

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

August 10, 2015 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, August 10, 2015 at 7:15 p.m. in the Council Chambers in the Municipal Building, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

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

MOMENT OF SILENCE

Mayor Harris asked for a moment of silence for those who have given their lives for our country.

STATEMENT OF ADEQUATE NOTICE

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

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.

Notice of the change of meeting time was sent to the press on August 7, 2015 and said notice was posted on the Municipal Bulletin Board on the main floor of the Municipal Building and filed with the Borough Clerk.

ROLL CALL

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

Mayor Bruce A. Harris
Council Member John Holman
Council Member Victoria Fife
Council President Gerald J. Helfrich
Council Member Alida Kass
Robert J. Falzarano, Borough Administrator
James Lott, Borough Attorney
Robin R. Kline, Borough Clerk

Council Member James J. Collander and Council Member James Lonergan were absent.

Mayor Bruce Harris asked Council President Gerald Helfrich to proceed with Resolution #15-261.

Council President Helfrich read Resolution #15-261 in full.

RESOLUTION TO RECESS INTO CLOSED SESSION

RESOLUTION #15-261

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it shall recess into executive session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

Attorney-Client Privilege: 1. Property Tax Appeal Settlement – Mr. O'Donnell and Ms. DePierro
[Block 56, Lot 8.01 for tax years 2012, 2013, 2014 and 2015]

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Borough Council will reconvene in public session after this closed session.

Council President Helfrich made a motion to approve Resolution #15-261. The motion was seconded by Council Member Fife. A voice vote was taken and Resolution #15-261 was approved unanimously.

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

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Mayor Bruce Harris reconvened into public session at 7:37 p.m.

ROLL CALL

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

Mayor Bruce A. Harris
Council Member John Holman
Council Member Victoria Fife
Council President Gerald J. Helfrich
Council Member Alida Kass
Robert J. Falzarano, Borough Administrator
James Lott, Borough Attorney
Robin R. Kline, Borough Clerk

Council Member James J. Collander and Council Member James Lonergan were absent.

Mayor Bruce Harris proceeded with Resolution #15-262.

RESOLUTION #15-262

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:

July 27, 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:

July 27, 2015

Council Member Fife made a motion to approve Resolution #15-262. The motion was seconded by Council Member Kass. A voice vote was taken and Resolution #15-262 was approved. Council President Helfrich and Council Member Holman were absent at the July 27, 2015 meeting and abstained.

DISCUSSION ITEMS

Sunshine Striders Fun Run – Ms. Kelly Leach, a Borough resident, presented a proposal to host a children's 1-mile Sunshine Striders Fun Run, on Saturday, October 3rd, from 3:30 p.m. to 7:00 p.m. Proceeds from the fundraising event will be donated to Cycle for Survival, a 501c3 charity that supports pioneering research and clinical trials at Memorial Sloan Kettering Cancer Center. Ms. Leach, herself as a cancer survivor, reported the race course would be a 1-mile loop that includes Dellwood Avenue, Fairview Avenue, Washington Avenue, and Longwood Avenue. Participants would be kids of all ages and their parents. Following the event, there will be bounce houses, face painting and other activities for participants to enjoy. Ms. Leach sought permission to close a section of Dellwood Avenue following the Sunshine Striders Fun Run to accommodate the after race activities and was informed she should submit a Block Party Permit Application to close the street.

Mr. Falzarano reported that insurance, permitting and other logistical details would be handled by the Department of Community Services.

Mayor Harris thanked Ms. Leach for her presentation and told her that an authorizing resolution would be prepared for the September 14th meeting.

Doing Business in Chatham – Ms. Janice Piccolo, Director of Community Services, presented a draft informational piece entitled “*Doing Business in Chatham Borough*,” which will help guide individuals and companies that are interested in Chatham through the process of opening a business in the Borough and navigating zoning and permitting requirements. The user-friendly format includes a brief history of the Borough, demographics, and transportation networks, as well as, land use zoning information, parking and Borough department contact information. Prior to publishing the handout and posting the information on the Borough's website, Ms. Piccolo requested input from Mayor Harris and the Borough Council. Council Member John Holman applauded Ms. Piccolo for creating the informational piece.

Tree Windshield Survey – Mr. Tony Torello, Department of Public Works Deputy Director and the Borough's Shade Tree Enforcement Officer, presented an overview of the Tree Windshield Survey prepared by the Borough's Certified Tree Expert, John Linson, on July 8, 2015. The report lists six tree maintenance categories and includes the number of Borough street trees classified in each category: Class II Pruning (52), Class III Pruning (63), Class IV Pruning (7), Stump Removal (9), Special Attention (5), and Tree Removal (78). Mr. Torello reported that the windshield survey did not include trees located in parks, fields or pathways. Tree maintenance will be performed in the order of importance. Of the 78 trees identified for removal, 33 trees have since been taken down.

Mr. Torello also reported that at the Borough's request, Mr. Linson was asked to evaluate the scarlet oak tree located in lower Lum Field. In his evaluation report dated July 15th, Mr. Linson reported the oak tree has an internal cavity approximately 24” in diameter and there is evidence of fungal decay at the roots and carpenter ant activity. Based on a 12-point risk rating scale, with 3 being the lowest risk and 12 being the highest risk, Mr. Linson rated the tree a “7.” His report concluded that “*Although the evidence of decay and carpenter ant activity is a concern, however, in my opinion, if these conditions are addressed and activity beneath the tree is restricted, the risk the tree poses can be maintained at an acceptable level for years to come.*”

Mr. Torello further reported that a second independent inspection and evaluation of the oak tree was performed by Certified Tree Expert Joe Kunkel at the request of the Shade Tree Commission on August 3rd. In his report, Mr. Kunkel concluded that “*Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that*

a tree will be healthy or safe under all circumstances or for a specified period of time. Likewise, any mitigation cannot be guaranteed.”

Lastly, Mr. Torello reported that lower Lum Field is used throughout the year by many youth recreation sports programs, community activities, and the Farmers’ Market, and is also used as a pathway for commuters going to and from the train station. He stated it was his opinion, that it would be difficult for the Borough to stop or restrict these activities.

Mayor Harris mentioned that the Borough requested a third evaluation of the oak tree using resistograph technology and inquired as to the findings of that report. Mr. Falzarano responded that a formal report had not yet been received, but expected to receive the report in the next day or two.

Based on the reports prepared by the Certified Tree Experts, Mayor Harris expressed his concern that the Borough is faced with having a tree that is not in great shape in a popular area used by many children and adults. The risk to public safety is a real one that must be addressed. Mayor Harris further reported that he and Council Member Kass and Mr. Lott spoke with the Shade Tree Commission to express the Borough’s public safety concerns. Mayor Harris informed the public that under state law a Shade Tree Commission has exclusive control over Borough trees. By transitioning the duties of the Shade Tree Commission to a Shade Tree Advisory Committee, the Council could take control of the public safety issue that exists. Mayor Harris reminded the public about the tree that suddenly fell in Summit, as well as, the tree that fell without warning in Millburn, killing a motorist. He stated that measures must be taken to ensure public safety at all times.

Council President Helfrich stated that until the third tree expert report is received and the results of the resistograph are fully known, he was hesitant to make any decision.

Council Member Holman agreed with Council President Helfrich and stated the Council needs more information and time to make a sound decision.

Council Member Fife stated she was concerned with children playing around the oak tree since the tree expert’s recommendation was to restrict access beneath the tree. She agreed with Mayor Harris that proactive measures must be taken in the interest of public safety.

Council Member Kass stated two questions must be decided: (i) should the oak tree be removed or not; and (ii) who has the final decision on whether the oak tree is to be removed - the Council or the Shade Tree Commission. She stated that although the statute provides that the Shade Tree Commission has jurisdiction Borough trees, she noted that the Shade Tree Commission does not have the authority to restrict access or activities on Borough property.

Mayor Harris reiterated his concern that someone may be harmed and that the public safety risk posed by the oak tree is great.

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.

Jack Drew, 32 Inwood Road, inquired whether the Mayor and Council would move the discussion of Ordinance #15-11 immediately after the Public Comment period.

Patrick Carroll, 163 Hillside Avenue, Chair of the Shade Tree Commission, voiced his opposition to Ordinance #15-11, which proposes to abolish the Shade Tree Commission of the Borough of Chatham and transfer the duties assigned to the Shade Tree Commission to a newly formed Shade Tree Advisory Committee, and questioned the need to have placed the proposed Ordinance on tonight's agenda. Mr. Carroll commented that the Shade Tree Commission follows the advice of its certified tree expert in the management and care of Borough trees. He further commented that Mr. Linson, the Shade Tree Commission's certified tree expert, advised the Commission that the scarlet oak tree located in Lum Field could be treated and pruned to extend the tree's longevity. Mr. Carroll informed the Mayor and Council that the Shade Tree Commission requested further clarification from Mr. Linson regarding his risk assessment of the tree and why it was his recommendation to restrict access under the tree. Mr. Carroll further informed the Mayor and Council that the Shade Tree Commission sought a second independent evaluation on the tree from Mr. Kunkel, a certified tree expert. Mr. Kunkel concluded that there was no reason to remove the tree if minor maintenance is performed. In closing his comments, Mr. Carroll assured the Mayor and Council that the Shade Tree Commission would never compromise the safety of the community in favor of saving a tree and welcomed a mutual dialogue with the Mayor and Council regarding their concerns about the maintenance and management of Borough trees.

Mayor Harris inquired whether Mr. Carroll would allow his children to play under the oak tree, especially after reviewing Mr. Linson's recommendation that benches should not be installed near the tree, trash receptacles should be relocated away from the tree, and activities where people might linger under the tree or seek refuge from a storm should be discouraged. Mr. Carroll responded that he had no reservation whatsoever.

Mayor Harris stated that Ordinance #15-11 had been placed on the agenda to allow for Council discussion on first reading.

Samuel Sealy, 23 Edgewood Road, commented that he is a life-long resident of the Borough and shared a story of playing under the tree when he was in the 4th grade and injuring himself on a brass memorial plaque that was installed on the east side of the tree. The memorial plaque is long gone but the tree continued to grow. He further commented that he learned that 1 in 30 oak trees in New Jersey are scarlet oaks. Further, knowing that the Borough's scarlet oak is approximately 175 years old, makes it a special tree. Mr. Sealy thanked the volunteers of the Shade Tree Commission for their service to the community and voiced his support for the continued pruning and maintenance of the tree.

Brendan Keating, 2 Garden Place, introduced himself as a Member of the Environmental Commission but clarified that his comments are made as a private citizen. He commented that the scarlet oak tree is a landmark tree and has a natural allure that attracts people to it. He voiced his support for the preservation of the scarlet oak tree and further expressed his support for the Shade Tree Commission.

Roseann Mariziti, 50 Inwood Road, inquired why the Mayor and Council did not invite Mr. Linson to attend tonight's meeting to address their questions and provide clarification regarding his report. Ms. Mariziti supported the preservation of the oak tree and supported the purpose and continued operation of the Shade Tree Commission.

Fran Drew, 32 Inwood Road, commented that during the July 21st meeting of the Shade Tree Commission, Mr. Linson reported that the scarlet oak could survive 20-30+ more years if treated and pruned. She commented that the Shade Tree Commission agreed to follow the tree expert's recommendation to treat the tree for ants and prune the limbs. Ms. Drew suggested that a decorative fence be installed to restrict access around the tree in the interest of guarding public safety if that is truly

a concern. Ms. Drew inquired why the Mayor and Council did not invite Mr. Linson to attend tonight's meeting to address any questions or concerns they may have regarding his report. Lastly, she expressed her disappointment that the Mayor and Council have threatened to abolish the Shade Tree Commission if it did not take down the tree.

Mayor Harris responded that the issue surrounding the tree is one of public safety, not liability. He again stated that he and Council Member Kass and Mr. Lott spoke with the Chairman of the Shade Tree Commission to express the Borough's public safety concern because of the potential risks associated with tree. By transitioning the duties of the Shade Tree Commission to a Shade Tree Advisory Committee, the Council could take control of public safety issues that may arise.

Ken Fekete, Lafayette Place, introduced himself as a member of the Shade Tree Commission and its former Chair. He commented that during the recent Shade Tree Commission meeting, Mr. Lott informed the Commissioners that the Mayor and Council were concerned about the risks the tree poses and immunity issues relative to the Shade Tree Commission and the Borough.

Kristy Chumra, 4 Meadow Road, commented that the benefits of trees far outweigh their risks and further commented that the world is full of all sorts of risks. She voiced her support for the preservation of the scarlet oak tree and further expressed her support for the Shade Tree Commission.

Colleen Truppo, 10 Overlook Road, introduced herself as a member of the Shade Tree Commission and stated she brought her family to attend tonight's meeting so that they may witness how government works. Ms. Truppo commented that at the last Shade Tree Commission meeting, Mr. Lott discussed concerns regarding immunity protections and the Tort Claims Act. She opined that abolishing the Shade Tree Commission would do nothing to address public safety. Ms. Truppo voiced her support that the Shade Tree Commission follow the recommendations provided by the two certified tree experts in caring for the tree.

Mr. Lott responded that during the recent Shade Tree Commission meeting he expressed his concern as Borough Attorney to liability issues arising from known risks posed by hazardous trees and advised that a municipality has an obligation to ensure public safety.

Julie Muller, 51 Broadview Terrace, voiced her support to save the scarlet oak tree and suggested that preserving the 175-year old tree presents an excellent opportunity for the Borough to educate children on the importance of environmental stewardship and conservation, as well as, teaching the importance of public safety. She urged the Council to reject Ordinance #15-11.

Susan Allan, 167 Fairmount Avenue, commented that trees beautify a community and require periodic maintenance and care. She expressed her support to save the scarlet oak tree and presented a photograph featured in a tree service company's calendar showing a 500-year old tree with an attractive fence installed around its circumference.

Denise Mortensen, 5 Penn Terrace, read Joyce Kilmer's short poem titled, "*Trees*."

Linda Howe, former Borough resident, introduced herself as Certified Master Tree Steward, a Rutgers Cooperative Extension program that trains citizens in the conservation of trees. She commented on the tangible and spiritual benefits of trees. Ms. Howe voiced her support for the Shade Tree Commission and urged the Council to reject Ordinance #15-11.

Madison Roos, 8 Garden Avenue, inquired how many trees in Chatham, if any, have fallen and injured people over the years and further inquired why the Mayor and Council question the work performed by

the Shade Tree Commission. She also questioned whether the Mayor and Council were willing to obtain the certification many of the Shade Tree Commissioners have obtained.

Sandy Roos, 8 Garden Avenue, commented that the New Jersey Shade Tree and Community Forestry Assistance Act provides 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. Ms. Roos voiced her support for the preservation of the scarlet oak tree and further expressed her support for the Shade Tree Commission.

Jeff Truppo, 10 Overlook Road, inquired why Mr. Linson was not invited to tonight's meeting to answer questions Borough official may have regarding the scarlet tree. He urged the Council to remove Ordinance #15-11 from the agenda until they have had an opportunity to review all the data from the tree evaluations.

Joe Mikulewicz, 9 Chatham Street, introduced himself as a member of the Planning Board and a former Council Member but clarified that his comments are made as a private citizen. He inquired why the Mayor and Council placed Ordinance #15-11 on the agenda instead of adding the discussion of the Shade Tree Commission as a Discussion item. He also commented that the Council liaison to the Shade Tree Commission should be an advocate for the Commission.

Mayor Harris responded that his administration embraces transparency and by adding Ordinance #15-11 to tonight's agenda allowed for full disclosure and Council discussion.

Andy Zagoren, 30 Lum Avenue, commented that it is regrettable that the Ordinance proposing to abolish the Shade Tree Commission was placed on the agenda because the Mayor and Council do not agree with the Shade Tree Commission's decision to treat and maintain the scarlet oak tree. Mr. Zagoren then commented that Lum Field is being overdeveloped and as a result of the continued improvements and use of Lum Field, Lum Avenue residents are burdened with more noise and congestion. He voiced his opposition to Resolution #15-272, which would approve the installation of artificial turf at Lum Field.

Emily Melander, 157 Washington Avenue, commented that the scarlet oak tree is a lovely landmark and should be saved. She further voiced her support for the Shade Tree Commission and opposed Ordinance #15-11.

Seeing no one else wishing to comment, Mayor Harris closed the meeting to the public and asked if the Council had any comments.

Council President Helfrich stated that he would like to remove Resolution #15-272 from the Consent Agenda for Council discussion.

Mayor Harris reminded the Council that a member of the public had asked if the Council would move Ordinance #15-11 for discussion after public comment and asked for a motion.

Council President Helfrich responded that before a motion is made to move Ordinance #15-11 on the agenda, he sought to clarify a few points relative to the scarlet oak tree. First, he assured that appropriating funds to treat and prune the tree never was a deciding factor relative to whether the tree should be preserved or taken down. Secondly, he stated that the Council had not made a decision to take down the tree or to abolish the Shade Tree Commission and stated the conference call among Mayor Harris, Council Member Kass, Mr. Lott and Shade Tree Commission Chairman Carroll had not been

fully-reported back to the Council because the Council did not have an opportunity to meet until tonight's meeting. He further commented that two Council Members are not present at tonight's meeting and should take part in the Council's discussion. He recommended that Ordinance #15-11 be removed from the tonight's agenda.

Council Member Fife, Council Member Holman and Council Member Kass agreed with Council President Helfrich that Ordinance #15-11 should be pulled from tonight's agenda.

Mayor Harris stated a motion would be needed to alter tonight's agenda to move Ordinance #15-11 for Council discussion at this time.

Council Member Fife made to alter the agenda to move Ordinance #15-11 for Council discussion at this time. The motion was seconded by Council President Helfrich. A voice vote was taken with all Council Members present voting in favor.

Ordinance #15-11 was moved for Council discussion at this time.

ORDINANCE #15-11

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING CHAPTER 63 OF THE BOROUGH CODE AND ABOLISHING THE SHADE TREE COMMISSION OF THE BOROUGH OF CHATHAM

Mayor Harris asked for a motion to move on Ordinance #15-11 or to table the Ordinance.

Council President Helfrich made a motion to table Ordinance #15-11. The motion was seconded by Council Member Holman. A voice vote was taken with all Council Members present voting in favor.

Mayor Harris stated that the introduction of Ordinance#15-11 is tabled.

REPORTS

COUNCIL COMMITTEE REPORTS

Budget and Finance - Council Member James Lonergan was absent at tonight's meeting.

Long Range Traffic & Pedestrian Safety Planning - Council Member James J. Collander was absent at tonight's meeting.

Public Safety & Emergency Services - Council Member James J. Collander was absent at tonight's meeting.

Personnel - Council Member Victoria had nothing new to report at tonight's meeting.

Public Works Planning - Council Member John Holman had nothing new to report at tonight's meeting.

Shared Services & 3rd Party Agreements - Council President Gerald Helfrich had nothing new to report at tonight's meeting.

MAYOR'S REPORT

Mayor Bruce Harris announced that on tonight's Consent Agenda is a resolution accepting the retirement of Bob Venezia, the Borough's Director of Public Works, who has served the Borough for 23 years. Mayor Harris thanked Mr. Venezia for his years of service and all he has done for the Borough. The Borough will present the resolution to Mr. Venezia at a later date.

ADMINISTRATOR'S REPORT

Mr. Robert 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 #15-256 and Resolution #15-263 through Resolution #15-278 have been placed on the Consent Agenda.

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

Council Member Kass and Council Member Holman requested that Resolution #2015-272 be removed from the Consent Agenda for discussion and vote.

RESOLUTION #2015-272

RESOLUTION AUTHORIZING THE INSTALLATION OF ARTIFICIAL TURF AND NETTING AT LUM FIELD

WHEREAS, the Joint Recreation Advisory Committee advised that there is a need to create designated recreation space for training and skill development for youth soccer, as well as, other youth recreational sport programs; and

WHEREAS, the Joint Recreation Advisory Committee presented a proposal to the Mayor and Council recommending the installation of a 40' by 70' artificial turf space enclosed with netting adjacent to the lacrosse wall on Lum Field to be used for coaching instruction and skills development, alleviating the need to schedule field use otherwise needed for games and practice meets; and

WHEREAS, the funds to install the artificial turf and netting will be paid for by funds received from the Chatham Athletic Fund, Chatham Youth Soccer, and the Recreation Trust Fund Account.

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Chatham that they hereby approve the installation of a 40' by 70' artificial turf space enclosed with netting adjacent to the lacrosse wall on Lum Field; 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.

Mayor Harris opened Council discussion on Resolution #2015-272.

Council President Helfrich stated he is typically in favor of improvements that benefit Borough recreation programs, but not in instances when the proposed improvements present greater burdens on area residents. He stated that he has concerns about the proposed project, which have not been answered, and said he would not be in favor of the proposed improvements at Lum Field at this time.

Council Member Holman stated that the Borough has limited land and facilities and commented that field improvements should always be welcomed. He voiced his support for Resolution #2015-272.

Council Member Kass stated that any opportunity to improve the efficiency of the use of recreation

fields at no cost to taxpayers should be supported and voiced her support for Resolution #2015-272.

Mayor Harris reminded the Council that the youth soccer program has been using that portion of Lum Field.

Mayor Harris closed Council discussion on Resolution #2105-272.

Council Member Holman made a motion to approve Resolution #2015-272. The motion was seconded by Council Member Kass.

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

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

Mayor Harris stated Resolution #2015-272 passed.

CONSENT AGENDA

RESOLUTION #15-256 [Tabled from July 27, 2015]

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM AUTHORIZING THE SETTLEMENT OF 2012, 2013, 2014 AND 2015 TAX APPEAL ENTITLED IMANUEL, OFER AND IMANUEL/LIU, OFER/ZHOXIA V. BOROUGH OF CHATHAM FILED IN THE TAX COURT OF NEW JERSEY UNDER DOCKET NOS.: 019302-2012; 007770-2013; 005173-2014 AND 001378-2015 CONTESTING THE REAL PROPERTY ASSESSMENT OF BLOCK 56, LOT 8.01, KNOWN AS 76 NORTH PASSAIC AVENUE, IN THE BOROUGH OF CHATHAM, MORRIS COUNTY, STATE OF NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax years 2012, 2013, 2014 and 2015 involving Block 56, Lot 8.01, has been filed by the Taxpayer, Imanuel, Ofer and Imanuel/Liu, Ofer/Zhoxia; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Borough of Chatham.

BE IT RESOLVED, by the Borough of Chatham, New Jersey, as follows:

1. Settlement of the 2012 tax appeal is hereby authorized as follows:

76 North Passaic Avenue

Block 56, Lot 8.01

Year: 2012

Land: Original Assessment \$0.00

Imprvts: \$700,000

County Board Judgment

\$0.00

\$700,000

Settlement Amount

WITHDRAWN

WITHDRAWN

Total:	\$700,000	\$700,000	WITHDRAWN
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2. Settlement of the 2013 tax appeal is hereby authorized as follows:

76 North Passaic Avenue

Block 56, Lot 8.01

Year: 2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$369,400	N/A	WITHDRAWN
Imprvts:	\$775,300	N/A	WITHDRAWN
Total:	\$1,144,700	N/A	WITHDRAWN

3. Settlement of the 2014 and 2015 tax appeals are hereby authorized as follows:

76 North Passaic Avenue

Block 56, Lot 8.01

Years: 2014, 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$369,400	N/A	\$369,400
Imprvts:	\$775,300	N/A	\$665,600
Total:	\$1,144,700	N/A	\$1,035,000

4. Any and all refunds as a result of the settlement due to the Taxpayer shall be in the form of a credit to the Taxpayer.
5. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

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 #15-263

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 #15-264

RESOLUTION TO DESIGNATE A NEW PETTY CASH FUND CUSTODIAN FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund; and

WHEREAS, Resolution #15-62 adopted on January 5, 2015 established Petty Cash Funds and designated Public Works Director Robert Venenzia as the custodian for the Public Works Department Petty Cash Fund; and

WHEREAS, due to the retirement of Public Works Director Robert Venezia it is the necessary to designate a new custodian for the Public Works Department Petty Cash Fund.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Erminio “Tony” Torello, Deputy Director of Public Works, shall be the designated custodian for the Public Works Department Petty Cash Fund; and

BE IT FURTHER RESOLVED, that all custodians of petty cash funds are to be bonded in an amount not less than \$1,000 and shall maintain said funds in accordance with the laws and regulations covering its operation.

RESOLUTION #15-265

RESOLUTION AUTHORIZING REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that a duplicate payment was made by the property owner an mortgage lender 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
62=2	Nicole & Phil Kagan 6 Elm Place	\$4,290.65	2014/3Qtr.

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 #15-266

RESOLUTION AUTHORIZING PARTICIPATION IN THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE

WHEREAS, *N.J.S.A. 40A:11-11(5)* authorizes that two or more contracting units may enter into a cooperative purchasing system agreement for the purchase of goods, materials and supplies in efforts to realize substantial cost-savings in the purchase of goods and supplies; and

WHEREAS, New Jersey P.L. 2011, c.139 allows local contracting units to utilize national cooperative contracts as a method of procurement to make the procurement process more efficient and provide cost savings; and

WHEREAS, each year the Borough of Chatham realizes cost savings by purchasing equipment and materials through cooperative pricing systems; and

WHEREAS, the Borough of Chatham desires to participate in the National Joint Powers Alliance Cooperative; and

WHEREAS, it is the recommendation of the Borough Auditor that the Mayor and Council adopt a resolution authorizing participation in the National Joint Powers Alliance Cooperative.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham do hereby authorize participation in the National Joint Powers Alliance Cooperative for the year 2015; 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.

PERSONNEL

RESOLUTION #15-267

RESOLUTION TO ACCEPT THE RETIREMENT OF PUBLIC WORKS DIRECTOR ROBERT “BOB” VENEZIA

WHEREAS, by letter dated July 13, 2015, Public Works Director Robert “Bob” Venezia has notified Borough Administrator Robert Falzarano that he will be retiring from the Chatham Borough Public Works Department, effective November 1, 2015; and

WHEREAS, Bob Venezia began his service with the Chatham Borough Department of Public Works on August 23, 1993 as the Assistant Public Works Director and as result of his demonstrated ability, diligent work and outstanding leadership skills, he was appointed to the position of Director of the Borough’s Public Works Department on February 22, 2001; and

WHEREAS, as the Director of Public Works, Bob implemented a performance improvement and career development plans and annual performance evaluations for all members of the Public Works Department that distinguish the Chatham Borough Department of Public Works as a professional organization; and

WHEREAS, throughout his 23 years of service to the Borough, Bob demonstrated himself to be a well-qualified, conscientious and motivated public employee and answered the call for any need requested of him by the community; and

WHEREAS, Bob has further demonstrated a genuine concern for the Public Works staff and residents of Chatham Borough and will truly be missed for his dedicated service and daily interaction.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Public Works Director Bob Venezia’s retirement is hereby accepted with an effective date of November 1, 2015; and

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby extend their sincere and grateful appreciation to Bob Venezia for his 23 years of dedicated 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.

RESOLUTION #15-268

RESOLUTION AUTHORIZING THE HIRING OF JENNIFER L. DUTEIL AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE AUGUST 19, 2015

WHEREAS, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham’s Police Department Crossing Guard roster; and

WHEREAS, the Chief of Police recommends the hiring of Jennifer L. Duteil to fill the vacancy.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the hiring of Jennifer L. Duteil as a Crossing Guard for the Borough of Chatham Police Department effective August 19, 2015, with an hourly rate of \$20.76.

RESOLUTION #15-269

RESOLUTION AUTHORIZING THE HIRING OF BERNARD CONLAN AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE AUGUST 19, 2015

WHEREAS, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham's Police Department Substitute Crossing Guard roster; and

WHEREAS, the Chief of Police recommends the hiring of Bernard Conlan to fill the vacancy.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the hiring of Bernard Conlan as a Crossing Guard for the Borough of Chatham Police Department effective August 19, 2015, with an hourly rate of \$20.76.

RECREATION

RESOLUTION #15-270

RESOLUTION AUTHORIZING REDUCED END OF SEASON POOL FEES FOR THE FINAL OPERATING MONTH AUGUST 11, 2015 THROUGH SEPTEMBER 7, 2015 (LABOR DAY)

WHEREAS, the Memorial Pool Advisory Committee has recommended the activation of reduced End of Season Pool Fees for the final operating month of the Borough Pool, effective Tuesday, August 11, 2015 through Monday, September 7, 2015 (Labor Day), for individuals and senior citizens age 65+; and

WHEREAS, the Borough Administrator has further recommended that the end of season pool registration for individuals and senior citizens age 65+ shall not be eligible for online registration; and

WHEREAS, Resolution #15-069, adopted on January 5, 2015 established Pool Fees for the 2015 summer season, which included End of Season Pool Fees for individuals and senior citizens age 65+ as follows:

2015 End of Season Pool Fees	
<u>Fees for Chatham Borough Residents:</u>	
Individual	\$100
Senior age 65+	\$65
<u>Fees for Chatham Township Residents</u>	
Individual	\$120
Senior age 65+	\$65

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation made by the Memorial Pool Advisory Committee to activate reduced End of Season Pool Fees for the final operating month of the Borough Pool, effective Tuesday, August 11, 2015 through Monday, September 7, 2015 (Labor Day), for individuals and senior citizens age 65+; and

BE IT FURTHER RESOLVED, that the end of season pool registration for individuals and senior citizens age 65+ shall not be eligible for online registration.

RESOLUTION #15-271

RESOLUTION APPOINTING A SUBSTITUTE POOL STAFF MEMBER FOR THE 2015 SUMMER SEASON

WHEREAS, the Chatham Borough Recreation Program has a need to hire substitute pool staff for the 2015 summer season; and

WHEREAS, the Department of Community Services recommends the hiring of the following individual pending completion of all paperwork requirements prior to any employment:

Pool Staff	Salary	Position
Michele Connelly	\$8.38/hour	Substitute
Zoe Kraus	\$8.38/hour	Substitute

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby appoints the herein referenced individual as substitute pool staff for the 2015 summer season at the respective position and rate of pay, pending completion of all paperwork requirements prior to employment; 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.

RESOLUTION #15-272 was removed from the Consent Agenda for separate discussion and vote.

OTHER

RESOLUTION #15-273

RESOLUTION APPROVING EAGLE SCOUT PROJECT TO BE CONSTRUCTED AND INSTALLED ON BOROUGH-OWNED PROPERTY PROPOSED BY JACK DEAN, SCOUT TROOP #8

WHEREAS, Jack Dean of Scout Troop #8, has requested permission to construct and install his proposed Eagle Scout project on Borough-owned property; and

WHEREAS, Jack Dean proposes to build and install a 8' by 8' shed for the Chatham Community Beekeepers to store their apiary equipment, and a series of three rain barrels fitted to collect rain water from the gutters for watering of the existing bee gardens; and

WHEREAS, the Mayor and Council recognize that the proposed Eagle Scout project would be beneficial to the community and enjoyed by many residents.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the Eagle Scout project proposed by Jack Dean and hereby grant permission to Jack Dean construct and install his proposed Eagle Scout project on Borough-owned property; and

BE IT FURTHER RESOLVED, that the Mayor and Council commend Jack Dean for his efforts in designing and building a project that will benefit the Chatham Borough community.

RESOLUTION #15-274

RESOLUTION OF AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE SUSTAINABLE JERSEY® GRANT FUNDED BY WALMART FOR THE BOROUGH HALL WINDOW PRESERVATION REPLACEMENT PROJECT

WHEREAS, a sustainable community seeks to optimize the quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Chatham strives to save tax dollars, assure clean land, air and water, and to improve working and living environments; and

WHEREAS, the Borough of Chatham is participating in the Sustainable Jersey[®] Program and has achieved silver certification status in the Sustainable Jersey[®] Program; and

WHEREAS, one of the purposes of the Sustainable Jersey[®] Program is to provide funding resources to municipalities to help make progress on sustainability issues; and

WHEREAS, the Borough of Chatham seeks to be a municipal leader in sustainability in the State of New Jersey and desires to submit a grant application for a Sustainable Jersey[®] Grant Funded by Walmart for the Borough Hall Window Preservation Replacement Project, in the amount of \$19,978.00; and

WHEREAS, the grant will enable Chatham Borough to install energy-efficient replacement windows in its historic Borough Hall.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby support and authorize the submission of a grant application for a Sustainable Jersey[®] Grant Funded by Walmart for the Borough Hall Window Preservation Replacement Project, in the amount of \$19,978.00; and

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

RESOLUTION #15-275

RESOLUTION APPROVING THE RE-SUBMISSION OF THE 2014 GREEN COMMUNITY GRANT APPLICATION TO UPDATE THE CHATHAM BOROUGH COMMUNITY FORESTRY MANAGEMENT PLAN

WHEREAS, a Community Forestry Management Plan is an essential guide to successfully achieving a healthy and safe community forest and can help decrease tree maintenance and removal costs and decrease hazardous tree situations; and

WHEREAS, Community Forestry Management Plans outline management objectives for a five year period; and

WHEREAS, the Borough desires to update its 5-year Community Forestry Management Plan to plan and manage the Borough's tree resource; and

WHEREAS, by Resolution #14-263 adopted on August 11, 2014 authorized the Mayor to execute a 2014 Green Community Grant sponsored by the New Jersey Department of Environmental Protection's Forestry Division to help off-set the costs of retaining a forestry consultant to update the Borough's Community Forestry Management Plan; and

WHEREAS, the Borough's matching contribution of \$3,000.00 may include in-kind services at the accepted general volunteer rate of \$21.79/hour; and

WHEREAS, the Green Communities grant agreement was never fully executed by the New Jersey Department of Environmental Protection and a revised Green Communities grant agreement must be executed by the parties.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the resubmission of a 2014 Green Community grant application to help off-set the costs of retaining a forestry consultant to update the Borough's Community Forestry Management Plan; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to sign the revised 2014 Green Community Grant Program grant agreement.

RESOLUTION #15-276

RESOLUTION APPROVING OF THE INSTALLATION OF A MEMORIAL PLAQUE TO HONOR DONNA CALI-CHARLES TO BE LOCATED AT THE 9/11 MEMORIAL GARDEN

WHEREAS, the Mayor and Borough Council are in receipt of a request made by the Chatham Borough 9/11 Memorial Advisory Committee and the Chatham 9/11 Foundation, Inc. seeking approval for the installation of a memorial plaque to be located on the outside northern border of the 9/11 Memorial Garden to honor Donna Cali-Charles, a long-time Borough resident, for her many years of selfless service to Chatham Borough as the founding Chairperson of the Chatham Borough 9/11 Memorial Advisory Committee and Foundation, Member of the Chatham Borough Planning Board, Sign Committee, and numerous other municipal and community boards; and

WHEREAS, the proposed memorial plaque will be 8” by 8” bronze plaque mounted on a 9” by 9” granite base and will be installed on the outside northern border of the 9/11 Memorial Garden, the exact location shall be subject to the approval of the Borough Administrator; and

WHEREAS, privately donated funds will be used to cover the cost of purchasing and installing the memorial plaque and granite base; and

WHEREAS, the installation of memorials and/or monuments within the Borough requires approval by the Mayor and Council.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby whole-heartedly approve the request made by the Chatham Borough 9/11 Memorial Advisory Committee and the Chatham 9/11 Foundation, Inc. seeking approval for the installation of a memorial plaque to be located on the outside northern border of the 9/11 Memorial Garden to honor Donna Cali-Charles, a long-time Borough resident, in lasting appreciation for her many years of selfless service to our community; 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 #15-277

RESOLUTION APPROVING THE 2015 WATER UTILITY CAPITAL IMPROVEMENT PLAN

WHEREAS, on July 13, 2015, the Borough Engineer presented a report to the Mayor and Council to authorize needed to be made to the Borough’s water utility; and

WHEREAS, the Borough Engineer has drafted a 2015 Water Utility Capital Improvement Plan; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the water operating surplus fund for the 2015 Water Utility capital improvements.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the 2015 Water Utility Capital Improvement Plan and authorize the funding for the 2015 Water Utility capital improvements to be appropriated from the water operating surplus fund; 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.

RESOLUTION #15-278

RESOLUTION DESIGNATING THE MONTH OF SEPTEMBER 2015 AS OVARIAN CANCER AWARENESS MONTH AND AUTHORIZING THE PLACEMENT OF TEAL COLORED RIBBONS AROUND BOROUGH TREES FOR THE MONTH OF SEPTEMBER

WHEREAS, Ovarian cancer is the fifth leading cause of cancer deaths among women and the leading cause of gynecologic cancer deaths in the United States; and

WHEREAS, the American Cancer Society estimates that 21,980 women will be diagnosed with ovarian cancer in 2015, with more than half of those women over the age of 62; and

WHEREAS, if detected in its early stages, survival from ovarian cancer is 90-95 percent, yet the five-year survival rate for the disease is only 28 percent because it is so difficult to detect early; and

WHEREAS, Ovarian cancer is called the “silent disease” because its symptoms are often vague or subtle; and

WHEREAS, the *Turn The Towns Teal*® campaign was launched by Gail MacNeil, of Chatham, NJ during her 10 year battle with ovarian cancer; and

WHEREAS, Turn The Towns Teal® Inc. and the National Ovarian Cancer Coalition (NOCC) are partnering to promote awareness of ovarian cancer through the *Turn The Towns Teal*® campaign.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham declare September 2015 as Ovarian Cancer Awareness month and encourage all citizens to support the *Turn The Towns Teal*® awareness campaign; and

BE IT FURTHER RESOLVED, that Mayor and Council authorize the placement of teal colored ribbons around Borough trees during the month of September and that the ribbons shall be removed by September 30th 2015; and

BE IT FURTHER RESOLVED, that the placement of banners and/or signage must be reviewed and approved in advance their posting on Borough property by the Chatham Borough Zoning Officer.

CONSENT AGENDA VOTE

Council President Helfrich moved to approve Resolution #15-256 and Resolution #2015-263 through Resolution #15-278. Resolution #2015-272 was removed from the Consent Agenda for separate discussion and vote. The motion was seconded by Council Member Fife. A voice vote was taken and Resolution #15-256 and Resolution #2015-263 through Resolution #15-278 listed on the Consent Agenda were approved unanimously. [Resolution #2015-272 was removed from the Consent Agenda for separate discussion and vote.]

ADD-ON RESOLUTIONS

None.

RESOLUTIONS REQUIRING SEPARATE ACTION

Mayor Bruce Harris asked Council President Gerald Helfrich to proceed with Resolution #15-279.

Council President Gerald Helfrich read Resolution #15-279 by title.

RESOLUTION #15-279

RESOLUTION AMENDING THE 2015 CY WATER UTILITY CAPITAL BUDGET PURSUANT TO N.J.A.C. 5:30-4.4B [Companion resolution to Resolution #2015-277]

WHEREAS, the local capital budget for the year 2015 was adopted by the Borough Council of the Borough of Chatham on the 10th day of August, 2015; and

WHEREAS, the Borough of Chatham deems it necessary and desirable to provide for a capital project not previously reflected in the 2015CY Water Utility Capital Budget; and

WHEREAS, N.J.A.C. 5:30-4.4B provides that the Water Utility Capital Budget of a governing body shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget.

BE IT RESOLVED by the Council of the Borough of Chatham, in the County of Morris, State of New Jersey, that the 2015CY Water Utility Capital Budget shall be amended to reflect the addition of \$170,000 not previously provided for in the Water Utility Capital Budget; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall file two certified copies of this resolution with the Office of the Division of Local Government Services, and one certified copy shall be filed with the Municipal Auditor, and one certified copy shall be filed with the Borough's Chief Financial Officer; 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.

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

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

Mayor Harris stated Resolution #2015-279 passed.

Mayor Harris asked Council President Helfrich to proceed with Resolution #15-280.

Council President Helfrich read Resolution #15-280 by title.

RESOLUTION #15-280

2015 CAPITAL BUDGET AMENDMENT [Companion resolution to Ordinance #15-10]

WHEREAS, the local Capital Budget for the year 2015 was adopted by the Borough Council of the Borough of Chatham on the 27th day of April, 2015; and

WHEREAS, it is desired to amend said adopted capital budget.

BE IT RESOLVED, by the Council of the Borough of Chatham, County of Morris, that the following amendment to the adopted 2015 Capital Budget section of the Borough be adopted:

2015 CAPITAL BUDGET (Current Year Action)

PLANNED FUNDING SERVICES
FOR CURRENT YEAR 2015

<u>PROJECT</u>	<u>ESTIMATED TOTAL COST</u>	<u>CAPITAL IMPROVEMENT FUND</u>	<u>DEBT AUTHORIZED</u>
Electrical & Well Improvements - Water Utility	\$ 170,000.00	\$ 8,500.00	\$ 161,500.00
Total General Capital	\$ 1,700,640.00	\$ 83,895.00	\$ 1,593,996.00
TOTAL - ALL PROJECTS	<u>\$ 1,870,640.00</u>	<u>\$ 92,395.00</u>	<u>\$ 1,755,496.00</u>

<u>PROJECT</u>	<u>ESTIMATED TOTAL COST</u>	<u>ESTIMATED COMPLETION TIME</u>	<u>FUNDING AMOUNTS 2015 BUDGET YEAR</u>
Electrical & Well Improvements - Water Utility	\$ 170,000.00	2015	\$ 170,000.00
Total General Capital	\$ 4,041,090.00		\$ 1,700,640.00
TOTAL - ALL PROJECTS	<u>\$ 4,211,090.00</u>		<u>\$ 1,870,640.00</u>

<u>PROJECT</u>	<u>ESTIMATED TOTAL COST</u>	<u>IMPROVEMENT FUND</u>	<u>BONDS AND NOTES GENERAL</u>
Electrical & Well Improvements - Water Utility	\$ 170,000.00	\$ 8,500.00	\$ 161,500.00
Total General Capital	\$ 4,041,090.00	\$ 200,917.00	\$ 3,817,423.00
TOTAL - ALL PROJECTS	<u>\$ 4,211,090.00</u>	<u>\$ 209,417.00</u>	<u>\$ 3,978,923.00</u>

And,

BE IT FURTHER RESOLVED, that two certified copies of this resolution shall be filed with the Office of the Division of Local Government Services.

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

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

Mayor Harris stated Resolution #2015-279 passed.

ORDINANCE FOR FIRST READING

Mayor Harris asked Council President Helfrich to introduce Ordinance #15-10.

Council President Helfrich introduced Ordinance #15-10 by title as follows:

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.

Council President Helfrich explained the purpose of the Ordinance and moved for introduction on First Reading.

Council President Helfrich read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on August 10, 2015.

BE IT RESOLVED, that at the Council meeting to be held on September 14, 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 Fife seconded the motion.

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

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

Mayor Harris stated Ordinance #15-10 passed on first reading.

Mayor Harris asked Council President Gerald Helfrich to proceed with Resolution #15-281.

Council President Helfrich read Resolution #15-281 in full:

RESOLUTION #15-281

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:

Pending Litigation: 1. I/M/O Chatham Borough Affordable Housing Declaratory
Judgment - Mr. 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.

Council President Helfrich made a motion to approve Resolution #15-281. The motion was seconded by Council Member Fife. A voice vote was taken and Resolution #15-281 was approved unanimously.

The Mayor and Council adjourned into Closed Session.

ADJOURNMENT

Meeting adjourned 10:02 p.m.

Respectfully Submitted:

Robin R. Kline

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