCY MANAGEMENT TO THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AS THE OFFICIAL PLAN OF THE BOROUGH OF CHATHAM

WHEREAS, the Borough of Chatham has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk; and

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan; and

WHEREAS, a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee; and

WHEREAS, the *Morris County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update*, dated July 2015, includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

WHEREAS, the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the *Morris County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency in July 2015 by the Morris County Office of Emergency Management is hereby adopted as an official plan of the Borough of Chatham; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action; and

BE IT FURTHER RESOLVED, that Borough's departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments; and

BE IT FURTHER RESOLVED, that any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough and this resolution shall not be interpreted so as to mandate any such appropriations; and

BE IT FURTHER RESOLVED, that the Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Morris County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

BOARDS, COMMISSIONS AND COMMITTEES

RESOLUTION #15-295

RESOLUTION APPOINTING CHRISTOPHER JADRO FROM AN ALTERNATE NO. 1 MEMBER TO A REGULAR MEMBER OF THE SHADE TREE COMMISSION

WHEREAS, N.J.S.A. 40:64-1 sets forth that appointments to the Shade Tree Commission shall be made by the Mayor to serve a 5-year term and vacancies, for whatever reason, shall be filled by the Mayor for the unexpired term; and

WHEREAS, Christopher Jadro, an Alternate No. 1 Member of the Chatham Borough Shade Tree Commission has expressed interest in being appointed as a Regular Member to fill the unexpired 5-year term due to a recent resignation; and

WHEREAS, Mayor Bruce Harris wishes to appoint Christopher Jadro as a Regular Member to the Chatham Borough Shade Tree Commission to fill the unexpired 5-year term, with such term expiring December 31, 2015.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it hereby approves and confirms the Mayoral appointment of Christopher Jadro from an Alternate No. 1 Member to a Regular Member of the Chatham Borough Shade Tree Commission to fill the unexpired 5-year term, with such term expiring December 31, 2015.

RESOLUTION #15-296

RESOLUTION APPOINTING DEEPA PATEL TO THE MAYORS' WELLNESS COMMITTEE

WHEREAS, Resolution #15-25, adopted by the Borough Council on January 5, 2015, re-established the Mayors' Wellness Advisory Committee, a joint committee with Chatham Township to work with Mayors and key leaders to shape healthier lifestyles for the men, women and children in our communities; and

WHEREAS, Deepa Patel has expressed interest in being appointed to Mayors' Wellness Advisory Committee and has submitted a Volunteer Application to the Mayor and Borough Council for consideration; and

WHEREAS, Mayor Bruce Harris wishes to appoint Deepa Patel to the Mayors' Wellness Advisory Committee.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it hereby approves and confirms the Mayoral appointment Deepa Patel to the Mayors' Wellness Advisory Committee, with such term expiring December 31, 2015.

RESOLUTION #15-297

RESOLUTION APPOINTING NATALIE MERIZIO TO THE MAYORS' WELLNESS COMMITTEE

WHEREAS, Resolution #15-25, adopted by the Borough Council on January 5, 2015, re-established the Mayors' Wellness Advisory Committee, a joint committee with Chatham Township to work with Mayors and key leaders to shape healthier lifestyles for the men, women and children in our communities; and

WHEREAS, Natalie Merizio has expressed interest in being appointed to Mayors' Wellness Advisory Committee and has submitted a Volunteer Application to the Mayor and Borough Council for consideration; and

WHEREAS, Mayor Bruce Harris wishes to appoint Natalie Merizio to the Mayors' Wellness Advisory Committee.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it hereby approves and confirms the Mayoral appointment Natalie Merizio to the Mayors' Wellness Advisory Committee, with such term expiring December 31, 2015.

OTHER

RESOLUTION #15-298

RESOLUTION ESTABLISHING PARKING FEES AND RULES AND REGULATIONS REGARDING THE SALE OF PARKING PERMITS REQUIRED FOR PARKING LOTS OR AREAS DESIGNATED "FEE PARKING" PURSUANT TO CHAPTER 139, SECTIONS 61 AND 62 OF THE CODE OF THE BOROUGH OF CHATHAM

WHEREAS, Chapter 139, Section 61 of the Code of the Borough of Chatham entitled "Fee parking spaces" specifies that the governing body shall establish by resolution the parking fees required to be paid in parking lots or other areas designated fee parking as well as rules and regulations governing the sale of parking permits; and

WHEREAS, Chapter 139, Section 62 of the Code of the Borough of Chatham entitled "Parking by permit" specifies that the governing body shall establish by resolution the rules and regulations governing the issuance and management of parking permits.

BE IT RESOLVED, that the following fees shall apply:

1. In parking lots or areas designated as fee parking, a Smart Card fee of \$5.50 Dollars and Fifty cents (\$5.50) for Non-Borough residents and a Five Dollar (\$5.00) fee for Borough residents shall be paid between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays. The Daily Permit fee for cash or credit card customers is Five Dollars and Fifty cents (\$5.50).
- 2 The following annual permit fees shall be established:
 - A. LOTS #1 & 2-RAILROAD NORTH & SOUTH
Borough Residents Only \$450.00
 - B. LOT #3-CENTER STREET-EAST –
Borough Resident \$265.00
Borough Business Owner/Borough Business Employee \$240.00
 - C. LOT #4-CENTER STREET-WEST
Borough Resident \$265.00

Borough Business Owner/Borough Business Employee	\$240.00
D. LOT #5–BOWERS LANE LOT	
Borough Resident	\$265.00
Borough Business Owner/Borough Business Employee	\$240.00
E. LOT #6-DIVISION AVENUE LOT	
Borough Resident	\$265.00
Borough Business Owner/Borough Business Employee	\$240.00

And;

BE IT FURTHER RESOLVED, that the effective date for implementation of the fees set forth in this Resolution shall be January 1, 2016; and

BE IT FURTHER RESOLVED, that the Borough of Chatham Parking Permits Rules and Regulations established and authorized by Resolution #13-129 shall remain in full force for calendar year 2016.

RESOLUTION #15-299

RESOLUTION APPROVING THE SUNSHINE STRIDERS FUN RUN AND AUTHORIZING STREET CLOSURES

WHEREAS, Borough resident, Kelly Leach, presented a proposal for the Sunshine Striders to host a children's one mile Sunshine Striders Fun Run in the Borough on Saturday, October 3, 2015 from 3:30 p.m. to 7:00 p.m.; and

WHEREAS, the course for the run will be a one mile loop including Dellwood Avenue, Fairview Avenue, Washington Avenue and Longwood Avenue; and

WHEREAS, following the run, participants will enjoy a bounce house, face painting and other activities on a section of Dellwood Avenue; and

WHEREAS, proceeds of the event will be donated to Cycle for Survival, a 501c(3) charity that raises funds for rare cancer research at the Memorial Sloan Kettering Cancer Center; and

WHEREAS, the event will require the temporary closure of certain portions of Dellwood Avenue, Fairview Avenue, Washington Avenue and Longwood Avenue for public safety; and

WHEREAS, the Mayor and Borough Council wish to authorize the closure of certain portions of those streets for the safety and protection of participants and those who are to use those roadways during the event.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that approval is hereby given for the Sunshine Striders Fun Run scheduled for Saturday, October 3, 2015 from 3:30 p.m. to 7:00 p.m. and for the Chatham Borough Police Department to close certain portions of Dellwood Avenue, Fairview Avenue, Washington Avenue and Longwood Avenue during the event as necessary for public safety; 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.

CONSENT AGENDA VOTE

Council President Helfrich moved to approve Resolution #15-287 through Resolution #15-299. The motion was seconded by Council Member Kass. A voice vote was taken and Resolution #15-287 through Resolution #15-299 listed on the Consent Agenda were approved unanimously.

ADD-ON RESOLUTIONS

None.

ORDINANCES FOR FIRST READING

Mayor Harris asked Council Member James Collander to introduce Ordinance #15-12.

Council Member James Collander introduced Ordinance #15-12 by title as follows:

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 139 OF
THE BOROUGH CODE TO REGULATE PUBLIC PARKING
AT THE LIBRARY OF THE CHATHAMS LOT**

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

Council Member James Collander read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on September 14, 2015.

BE IT RESOLVED, that at the Council meeting to be held on September 28, 2015 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.

Council President 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 stated Ordinance #15-12 passed.

Mayor Harris asked Council Member James Collander to introduce Ordinance #15-13.

Council Member James Collander introduced Ordinance #15-13 by title as follows:

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 139
OF THE BOROUGH CODE TO REGULATE PUBLIC PARKING ALONG
THE PARROTT MILL ROAD CUL-DE-SAC**

Council Member James Collander explained the purpose of the Ordinance and moved for introduction

on First Reading.

Council Member James Collander read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on September 14, 2015.

BE IT RESOLVED, that at the Council meeting to be held on September 28, 2015 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.

Council Member James Lonergan 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	X			
Holman						X
Fife			X			
Helfrich			X			
Kass			X			

Mayor Harris stated Ordinance #15-13 passed.

Mayor Harris asked Council Member Victoria Fife to introduce Ordinance #15-14.

Council Member Victoria Fife introduced Ordinance #15-14 by title as follows:

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 165
OF THE BOROUGH CODE RELATED TO RESIDENTIAL FLOOR AREA RATIO**

Council Member Victoria Fife explained the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Victoria Fife read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on September 14, 2015.

BE IT RESOLVED, that at the Council meeting to be held on September 28, 2015 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.

Council Member Alida Kass 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			
Kass		X	X			

Mayor Harris stated Ordinance #15-14 passed.

Mayor Harris asked Council President Gerald Helfrich to proceed with Resolution #15-300.

Council President Helfrich read Resolution #15-300 in full:

RESOLUTION #15-300

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 Matter: | 1. PBA and DPW Collection Bargaining Negotiations – Mr. Falzarano |
| Attorney-Client: | 1. Fair Mount Cemetery – Mr. Lott
2. Affordable Housing Update – Mr. Lott |
| Personnel Matter: | 1. Administrative Personnel – Council Member Victoria Fife |

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 President Gerald Helfrich made a motion to approve Resolution #15-300. The motion was seconded by Council Member James Collander. A voice vote was taken and Resolution #15-300 was approved unanimously.

The Mayor and Council adjourned into Closed Session.

ADJOURNMENT

Meeting adjourned 10:25 p.m.

Respectfully Submitted:

Robin R. Kline

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