

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

July 13, 2015 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, July 13, 2015 at 7:30 p.m. in the Council Chambers in the Municipal Building, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

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

MOMENT OF SILENCE

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

STATEMENT OF ADEQUATE NOTICE

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

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

ROLL CALL

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

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

Mayor Bruce A. Harris opened the meeting by reading the Borough's Proclamation for Fibrodysplasia Ossificans Progressiva, a rare genetic condition in which the body makes additional bone.

PROCLAMATION

WHEREAS, the Borough of Chatham having made this Proclamation on behalf of Fibrodysplasia Ossificans Progressiva known as FOP to hopefully one day display a Proclamation/Resolution book in Washington, D.C. on behalf and in support of the children and young adults in the State of New Jersey afflicted with FOP; and equally show concern for all others afflicted with FOP, and

WHEREAS, Fibrodysplasia Ossificans Progressiva is a rare genetic condition in which the body makes additional bone where bone should not form, such as within muscle, tendons, ligaments and other

connective tissues. Symptoms of FOP include excruciating pain and distortion of the existing skeletal frame; and

WHEREAS, a gene has been identified after 15 years of hard research by the University of Pennsylvania, the only known research facility currently investigating a cure for this; and

WHEREAS, discoveries made in the FOP lab by scientists and researchers may aid in the treatment or cure for other genetic diseases such as osteoporosis, arthritis, and spinal cord injuries; and

WHEREAS, the symptoms of FOP usually begin in the first or second decade of life, with the majority of patients diagnosed by age 10, depriving children of normal development. One in every seven Americans suffers from musculoskeletal impairment causing physical disability and severe long term-pain. FOP affects approximately 2,500 people worldwide.

BE IT RESOLVED that the Borough of Chatham commends Gary W. Whyte, a FOP Advocate for his dedication in making the Borough of Chatham and others aware of this affliction and for his work and support for the benefit of FOP research.

Mayor Harris presented the proclamation to Mr. Gary Whyte, a FOP advocate and sponsor of the proclamation.

Mr. Whyte thanked the Mayor and Borough Council for their support in bringing awareness to the rare genetic disease Fibrodysplasia Ossificans Progressiva. Mr. Whyte reported that Chatham Borough is the 430th municipality in the State of New Jersey to issue such a proclamation and further reported his goal is to receive a proclamation from all New Jersey municipalities.

Mayor Bruce A. Harris proceeded with Resolution #15-232

RESOLUTION #15-232

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:

June 22, 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:

June 22, 2015

Council Member John Holman moved to approve Resolution #15-232. The motion was seconded by Council Member James Collander. A voice vote was taken and Resolution #15-232 was approved unanimously.

DISCUSSION ITEMS

Stanley Church – Ms. Susan Lenz and Mr. Tom Carlton, members of the Stanley Congregational Church at 95 Fairmount Avenue, provided a brief report of the church's long-range planning and goals. Ms. Lenz reported the congregation has approved to sell up to 2/3 of the church's 1-acre property in efforts to help generate much needed funds for renovations to its 1903 church building. Requests for

Proposals have been sent to developers and other interested parties who may be interested in the purchase of the property for future residential development. Purchase of the parcel and likely demolition of the church school building would be contingent upon a developer obtaining land use approvals from the Borough's Planning Board or Zoning Board of Adjustment. In closing the presentation, Ms. Lenz reported the congregation looks forward to Stanley Congregational Church's 150th anniversary, which will be celebrated in the year 2023.

Memorial – Mr. Michael Dean, on behalf of the Chatham Borough 9/11 Memorial Committee and the Chatham 9/11 Memorial Foundation, presented a request for the installation of a memorial plaque to be located on the outside perimeter of the Borough's 9/11 Memorial near the driveway access. The plaque would be mounted on a base and be dedicated as a living memorial to Borough resident Donna Cali-Charles, who established both the Borough's 9/11 Memorial Committee, as well as, the Chatham 9/11 Memorial Foundation and has giving much of herself to the community over the decades. It is anticipated that the memorial would be installed and dedicated prior to September 11, 2015.

The Mayor and Members of the Council supported the living memorial and proposed location and asked that Mr. Dean provide additional details as to the style, size and wording on the plaque when available.

Capital Projects – Mr. Vince DeNave provided an update on the following capital projects:

1. 2015 Curb and Sidewalk Project: Curbs and sidewalks in Zone 3 will be completed this year. The Borough Engineer's office is also considering other sidewalk repairs or replacement requests and will complete them as long as funding is available. Mr. DeNave further reported the Curb and Sidewalk Program in Zones 1, 2 and 3 have been completed and Zones 4 and 5 are scheduled to be completed in the next two years.
2. 2015 Road Resurfacing Project: Tilcon is the contractor for road paving under the Morris County Cooperative Pricing Council. The Borough's road paving projects are scheduled to begin at the end of July.
3. Post Office Plaza: Finishing touches and new signage are currently being completed by the Public Works Department.
4. Drainage Improvements: Ten drainage projects have been scheduled and budgeted for this year. Of the ten projects, three have been completed. Mr. DeNave reported he is working on the price estimates for the other seven drainage projects, which will be scheduled for completion over the summer months.
5. Lafayette Avenue/Front Street Improvement Project: Professional engineering design services have been awarded for the preparation of bid specifications for the Lafayette Avenue and Front Street Improvement Project. It is anticipated that the road improvement project will completed before the end of the year.
6. Crosswalks at Coleman Avenue and Main Street: Mr. DeNave reported the contractor is scheduled to complete the installation of the new crosswalks within the next two weeks. The installation of the crosswalks will take place during night hours.
7. Division Street Parking Lot: The paving and striping of the Division Street Parking Lot has been completed and is currently in use.
8. Shepard Kollock Field Improvements: The fencing and dugouts have been installed at the ball fields. Some ball field work to be completed.
9. Morris County Road Improvement Projects: The County held a pre-construction meeting for the Watchung Avenue and Fairmount Avenue Road Improvement Projects. Road work is scheduled to begin in the month of August.

Mr. Denave lastly reported that an update on the scope of the Days Brook project and the replacement of windows at Borough Hall capital projects would be forthcoming.

Water Capital Master Plan – Mr. Vince DeNave reported the Borough’s water system is aging and in need of upgrades. Improvements and upgrades will increase the life and efficiency of the water utility plant equipment and operation. Mr. DeNave reported that an emergency back up generator system will be installed for Well #2 and electrical upgrades will be made to Wells #1, #2 and #3 and the power control building as part of the first phase of improvements.

Mr. Day reported that the surplus in the Borough’s Water Utility budget can be used to fund the improvements and further reported that the Finance and Budget Committee recommends financing the improvements through short-term Bond Anticipation Notes (BANs) as opposed to a bond issuance. The current interest cost to borrow funds through BANs over a 10-year period is estimated at \$15,356.00.

Council President Gerald Helfrich applauded Council Members James Collander and James Lonergan, members of the Finance and Budget Committee, for their long-term capital project planning and budgeting.

Route 124 Traffic – Council Member James Collander, Chair of the Long-Range Traffic Planning and Pedestrian Safety Committee, reported that Resolution #15-241, listed on the Consent Agenda, authorizes the Borough Administrator to request the state and county to investigate the feasibility of locating a new interchange on Route 24 in order to reduce traffic along Main Street (Route 124).

Mayor Harris further reported that the Borough of Florham Park has recently adopted a land use ordinance with respect to the proposed build-out and development of the former Exxon property, which is sited along the Park Avenue and Route 24 corridors. The proposed development includes three restaurants, one hotel, 425 age-restricted housing units, and 256 corporate suites, adding much more traffic to the already congested roadways.

Council President Gerald Helfrich voiced his support for Resolution #15-241 and further suggested amending the Resolution to include the feasibility of locating one or more new interchanges on Route 24, not just one interchange, and should also include a request to widen Route 24 from the existing Exit 7 to the Columbia Turnpike interchange. Upon discussion, the Mayor and Council readily agreed to the amendment. Resolution #15-241 will be removed from the Consent Agenda for further discussion, proposed amendments and action.

July 27, 2015 Meeting of the Mayor & Council – Mayor Bruce Harris mentioned that there is a need to convene the July 27th meeting of the Mayor and Council and sought to confirm that a quorum of the Borough Council would be present to conduct business. The Council indicated there would be a quorum present at the July 27th meeting of the Mayor and Council.

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.

Mrs. Fran Drew, 32 Inwood Road, thanked the Mayor and Borough Council for the resolution requesting the state and county to conduct an investigation of traffic conditions on Main Street (Route 124). Ms. Drew inquired how the widening of Route 24 from Columbia Turnpike to Exit 7 would help reduce traffic congestion along Main Street in Chatham and suggested that the Resolution should mention that, in addition to Main Street, traffic congestion is problematic on Watchung Avenue, Shunpike, King Street and other local crossroads in the Borough. She further suggested that traffic studies should also be conducted on county and local roads to determine traffic volume. Mrs. Drew then inquired what Borough officials sit on the Long-range Planning and Pedestrian Safety Committee and whether the committee meetings are open to the public (they are not). Lastly, she inquired whether a representative from the Borough attends the Morris County public meetings on the County's Transportation Master Plan.

Council Member Victoria Fife responded that she attends the county's Transportation Master Plan public meetings, which are geared toward a comprehensive county-wide transportation plan and are not town-specific focused discussions.

Mayor Harris emphasized the importance of residents and voters contacting the County Freeholders on this issue to get them involved in understanding, and representing, the Borough's interest.

Bob Penn, 165 North Passaic Avenue, Borough resident and fire instructor for the Morris County Public Safety Training Academy, thanked Mayor Harris for accepting his invitation to take a tour of the Morris County Public Safety Training Academy facility. He extended an open invitation to all members of the Borough Council to tour the facility and learn more about the excellent emergency service training programs offered at the academy.

Mayor Harris reported how impressed he was by the training resources available at the Morris County Public Safety Training Academy facility, which can replicate emergency situations that fire department volunteers may potentially encounter. He stated he was also impressed by the focus on personal safety presented in its fire training programs.

Tim Carey, 81 Rowan Road, inquired why Resolution #15-241, which requests the state and county to conduct an investigation of traffic conditions on Main Street, does not mention the completion of the Triborough exchange on Route 24. He further questioned what roadway(s) the proposed Triborough exchange would have connected to.

Council President Gerald Helfrich responded that the final design proposal for the Triborough exchange was to connect to Brooklake Road. He further commented that one of the original design plans was to continue Eisenhower Parkway to the Triborough exchange.

Mr. Carey thanked the Mayor and Council for their efforts and initiative in addressing traffic congestion in the Borough.

Joe Martz, former Mayor of Chatham Borough, applauded the Mayor and Council for opening discussions with state and county officials to conduct an investigation of traffic conditions on Main Street. He provided a brief history on objections raised by residents on Brooklake Road and in three neighboring towns in the late 1970's when the Triborough exchange was being constructed. Those objections effectively halted the completion of the Triborough exchange on Route 24.

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

REPORTS

COUNCIL COMMITTEE REPORTS

Budget and Finance - Council Member James Lonergan had nothing new to report at tonight's meeting.

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

Public Safety & Emergency Services - Council Member James J. Collander thanked all Fire Department and community volunteers, as well as, Police, DPW and other Borough employees who were involved in the planning and organization of the annual July 4th parade and fireworks and also for vigilant efforts in keeping everyone safe during and after the Fourth of July celebrations.

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 reported the Committee is finalizing the Board of Health shared service agreement with Madison Borough and had nothing new to report at tonight's meeting.

MAYOR'S REPORT

Mayor Bruce Harris expressed his gratitude and appreciation to the members of the Chatham Borough Volunteer Fire Department, Public Works Department, Police Department and all others who helped make the Fourth of July in the Borough enjoyable for everyone.

ADMINISTRATOR'S REPORT

Mr. Robert Falzarano reported that the 2014 Audit Report has been distributed to the Mayor and Council and further reported a revised draft of the Monuments and Memorials Policy and Procedures was also distributed for review. Mr. Falzarano confirmed that the Borough Attorney filed the Declaratory Judgement action in New Jersey Superior Court concerning the affordable housing and fair share obligation matter. Mr. Falzarano also advised that the county has scheduled the paving of Watchung Avenue to begin on July 27th. Lastly, Mr. Falzarano reported that the 7th draft of the solid waste collection bid has been distributed for review and the bid is scheduled to be advertised on July 23rd.

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 #15-233 through Resolution #15-245 have been placed on the Consent Agenda.

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

Resolution #15-241 has been removed from the Consent Agenda for discussion and separate action.

Council Member James Collander proposed amending the language in the Resolution to read as follows:

RESOLUTION #15-241

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE BOROUGH ADMINISTRATOR TO REQUEST INVESTIGATION OF TRAFFIC CONDITIONS ON MAIN STREET (ROUTE 124)

WHEREAS, at a recent meeting of Chatham Borough's Long Range Traffic & Pedestrian Safety Committee, the Committee discussed traffic conditions on Main Street (Route 124) in Chatham; and

WHEREAS, the Committee recommends that the Borough request that Morris County and the New Jersey Department of Transportation investigate the feasibility of locating one or more new interchanges on Route 24, as well as, widening Route 24 from the existing Exit 7 to the Columbia Turnpike interchange in efforts to reduce oppressive traffic and pollution on Main Street (Route 124); and

WHEREAS, the Mayor and Borough Council have previously discussed traffic conditions on Main Street (Route 124) and concur with the Committee's recommendation, finding that it is in the best interest of the Borough to make said request.

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 Borough Administrator be and hereby is authorized and directed to submit a request to Morris County and the New Jersey Department of Transportation to investigate the feasibility of locating one or more interchanges on Route 24, as well as, widening Route 24 from the existing Exit 7 to the Columbia Turnpike interchange in efforts to reduce oppressive traffic and pollution on Main Street (Route 124); and

BE IT FURTHER RESOLVED, that all other Borough officials are hereby authorized and directed to take such further action as may be necessary to implement the objectives of this Resolution.

Council Member James Collander moved to approve Resolution #15-241 as amended. The motion was seconded by Council Member Victoria Fife. A voice vote was taken and Resolution #15-241 was approved unanimously.

FINANCE

RESOLUTION #15-233

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 #15-234

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 mortgage lender during a refinance transaction 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
54=17	Gruppuso, Anthony & Colette 38 N. Summit Avenue	\$2,678.09	2015/2Qtr.

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 #15-235

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 mortgage lender during a refinance transaction 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
64=17.2	Zaleck, Craig & Mariellen 67 Elmwood Avenue	\$3,806.81	2015/1Qtr.

Please make check payable & mail to:
Linda J. Hockstein, Esquire Trust Account
660 Broadway
P.O. Box 1717
Bayonne, NJ 07002-6717

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 #15-236

RESOLUTION AUTHORIZING REFUND FOR WATER TAP SERVICE FEE

WHEREAS, the Utility Clerk for the Borough of Chatham has advised that a written request has been made for the refund of the 1-inch water tap service fee in the amount of \$1,650 for property located at 14 Cherry Lane; and

WHEREAS, the Utility Clerk has further advised that the Director of Public Works has confirmed that the existing water tap service is being utilized and a refund is due as follows:

Menza & Beissel Homes, Inc.
41 Stonehouse Road
Basking Ridge, NJ 07920
Attention: Karen Miller, Office Manager

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough's Utility Clerk to process a refund for the 1-inch water tap service fee as herein referenced.

RESOLUTION #15-237

RESOLUTION CERTIFYING RECEIPT AND REVIEW OF THE 2014 ANNUAL AUDIT REPORT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed with the Borough Clerk by the Borough's Registered Municipal Accountant pursuant to N.J.S.A. 40A:5-6, and a copy has been distributed and received by each member of the Governing Body; and

WHEREAS, N.J.S.A. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed the Annual Report of Audit, and specifically, as a minimum, the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham hereby states that it has complied with N.J.S.A. 40A:5-4 and N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit attached hereto to the Local Finance Board to show evidence of said compliance.

LAW & PUBLIC SAFETY

RESOLUTION #15-238

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) NEW AND UNUSED 2015 FORD EXPLORER UNMARKED VEHICLE FOR THE POLICE DEPARTMENT

WHEREAS, the Chatham Borough Police Department has a need to purchase one (1) new and unused 2015 Ford Expedition SSV 4x4 unmarked police vehicle; and

WHEREAS, Police Department wishes to purchase this vehicle through the New Jersey Cooperative Purchasing Program, New Jersey State Contract #A88730, pursuant to N.J.S.A 40A:11-12; and

WHEREAS, the Police Department recommends that an award of the contract be made through New Jersey State Contract #A88730 to Beyer Ford, Morristown, NJ for the purchase of one (1) new and unused 2015 Ford Expedition SSV 4x4 unmarked police vehicle with emergency equipment and options in the amount of \$39,272.65; and

WHEREAS, the Chief Financial Officer has provided a certification of availability of funds in the amount not to exceed \$39,272.65 from General Capital Fund accounts # C-04-55-915-712, C-04-55-912-708, and C-04-55-909-250.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the Police Department is hereby authorized to purchase one (1) new and unused 2015 Ford Expedition SSV 4x4 unmarked police vehicle under state contract from Beyer Ford.

RECREATION

RESOLUTION #15-239

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
O'Reilly, Brendan	\$8.38	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.

OTHER

RESOLUTION #15-240

APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2015-2016 LICENSING TERM

WHEREAS, applications have been filed by holders of liquor licenses in the Borough of Chatham seeking the renewal of liquor licenses for the 2015-2016 licensing term; and

WHEREAS, inspections were conducted at each of the licensee's premises in accordance with N.J.S.A. 33:1-24; and

WHEREAS, the Chatham Borough Police Department prepared an annual investigation report, which reported no items of concern; and

WHEREAS, the Borough Clerk reported no objections were filed, either written or in person, with respect to the renewal of any liquor license in the Borough; and

WHEREAS, the Borough Clerk confirmed that each of the following liquor license renewal applications are complete in all respects, that all required fees have been paid, and that Tax Clearance Certificates have been issued by the New Jersey Division of Taxation:

PLENARY RETAIL CONSUMPTION LICENSES

1404-33-008-001 Charley's Aunt Inc.
1404-33-002-005 Chatham Towne Tavern, Inc. t/a River Grille
1404-33-006-009 Jamnan, Inc. t/a Restaurant Serenade
1404-33-007-004 Jesus Saves, Inc. t/a Scalini Fedeli

PLENARY RETAIL DISTRIBUTION LICENSES

1404-44-001-006 OMGS LLC t/a Cottage Dele
1404-44-003-009 Chatham Bottle King, Inc.
1404-44-004-005 Srinidhi Liquors LLC (inactive)

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they are hereby satisfied that all requirements for the renewal of said liquor licenses have been met and approve the renewal of the liquor licenses for the 2015-2016 licensing term; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue liquor licenses for the 2015-2016 licensing term on the form and certificate approved by the Alcoholic Beverage Control Commission in the State of New Jersey for each of the herein referenced liquor licenses.

RESOLUTION #15-241

Resolution #15-241 was removed from the Consent Agenda for discussion and separate action.

RESOLUTION #15-242

RESOLUTION APPROVING THREE EAGLE SCOUT PROJECTS PROPOSED BY ERIK BRITT, VAN BENEDICT AND MICHAEL SALVO, SCOUT TROOP #8, TO BE CONSTRUCTED AND INSTALLED ON BOROUGH-OWNED PROPERTY

WHEREAS, Erik Britt, Van Benedict and Michael Salvo of Scout Troop #8, have requested permission to construct and install their proposed Eagle Scout project on Borough-owned property; and

WHEREAS, Erik Britt proposes to build and install two benches and one picnic table at Kelley's Pond to help promote the area as a destination place for residents to go and meet others or to relax, and further proposes to build a kiosk that will provide information on how Kelley's Pond got its name; and

WHEREAS, Van Benedict proposes to maintain the overgrown hiking trail through the Wuhala Woods area, install trail markers and repair the bog bridges to make the area usable again for residents, and further proposes to build a kiosk to display a trail map of the area; and

WHEREAS, Michael Salvos proposes to amend the scope of his Eagle Scout project that was approved last year to add a third picnic table at Memorial Park and to add a third reading table to the children's reading area at the Library of the Chathams; and

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve each of the stated Eagle Scout projects proposed by Erik Britt, Van Benedict and Michael Salvo, and hereby grant permission to each Eagle Scout candidate to construct and install their proposed Eagle Scout project on Borough-owned property; and

BE IT FURTHER RESOLVED, that the Mayor and Council commend Erik Britt, Van Benedict and Michael Salvo for their efforts in designing and building projects that will benefit the Chatham Borough community.

RESOLUTION #15-243

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 July:

Saturday, 07/18/2015, 8:00 AM to 1:00 PM

Saturday, 07/25/2015, 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.

RESOLUTION #15-244

RESOLUTION TO AWARD CONTRACT FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ON CENTER AVENUE TO S&L CONTRACTORS, LLC

WHEREAS, the Borough of Chatham has determined the need to improve certain Borough pathways; and

WHEREAS, the Borough of Chatham appropriates monies each year for Drainage Improvements; and

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

WHEREAS, the Borough of Chatham has received two (2) quotes for the required Drainage Installation; and

WHEREAS, the bid submitted by S&L Contractors, LLC of Berkeley Heights, N.J., in the amount of \$33,628.00 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 processed and awarded to S&L Contractors, LLC of Berkeley Heights, N.J., in the amount of \$33,628.00; and

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute a contract with S&L Contractors, LLC of Berkeley Heights, N.J., in the amount not to exceed \$33,628.00 for said Improvements.

RESOLUTION #2015-245

RESOLUTION EXTENDING THE PAYMENT OF THIRD QUARTER PROPERTY TAX BILLS FROM AUGUST 1, 2015 TO AUGUST 21, 2015

WHEREAS, N.J.S.A. 54:4-64 requires municipal property tax bills to be mailed at least 47 days prior to August 1st of each year; and

WHEREAS, due to the delay in the certification of the Borough's tax rate by the Morris County Tax Board, the mailing of the 2015 tax bills will be delayed; and

WHEREAS, N.J.S.A. 54:4-64 further mandates that property taxpayers shall be given adequate notice of the date when taxes are due before interest is charged on delinquent tax payments; and

WHEREAS, by law the taxpayer has 25 days from the date of mailing of the tax bill to pay property taxes due without interest or penalty; and

WHEREAS, the taxpayer would have less than the required 25-day period from the date of mailing of the tax bill to the third quarter August 1, 2015 due date to pay property taxes due without interest or penalty.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that tax payments due on August 1, 2015 will not be considered delinquent until August 21, 2014, after which date interest will be charged from August 1, 2015 to the date of payment.

CONSENT AGENDA VOTE:

Council President Gerald Helfrich moved to approve Resolution #15-233 through Resolution #15-240 and Resolution #15-242 through Resolution #15-245 listed on the Consent Agenda. Resolution #15-241 was removed for discussion and separate action. The motion was seconded by Council Member James Lonergan. A voice vote was taken and Resolution #15-233 through Resolution #15-240 and Resolution #15-242 through Resolution #15-245 listed on the Consent Agenda were approved unanimously.

RESOLUTION REQUIRING SEPARATE ACTION

Mayor Harris asked Council Member James Lonergan to proceed with Resolution #15-246.

Council Member James Lonergan read Resolution #15-246 by title.

RESOLUTION #15-246

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF CHATHAM AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$4,258,000 BOND ANTICIPATION NOTE AND A \$24,000 SPECIAL EMERGENCY NOTE, BOTH ISSUES DATED JULY 16, 2015 AND PAYABLE JULY 15, 2016, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Chatham, in the County of Morris, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$4,258,000 bond anticipation note and a \$24,000 special emergency note, both issues dated July 16, 2015 and payable July 15, 2016 (collectively, the "Notes"); and

WHEREAS, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code.

BE IT RESOLVED by the Borough Council of the Borough of Chatham, in the County of Morris, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Notes be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2015.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2015 dated as of the date of delivery of the Notes.

SECTION 8. This resolution shall take effect immediately upon its adoption.

Council Member James Lonergan made a motion to approve Resolution #15-246. The motion was seconded by Council Member Victoria Fife.

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 Bruce Harris asked Council President Gerald Helfrich to proceed with Resolution #15-247.

Council President Gerald Helfrich read Resolution #15-247 in full:

RESOLUTION #15-247

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:

Collection Bargaining Negotiations: 1. PBA and DPW Contracts – Mr. Falzarano

Contract Matter:

1. Solid Waste Contract RFP – Mr. Lott
2. Planning Services – Mayor Harris
3. Madison Board of Health Shared Service Contract – Mr. Falzarano

Attorney-Client:

1. Oliver Street Vacation – Mr. Lott

Professional Services:

1. Municipal Auditor – Mayor Harris

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 9:08 p.m.

Respectfully Submitted:

Robin R. Kline

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