

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

July 27, 2015 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, July 27, 2015 at 7:30 p.m. in the Council Chambers in the Municipal Building, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

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

MOMENT OF SILENCE

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

STATEMENT OF ADEQUATE NOTICE

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

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

ROLL CALL

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

Mayor Bruce A. Harris
Council Member James J. Collander
Council Member James Lonergan
Council Member Victoria Fife
Council Member Alida Kass
Robert J. Falzarano, Borough Administrator
James Lott, Borough Attorney
Robin R. Kline, Borough Clerk

Council Member John Holman and Council President Gerald J. Helfrich were absent.

Mayor Bruce A. Harris opened the meeting by asking Council Member James Collander to proceed with the Firefighter appointments.

Council Member James Collander read Resolution #15-248 and Resolution #15=246 in full.

APPOINTMENTS

RESOLUTION #15-248

**RESOLUTION APPOINTING ALEXANDER "AJ" SWEETIN AS A PROBATIONARY
FIREFIGHTER FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT
HOSE COMPANY**

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, Alexander "AJ" Sweetin has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department Hose Company; and

WHEREAS, the Fire Chief, Fire Coordinator and Hose Company Lieutenant have all recommended that Alexander “AJ” Sweetin be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department Hose Company.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Alexander “AJ” Sweetin is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department Hose Company; and

BE IT FURTHER RESOLVED, that Alexander “AJ” Sweetin’s Application for Membership to the Chatham Borough Volunteer Fire Department is hereby approved.

RESOLUTION #15-249

RESOLUTION APPOINTING COREY C. DUREN AS A PROBATIONARY FIREFIGHTER FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT RESCUE COMPANY

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, Corey C. Duren has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department Rescue Company; and

WHEREAS, the Fire Chief, Fire Coordinator and Hose Company Lieutenant have all recommended that Corey C. Duren be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department Rescue Company.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Corey C. Duren is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department Rescue Company; and

BE IT FURTHER RESOLVED, that Corey C. Duren’s Application for Membership to the Chatham Borough Volunteer Fire Department is hereby approved.

Council Member James Collander moved to approve Resolution #15-248 and Resolution #15-249. The motion was seconded by Council Member James Lonergan. A voice vote was taken and Resolution #15-248 and Resolution #15-249 were approved unanimously.

ADMINISTRATION OF THE OATH OF OFFICE

The Borough Clerk administered the oath of office to Alexander “AJ” Sweetin and Corey Duren. Deputy Fire Chief George Sweetin accompanied AJ Sweetin and Corey Duren in their swearing in. Also present was Fire Chief Doug Allan.

AJ Sweetin and Corey Duren were congratulated by Mayor Harris, the Borough Council, and all in attendance.

Mayor Bruce A. Harris proceeded with Resolution #15-250.

RESOLUTION #15-250

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 13, 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 13, 2015

Council Member James Lonergan moved to approve Resolution #15-250. The motion was seconded by Council Member James Collander. A voice vote was taken and Resolution #15-250 was approved unanimously.

DISCUSSION ITEMS

Scout Project – Mr. Jack Dean, an Eagle Scout candidate from Troop #8, presented his Eagle Scout Service Project proposal, which will consist of building a 8' by 8' shed for the Chatham Community Beekeepers to store apiary equipment and installing a series of three rain barrels fitted to collect rain water from the gutters for watering of the bee gardens. The project would begin in the month of August. The project's beneficiary is the Chatham Community Beekeepers. Mayor Harris indicated that the project would require the approval of JCP&L and stated he would forward the Eagle Scout Service Project proposal to JCP&L's attention. An authorizing resolution will be included on the August 10th agenda.

Scout Project – Mr. Mark Castellano, an Eagle Scout candidate from Troop #8, presented his Eagle Scout Service Project proposal, which will consist of mapping the locations of storm basins, outflows and storm water manholes in the Borough using GPS technology. The project will address Tier A Municipal Storm Water General Permit requirements for storm water quality compliance. The Eagle Scout candidate will work with the Borough Engineer and Department of Public Works in completing the GIS mapping, which is scheduled to be completed in the month of August. An authorizing resolution will be included on the August 10th agenda.

Lum Field Soccer Practice Area – Mr. Jim LeMon, Chair of the Recreation Advisory Committee, and Mr. Wes Zelif, President of the Chatham Athletic Foundation ("CAF"), presented a proposal to install a 40' by 70' artificial turf soccer field next to the lacrosse wall for soccer coaching clinics and skills and drills instruction. Field netting would be installed at the perimeter of the new field to prevent soccer balls from running into the parking lot. The project would be funded by CAF donations, Recreation Trust funds and soccer program funds.

Municipal Pool Update – Mr. Jim LeMon, Chair of the Memorial Pool Committee, and Ms. Julianne Muller, member of the Memorial Pool Committee, presented a membership and financial report update for the Memorial Pool. Mr. LeMon reported pool membership has decreased for the second consecutive year. Membership for the 2015 season decreased 19% from the previous year and pool revenues are down 27%. Mr. LeMon further reported that although pool revenues are projected to exceed expenses for the season, half of the \$20,249 debt allocation and the \$7,320 salary allocation for the Recreation Coordinator's salary would not be covered. A survey was conducted of past members to ascertain why they did not renew memberships for the municipal pool this year. Respondents cited their families joined other pools, moved out of town or had other summer plans as reasons for not renewing memberships.

Mr. LeMon recommended that the end of the season reduced membership rate plan initiated last year for the month of August should be reactivated again this year. Last year the end of the season reduced membership rate attracted 11 new members and added \$700 in additional revenue for the 2014 season.

Council Member James Lonergan suggested the Borough may need to market the municipal pool to residents. Council Member Victoria Fife agreed and further suggested that the Community Services Department could be tasked with initiating a marketing campaign to help increase pool membership for the 2016 season.

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.

Mike Cerick, 24 Lum Avenue, voiced his objections on the proposal to install an artificial turf field at Lum Field and opposed any increase use of Lum Field by the Borough's recreation programs. Mr. Cerick then inquired why the scarlet oak tree located at the eastern end of Lum Field will be taken down. Mayor Harris informed Mr. Cerick that the Borough's forester performed an evaluation of the tree and found the tree has a 24" hollow cavity and evidence of root decay. Mayor Harris commented that the trees that recently fell in Summit and Millburn give warning to Borough officials to ensure that Borough trees are sound and pose no known risk to the safety of residents.

Joe Marts, former Mayor of Chatham Borough, commented that the Mayor and Council are taking the right steps by having the forester evaluate the health and integrity of the oak tree in Lum Field to minimize the risk to residents. Mr. Marts also thanked the Borough workforce for their efforts in preparing for the July 4th parade and fireworks, which are sponsored each year by the Fire Department.

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

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Affordable Housing Advisory Committee

Mayor Harris had nothing new to report.

Traffic & Pedestrian Safety Advisory Committee

Council Member James Collander had nothing new to report.

MyChathamNJ Advisory Committee

Council Member Victoria Fife had nothing new to report.

Mayor's Wellness Committee

Council Member Victoria Fife had nothing new to report.

Planning Board

Council Member Victoria Fife had nothing new to report.

Project Community Pride

Council Member Victoria Fife had nothing new to report.

Public Arts Council Advisory Committee

Council Member Victoria Fife had nothing new to report.

Senior Center of the Chathams

Council Member Victoria Fife had nothing new to report.

Special Events Advisory Committee

Council Member Victoria Fife had nothing new to report.

Communications & Technology Advisory Committee

Council Member James Lonergan had nothing new to report.

Joint Recreation Advisory Committee

Council Member James Lonergan had nothing new to report.

Municipal Pool Advisory Committee

Council Member James Lonergan had nothing new to report.

Board of Health

Council Member John Holman was absent.

Farmers' Market Advisory Committee

Council Member John Holman was absent.

Joint Community Gardens Advisory Committee

Council Member John Holman was absent.

Madison Chatham Joint Meeting

Council Member John Holman was absent.

Board of Education

Council President Gerald Helfrich was absent.

9/11 Memorial Advisory Committee

Council President Gerald Helfrich was absent.

Environmental Commission

Council Member Alida Kass had nothing new to report.

Historic Preservation Commission

Council Member Alida Kass had nothing new to report.

Open Space & Historic Preservation Trust Advisory Committee

Council Member Alida Kass had nothing new to report.

Shade Tree Commission

Council Member Alida Kass had nothing new to report.

MAYOR'S REPORT

Mayor Bruce Harris reported that Expressions of Interest from individuals or entities proposing the operation of a restaurant at the Chatham Train Station were due to NJ Transit on June 15, 2015. NJ Transit will issue a Request for Proposal package to parties who submitted an Expression of Interest.

ADMINISTRATOR'S REPORT

Mr. Robert Falzarano reported that the Solid Waste Collection Services Bid was advertised July 23rd with a returnable bid opening date of September 23rd. Mr. Falzarano further reported that his office sent a letter to New Jersey Department of Transportation Commissioner Jamie Fox, and to Morris County Administrator John Bonanni, seeking to meet with state and county representatives to discuss the feasibility of locating one or more interchanges on Route 24, as well as, widening Route 24 from exit 7 to the Columbia Turnpike interchange. Mr. Falzarano informed the Mayor and Council that tax bills will be mailed to out Tuesday, July 28th. He lastly reported that the county began the milling and paving of Watchung Avenue, which is scheduled to be completed this week.

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 #15-251 through Resolution #15-259 have been placed on the Consent Agenda.

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

Council Member Victoria Fife asked that Resolution #15-256 be removed from the Consent Agenda for further discussion. Mayor Harris recommended that pending more information on the tax appeal settlements, Resolution #15-156 should be tabled to the August 10th meeting and asked for a motion.

RESOLUTION #15-256 [Tabled]

**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

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$0.00	\$0.00	WITHDRAWN
Imprvts:	\$700,000	\$700,000	WITHDRAWN
Total:	\$700,000	\$700,000	WITHDRAWN

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.

Council Member Victoria Fife made a motion to table Resolution #15-256 to the August 10th agenda. The motion was seconded by Council Member James Lonergan. A voice vote was taken and the motion to table Resolution #15-256 to the August 10th agenda was approved unanimously.

CONSENT AGENDA

CONTRACTS

RESOLUTION #15-251

RESOLUTION AUTHORIZING AN INTERLOCAL SHARED SERVICES AGREEMENT FOR LOCAL PUBLIC HEALTH SERVICES WITH THE BOROUGH OF MADISON

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.*, permits a local unit of the State to enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Chatham and the Borough of Madison, in consultation with their respective Boards of Health, desire to contract with one another, whereby the Borough of Madison shall provide public health services of a technical and professional nature in accordance with *N.J.S.A. 26:3A2-1 et seq.* for the period of January 1, 2016 through December 31, 2018; and

WHEREAS, the Borough Council of the Borough of Chatham desires to enter into a shared service agreement with the Borough of Madison for said public health services; and

WHEREAS, the Borough of Madison is agreeable to providing such services.

BE IT RESOLVED by the Council of the Borough of Chatham, in the County of Morris and the State of New Jersey, that the Mayor and Borough Clerk are authorized to enter into a shared services agreement for local public health services with the Borough of Madison for the period January 1, 2016 thorough December 31, 2018; 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 #15-252

RESOLUTION TO AWARD CONTRACT FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ON LINCOLN AVENUE TO CONSOLIDATED MAINTENANCE SOLUTIONS, LLC

WHEREAS, the Borough of Chatham has determined the need to improve the drainage on certain Borough roadways; and

WHEREAS, the Borough of Chatham appropriates funds each year for drainage improvements; and

WHEREAS, the Borough Engineer has identified a drainage issue on Lincoln Avenue; and

WHEREAS, the Borough of Chatham has received three (3) quotes for the required drainage installation; and

WHEREAS, the bid submitted by Consolidated Maintenance Solutions, LLC of Pine Brook, NJ, in the amount not to exceed \$28,000.00, was the low quote for the drainage improvements; and

WHEREAS, the Borough Engineer has reviewed the quotes and finds the low bidder qualified; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in capital account # C-04-55-915-101.

BE IT RESOLVED by the Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract be awarded to Consolidated Maintenance Solutions, LLC of Pine Brook, NJ, in the amount not to exceed \$28,000.00; and

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute the contract contingent upon review and approval by the Borough Attorney for said improvements.

RESOLUTION #15-253

RESOLUTION TO AWARD CONTRACT FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ON CORNELL PLACE AND YALE STREET TO PAVELEC BROTHERS CONSTRUCTION

WHEREAS, the Borough of Chatham has determined the need to improve the drainage on certain Borough roadways; and

WHEREAS, the Borough of Chatham appropriates funds each year for drainage improvements; and

WHEREAS, the Borough Engineer has identified a drainage issue on Cornell Place and Yale Street; and

WHEREAS, the Borough of Chatham has received three (3) quotes for the required drainage installation; and

WHEREAS, the bid submitted by Pavelec Brothers Construction of Nutley, NJ, in the amount not to exceed \$39,500.00, was the low quote for the drainage improvements; and

WHEREAS, the Borough Engineer has reviewed the quotes and finds the low bidder qualified; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in capital account # C-04-55-915-101.

BE IT RESOLVED by the Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract be awarded to Pavelec Brothers Construction of Nutley, NJ, in the amount not to exceed \$39,500.00; and

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute the contract contingent upon review and approval by the Borough Attorney for said improvements.

RESOLUTION #15-254

RESOLUTION TO AWARD CONTRACT FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ON NORTH SUMMIT AVENUE TO ARMSTRONG, INC.

WHEREAS, the Borough of Chatham has determined the need to improve the drainage on certain Borough roadways; and

WHEREAS, the Borough of Chatham appropriates funds each year for drainage improvements; and

WHEREAS, the Borough Engineer has identified a drainage issue on North Summit Avenue; and

WHEREAS, the Borough of Chatham has received three (3) quotes for the required drainage installation; and

WHEREAS, the bid submitted by Armstrong, Inc. of Berkeley Heights, NJ, in the amount not to exceed \$35,000.00, was the low quote for the drainage improvements; and

WHEREAS, the Borough Engineer has reviewed the quotes and finds the low bidder qualified; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in capital account # C-04-55-915-101.

BE IT RESOLVED by the Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract be awarded to Armstrong, Inc. of Berkeley Heights, NJ, in the amount not to exceed \$35,000.00; and

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute the contract contingent upon review and approval by the Borough Attorney for said improvements.

FINANCE

RESOLUTION #15-255

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 #15-256 was removed from the Consent Agenda.

PERSONNEL

RESOLUTION #15-257

RESOLUTION ACCEPTING THE RESIGNATION OF PUBLIC WORKS SERVICE PERSON EDISON J. CAMPO

WHEREAS, Edison Campo has notified Public Works Director Robert “Bob” Venezia that he will be resigning from his position as Service Person with the Chatham Borough Public Works Department, effective August 2, 2015; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Edison Campo’s resignation from his position as Service Person with the Chatham Borough Public Works Department, effective August 2, 2015 is hereby accepted; and

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby extend their thanks and appreciation to Mr. Campo for his service to Chatham Borough and wish him well in his future endeavors.

OTHER

RESOLUTION #15-258

RESOLUTION AUTHORIZING THE FIRST ANNUAL SUSTAINABILITY FAIR TO BE HELD AT THE CHATHAM BOROUGH FARMERS’ MARKET, RAILROAD PLAZA SOUTH, SATURDAY, SEPTEMBER 12, 2015 FROM THE HOURS OF 9:00 A.M. TO 2:00 P.M.

WHEREAS, since 2008, the Chatham Borough Environmental Commission, the Chatham Borough Green Initiatives Committee, and the Chatham Township Environmental Commission have organized and hosted the *Green Fair of the Chathams*, a collaborative effort promoting eco-friendly organizations, companies and products that offer wide-ranging, affordable environmental solutions to sustain our community; and

WHEREAS, the Mayors’ Wellness Campaign of the Chathams Committee, a joint committee with Chatham Township, in cooperation with the Chatham Borough Farmers’ Market Advisory Committee, has been working with Mayors and key leaders promoting healthier lifestyles for all citizens in their communities by championing practices and organizing programs that promote active living; and

WHEREAS, inspired by concern about health and wellness, and in particular how it affects students and adults who have special needs, the ECLC School in Chatham organized and hosted its first *Community Wellness Fair* in March 2015; and

WHEREAS, the Borough of Chatham acknowledges that its residents desire a healthy, stable, and sustainable future for themselves and future generations and have desire to take steps to sustain their quality of life over the long term; and

WHEREAS, the Chatham Borough Environmental Commission, the Chatham Borough Green Initiatives Committee, and the Chatham Township Environmental Commission, the Mayors’ Wellness Committee and the Chatham Borough Farmers’ Market Advisory Committee wish to collaborate and hold a *Sustainability Fair “Healthy Self, Healthy Earth”* on Saturday, September 12, 2015; and

WHEREAS, the *Sustainability Fair “Healthy Self, Healthy Earth”* will be held at the Chatham Borough Farmers’ Market, Railroad Plaza South, from the hours of 9:00 a.m. to 2:00 p.m. on Saturday, 12, 2015.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby applaud and support the collaborative initiative and authorize the *Sustainability Fair “Healthy Self, Healthy Earth”* to be held at the Chatham Borough Farmers’ Market, Railroad Plaza South, from the hours of 9:00 a.m. to 2:00 p.m. on Saturday, September 12, 2015, subject to compliance and approval of police and public safety directives; 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 #15-259

RESOLUTION AUTHORIZING VILLA MILAGRO VINEYARDS TO CONDUCT RETAIL SALES AND PROVIDE SAMPLES OF ITS PRODUCTS AT THE CHATHAM BOROUGH FARMERS' MARKET

WHEREAS, Villa Milagro Vineyards wishes to conduct retail sales and provide free samples of its products at the Chatham Borough Farmers' Market; and

WHEREAS, the New Jersey Beverage Control Act, N.J.S.A. 33:1-10(2)(a) and N.J.S.A. 33:1-10(2)(b), authorizes holders of a Farm Winery Licenses or Plenary Winery License to provide free samples of their products to the public, and sell those products, in original containers, for off-premises consumption, provided a valid permit is issued to the licensee from the Division of Alcoholic Beverage Control; and

WHEREAS, the Borough Clerk has verified that Villa Milagro Vineyards has received from the New Jersey Division of Alcoholic Beverage Control a Special Wine Festival Permit authorizing them to display and sell products produced by its winery under the authority of its New Jersey Farm Winery License or Plenary Winery License and to provide wine samples at the Chatham Borough Farmers' Market on the following dates and time in the month of August:

Saturday, 08/01/2015, 8:00 AM to 1:00 PM

Saturday, 08/08/2015, 8:00 AM to 1:00 PM

Saturday, 08/15/2015, 8:00 AM to 1:00 PM

Saturday, 08/22/2015, 8:00 AM to 1:00 PM

Saturday, 08/29/2015, 8:00 AM to 1:00 PM

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby grant permission to Villa Milagro Vineyards to display and sell products produced by its winery and to provide free wine samples at the Chatham Borough Farmers' Market on the referenced dates and times in accordance with state laws; and

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

CONSENT AGENDA VOTE:

Council Member James Lonergan moved to approve Resolution #15-251 through Resolution #15-255 and Resolution #15-257 through Resolution #15-259. Resolution #15-256 was removed from the Consent Agenda and tabled to the August 10th meeting. The motion was seconded by Council Member James Collander. A voice vote was taken and Resolution #15-251 through Resolution #15-255 and Resolution #15-257 through Resolution #15-259 listed on the Consent Agenda were approved unanimously.

ADD-ON RESOLUTIONS

None.

Mayor Bruce Harris asked Council Member Alida Kass to proceed with Resolution #15-260.

Council Member Alida Kass read Resolution #15-260 in full:

RESOLUTION #15-260

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:

Attorney-Client Privilege: 1. Shade Tree Commission Liability – 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 Gerald Helfrich made a motion to approve Resolution #15-247. The motion was seconded by Council Member Victoria Fife. A voice vote was taken and Resolution #15-247 was approved unanimously.

The Mayor and Council adjourned into Closed Session.

ADJOURNMENT

Meeting adjourned 8:21 p.m.

Respectfully Submitted:

Robin R. Kline

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