

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

April 27, 2015 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, April 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 Lonergan
- Council Member John Holman
- Council Member Victoria Fife
- Council President Gerald J. Helfrich
- Council Member Alida Kass
- Robert J. Falzarano, Borough Administrator
- James L. Lott, Jr., Borough Attorney
- Robin R. Kline, Borough Clerk

Council Member James J. Collander was absent.

Mayor Bruce A. Harris opened the meeting by reading the following proclamation:

**PROCLAMATION
DESIGNATING THE WEEK OF MAY 17-23, 2015
AS NATIONAL EMERGENCY MEDICAL SERVICES WEEK**

WHEREAS, Emergency Medical Services are a vital public service, providing lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, the Emergency Medical Services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, Emergency Medical Services are now firmly established as a key component of the medical care continuum and EMS practitioners serve a vital role in saving lives from sudden cardiac

arrest and trauma; in getting people to the hospitals best equipped to treat heart attacks and strokes; and in showing caring and compassion to their patients in their most difficult moments; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the all volunteer Chatham Emergency Squad has primary responsibility for responding to medical emergencies in the Chathams and provides CPR training and First Aid training to residents of the Chathams to improve preparedness for medical emergencies; and

WHEREAS, our community is fortunate to be served by such dedicated volunteers who give their time in service of the Chatham Emergency Squad and engage in hundreds of hours of specialized training to enhance lifesaving knowledge and skills; and

WHEREAS, National Emergency Medical Services Week brings together local communities and medical personnel to publicize safety and honor the dedication of those who provide the day-to-day lifesaving services of medicine's "front line."

BE IT RESOLVED, I, Bruce A. Harris, Mayor of the Borough of Chatham, together with the Borough Council, do hereby proclaim the week of May 17-23, 2015 as EMERGENCY MEDICAL SERVICES WEEK in the Borough of Chatham and thank all our dedicated volunteers who give their time in service of the Chatham Emergency Squad and encourage residents to join the Chatham Emergency Squad and become part of an organization, which has proudly served the Chathams for 78 years.

Mayor Harris presented the Proclamation to Mr. Rich Crater, a member of the Chatham Emergency Squad and a former Council Member for the Borough. Mr. Crater thanked Mayor Harris and the Members of the Borough Council for their support of the Chatham Emergency Squad.

Mayor Bruce Harris proceeded with Resolution #15-170.

RESOLUTION #15-170

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:

April 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:

April 13, 2015

Council President Gerald Helfrich moved to approve Resolution #15-170. The motion was seconded by Council Member James Lonergan. A voice vote was taken and Resolution #15-170 was approved unanimously.

DISCUSSION ITEMS

2015 Morris County Budget – Mayor Harris reported Freeholder Thomas Mastrangelo postponed tonight's presentation of the 2015 Morris County Budget due to a scheduling conflict. The presentation has been rescheduled for the June 8th meeting.

Water Master Plan – Mr. Vince DeNave reported that the revitalization and future redevelopment of River Road will create a significant water and sewer demand. Mr. DeNave stated a water and sewer

study is needed to determine present demands and system conditions, as well as, investigate what system improvements may be needed to meet future demands. He reported that presently the water system pipes are in good condition and that the DPW has been tracking water line breaks. Mr. DeNave further reported that two of the three water tank standpipes have begun to develop rust and recommended that the standpipes and water tanks should be inspected, sandblasted and repainted to prevent further costly deterioration. The last inspection was performed in 2008.

Mr. DeNave stated flow tests, static and water pumping levels, and discharge pressures will be performed on each of the three wells in the near future. Based on the results of the tests, recommendations will be made, which will be incorporated into the Water Master Plan. Mr. DeNave reported that other items to be addressed in the Water Master Plan will include the installation of an emergency backup generator for Well #2, electrical upgrades for Well #2 and Well #3, and upgrades to the standpipe control systems. He confirmed the Water Utility budget has a surplus that could be appropriated for necessary repairs and upgrades and estimated that it would take approximately \$500,000 to perform the inspections and make the recommended repairs and upgrades.

In closing his presentation, Mr. DeNave recommended that prospective developers be asked to contribute to upgrading water and sewer lines since the demand will be much greater with the potential redevelopment being proposed. Mr. DeNave anticipated that repairs and upgrades could be scheduled and performed over a 5-year period. Immediate repairs could be initiated as early as the fall of 2015.

Hedges Avenue Sewer Line – Mr. Vince DeNave reported that he will be sending a letter to residents serviced by the Hedges Avenue sewer line to inquire whether a back flow preventer valve has been installed on the sewer line connected to their home in efforts to target the most problematic areas first. Mr. DeNave is also interested in learning if the Borough may have installed back flow preventer valves in past years. He asked that any comments or concerns the governing body may have regarding his draft letter to the homeowners should be brought to his attention before the end of the week.

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 Bruce Harris opened the meeting for public comment.

Mr. Patrick Carroll, Hillside Avenue, asked for an update on the Florham Park Planning Board matter. Mr. Lott responded that Mayor Harris and the Borough Council asked Vince DeNave and himself to attend the April 13th Florham Park Planning Board hearing on behalf of the Borough. At that hearing, they expressed the Borough's concern regarding traffic, parking and the size and extent of special events that may be held at the venue. It was requested that the applicant be required to provide advance notice to the Borough of any special events as an approved condition of its application. Mr. Lott further confirmed that there would be no expectation on the part of the Borough to respond to routine emergencies at the subject property, other than the mutual aid arrangements already in place between the towns. He further confirmed that the matter is within the exclusive jurisdiction of Florham Park and Morris County.

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

ORDINANCES FOR SECOND READING

Mayor Harris asked Council Member Lonergan to proceed with Ordinance #15-05.

Council Member Lonergan read Ordinance #15-05 entitled:

ORDINANCE #15-05

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,509,640 TO PAY THE COST THEREOF, TO APPROPRIATE A CONTRIBUTION FROM THE LIBRARY OF THE CHATHAMS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on April 13, 2015.

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

The Borough Clerk stated that a legal notice was published indicating that Ordinance #15-05 was introduced and passed on first reading at the April 13, 2015 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on April 27, 2015 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with law.

Mayor Harris opened the public hearing on Ordinance #15-05. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council Member Lonergan offered Ordinance #15-05 and moved its adoption:

BE IT RESOLVED, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

The motion was seconded by Council President Helfrich.

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

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

Mayor Harris declared this Ordinance adopted and finally passed and requested that the Borough Clerk publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

Mayor Harris asked Council Member Lonergan to proceed with Ordinance #15-06.

Council Member Lonergan read Ordinance #15-06 entitled:

ORDINANCE #15-06

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY 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 \$191,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on April 13, 2015.

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

The Borough Clerk stated that a legal notice was published indicating that Ordinance #15-06 was introduced and passed on first reading at the April 13, 2015 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on April 27, 2015 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with law.

Mayor Harris opened the public hearing on Ordinance #15-06. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council Member Lonergan offered Ordinance #15-06 and moved its adoption:

BE IT RESOLVED, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

The motion was seconded by Council President Helfrich.

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

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

Mayor Harris declared this Ordinance adopted and finally passed and requested that the Borough Clerk publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

RESOLUTIONS REQUIRING SEPARATE ACTION

Mayor Harris proceeded Resolution #15-171.

RESOLUTION #15-171

RESOLUTION FOR SELF-EXAMINATION OF THE 2015 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Chatham has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2015 budget year.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that in accordance with N.J.A.C. 5:30-7.6a and 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met and complies with the CAP law.
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

And,

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Director of the Division of Local Government Services upon adoption.

Council Member James Lonergan moved to approve Resolution #15-171. The motion was seconded by Council President Gerald Helfrich. A voice vote was taken and Resolution #15-171 was approved unanimously.

Mayor Harris proceeded Resolution #15-172.

RESOLUTION #15-172

RESOLUTION TO READ THE 2015 OPERATING BUDGET BY TITLE

WHEREAS, N.J.S.A. 40A 4-8 as amended provides that the Budget shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing a complete copy of the approved Budget:
 - (a) shall be made available for public inspection in the free public library, if any, of the municipality and in the free county libraries or regional libraries located in the municipality or, if no county libraries or regional libraries are located in the municipality, the county or regional library of the county in which the municipality is located, and the public officer delegated responsibility for delivering copies of the approved budget to such library shall forward to the governing body an attestation that each such delivery was made; and
 - (b) is made available to each person requesting the same, during said week and during the public hearing; and

WHEREAS, the Borough Clerk has provided a certification attesting that the budget summary was published in the official newspaper upon approval by the Borough Council, and that a copy of the approved budget was delivered to the Library of the Chathams for public inspection and an Affidavit of Receipt of the budget was obtained from the Library, and that copies of the budget were made available at no charge to each person requesting one in accordance with N.J.S.A. 40A:4-8.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby declares that the conditions of N.J.S.A. 40A:4-8, as amended and set forth in subsections 1(a) and 1(b), have been met and therefore the Budget shall be read by title only.

Council Member James Lonergan moved to approve Resolution #15-173. The motion was seconded by Council President Gerald Helfrich. A voice vote was taken and Resolution #15-173 was approved unanimously.

Mayor Harris proceeded Resolution #15-173.

RESOLUTION #15-173

RESOLUTION TO ADOPT THE 2015 MUNICIPAL BUDGET

WHEREAS, the Mayor and Council introduced and approved the 2015 Municipal Budget on March 23, 2015; and

WHEREAS, the approved budget was advertised as required by law on April 9, 2015 with notice of the public hearing scheduled for April 27, 2015.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the local Municipal Budget for the year 2015:

<u>Municipal Budget</u>	
Revenues	
Current Taxes	\$ 5,662,614.57
Local Tax for Muni Purposes	\$ 7,593,286.05
Minimum Library Tax	<u>\$ 860,910.00</u>
	\$14,116,810.62

Appropriations	
Municipal Purposes	\$12,396,810.62
Reserve for Uncollected Taxes	<u>\$ 1,720,000.00</u>
Total General Appropriations	\$14,116,810.62

Water Operating Budget

Revenues	
Rents and Fees	\$1,340,993.34
Appropriations	
Expenses	\$1,340,993.34

Solid Waste Budget

Revenues	
Rents and Fees	\$ 533,250.00
Appropriations	
Expenses	\$ 533,250.00

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

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

Mayor Harris declared the 2015 Municipal Budget adopted and finally passed.

Council Member Lonergan thanked Tim Day, Chief Financial Officer, for his efforts helping to prepare the 2015 budget and for making the budget process easier for the Budget and Finance Committee to work with.

Council Member Fife further thanked the Budget Sub-committee for their work on the 2015 budget.

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Affordable Housing Advisory Committee

Mayor Harris reported the Affordable Housing Advisory Committee will be meeting soon to discuss the recent Supreme Court Decision. He further reported the Borough Council will discuss the retention of a COAH Planner later tonight in Closed Session.

Traffic & Pedestrian Safety Advisory Committee

Council Member James Collander was absent.

MyChathamNJ Advisory Committee

Council Member Victoria Fife reported the Spring Clean event will take place on Saturday, May 2nd from 8:00 a.m. to 1:00 p.m. and encouraged everyone to sign up and participate.

Council Member Lonergan informed Council Member Fife that the owner of the CVS shopping plaza will have a landscape architect develop a landscaping plan for the small park adjacent to its property.

Mayor's Wellness Committee

Council Member Victoria Fife reported the committee is working in conjunction with the Public Arts Council Advisory Committee and the Special Events Advisory Committee's Tricentennial Committee on the tricentennial celebration.

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 reported the committee is working in conjunction with the Mayors' Wellness Committee and the Special Events Advisory Committee's Tricentennial Committee on the tricentennial celebration.

Senior Center of the Chathams

Council Member Victoria Fife reported the Senior Center of the Chathams celebrated its 25th year anniversary on Friday, April 24th at the Fish and Game Club. The Senior Center also held a Shredding Event on Saturday, April 25th at the Chatham train station.

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 reported April 15th cut off for discounted pool membership

Municipal Pool Advisory Committee

Council Member James Lonergan informed everyone interested in registering for the Memorial park Pool that full season rates now apply. Discounted early registration fees ended April 15th.

Board of Health

Council Member John Holman reported that on May 7th at 7:00 p.m. in the Chatham High School Auditorium, Dr. Kevin Sabat will be speaking about the myths and facts of marijuana legalization.

Farmers' Market Advisory Committee

Council Member John Holman reported new seating will be installed at the Farmers' Market this year and ten new vendors are interested in participating in the 2015 season. The Farmers' Market is scheduled to open June 20th. The Committee will meet again on March 26th.

Joint Community Gardens Advisory Committee

Council Member John Holman reported the Joint Community Garden 2015 Season Application and Rules have been posted to the Borough website. Members have begun preparing the site in readiness for the planting season.

Madison Chatham Joint Meeting

Council Member John Holman had nothing new to report.

Board of Education

Council President Gerald Helfrich thanked the Board of Education for presenting its school budget and referendum questions at the April 13th meeting of the Mayor and Borough Council. He reported the School Election was held on April 21st and the 2015-2016 school budget was passed by the voters; the referendum failed.

9/11 Memorial Advisory Committee

Council President Gerald Helfrich had nothing new to report.

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 complying with the COAH Supreme Court ruling will be a big task for the Borough to undertake over the next coming months. He further reported he would not be attending the May 11th meeting due to vacation plans.

ADMINISTRATOR’S REPORT

Mr. Robert Falzarano reported the 1st Quarter Goals & Objectives Status Report was distributed to the Mayor and Council. He further reported that the Borough will be receiving \$140,000 grant funding from the New Jersey Department of Transportation for the Lafayette Road Improvement Project. Mr. Falzarano also informed the Mayor and Council that the Division Avenue Parking Lot Paving Project has begun and should be completed soon. Lastly, Mr. Falzarano reported he is working on a number of policies and procedures.

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 #15-174 through Resolution #15-177 have been placed on the Consent Agenda. Resolution #15-176, Payment of Vouchers, has been removed.

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

None.

Mayor Bruce Harris proceeded with Resolution #15-174 through Resolution #15-177 listed on the Consent Agenda. Resolution #15-176 has been removed.

APPOINTMENT

RESOLUTION #15-174

RESOLUTION APPOINTING A MEMBER TO THE COMMUNICATIONS AND TECHNOLOGY ADVISORY COMMITTEE FOR CALENDAR YEAR 2015

WHEREAS, by Resolution #15-14 adopted on January 5, 2015, the Communications and Technology Advisory Committee was re-established by the Mayor and Council of the Borough of Chatham for calendar year 2015; and

WHEREAS, the Communications and Technology Advisory Committee shall be responsible for providing advice to the Mayor and Council on public communications matters, including, without

limitation, the Borough's public access television channels, the Borough website, social networking, and related matters as may be requested by the Council; and

WHEREAS, Karen Brodsky, Director of the Library of the Chathams, has expressed interest in being appointed as an advisory committee member and has submitted a volunteer application to the Borough Clerk in accordance with Chapter 3, §3-6 of the Code of the Borough of Chatham for consideration by the Mayor and Council; and

WHEREAS, the Mayor and Council, as the appointing authority wish to appoint Karen Brodsky to the Communications and Technology Advisory Committee for calendar year 2015.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it hereby approves and confirms the appointment of Karen Brodsky to the Communications and Technology Advisory Committee for calendar year 2015.

CONTRACT

RESOLUTION #15-175

RESOLUTION APPROVING A JURISDICTIONAL AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROUTE 124 STREETScape FROM HILLSIDE AVENUE TO COLEMAN AVENUE IN THE BOROUGH OF CHATHAM, COUNTY OF MORRIS

WHEREAS, the Borough has initiated a beautification project to make improvements to a portion of the Right-of-Way area of State Highway Route 124; and

WHEREAS, said improvements will consist of the construction and installation of two "decorative crosswalks" across Route 124 at the east and west intersections with Coleman Avenue; and

WHEREAS, in order to prevent future legal or maintenance problems in these areas, it is necessary that the Borough and the State apportion the jurisdiction for highway maintenance and control in an equitable manner required by N.J.S.A. 27:7-1 et seq.

BE IT FURTHER RESOLVED, by the Borough Council that the Mayor is hereby authorized to enter into a jurisdictional agreement with the New Jersey Department of Transportation for Route 124 Streetscape from Hillside Avenue to Coleman Avenue, in the Borough of Chatham, County of Morris; 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.

FINANCE

Resolution #15-176 was removed from the consent agenda.

LAW & PUBLIC SAFETY

RESOLUTION #15-177

RESOLUTION ENDORSING THE *CLICK IT OR TICKET* NATIONAL SEAT BELT ENFORCEMENT MOBILIZATION PROGRAM MAY 18-31, 2015 IN THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

WHEREAS, the safety and security of the citizens of Chatham Borough, County of Morris, State of New Jersey and surrounding communities are vitally important; and

WHEREAS, a large percentage of our citizens regularly drive or ride in motor vehicles on our roadways; and

WHEREAS, the use of seat belts in passenger vehicles saved an estimated 12,174 lives in 2012; and

WHEREAS, regular seat belt use is the single most effective way to reduce fatalities in motor vehicle crashes; and

WHEREAS, the use of seat belts is supported by the laws of Chatham Borough; and

WHEREAS, May 18 through May 31, 2015, has been selected as the National Seat Belt Enforcement Mobilization Program *Click It or Ticket* enforcement period and across the country law enforcement officers will actively be participating in the mobilization to ensure all motor vehicle occupants are buckled up day and night to reduce the risk of injury and death caused in traffic crashes; and

WHEREAS, increased enforcement of seat belt laws coupled with publicity has proven to be an effective method to increase seat belt use rates and decrease fatal crashes.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris County, in the State of New Jersey, that they do hereby endorse the Chatham Borough Police Department's participation in the National Seat Belt Enforcement Mobilization Program *Click It or Ticket* May 18 to May 31, 2015, and urge all motorists to always wear seat belts when driving or riding on our roadways.

CONSENT AGENDA VOTE

Council Member John Holman made motion to approve Resolutions #15-174 through #15-177 listed on the consent agenda. Resolution #15-176 was removed from the consent agenda. The motion was seconded by Council President Gerald Helfrich. A voice vote was taken and Resolutions #15-174 through #15-177 listed on the consent agenda were approved unanimously.

Mayor Harris asked Council President Helfrich to proceed with Resolution #15-178.

Council President Gerald Helfrich read Resolution #15-178 in full.

RESOLUTION #15-178

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:

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

Contract Matter: 1. Solid Waste Contract Bid Specifications – Mr. Falzarano

Attorney-Client Privilege: 1. Oliver Street Vacation Request – Mr. Lott
2. Borough Property Sale, River Road Parcel – Mr. Lott
3. Hopkins v. Chatham Borough – Mr. Lott
4. Property Donation – Mr. Lott
5. COAH Update – Mr. Lott

Litigation Matter: 1. Hill v. Chatham Borough – 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 reconvene into Public Session after this Executive Session.

Council President Helfrich made motion to approve Resolution #15-178. The motion was seconded by Council Member Victoria Fife. A voice was taken with all Members of the Council voting in favor.

Mayor Harris and the Borough Council adjourned into Closed Session at 8:26 p.m.

RETURN TO PUBLIC SESSION

Mayor Harris reconvened into Public Session at 9:30 p.m.

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

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

Council Member James J. Collander was absent.

ADD ON:

Mayor Harris proceeded with Resolution #15-179.

RESOLUTION #15-179

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE AWARD AND EXECUTION OF CONTRACT FOR PROFESSIONAL PLANNING SERVICES

WHEREAS, the New Jersey Supreme Court's recent decision in *In re Adoption of N.J.A.C. 5:96 & 5.97*, (M-392-14) (067126) (March 10 2015), authorizes the courts to hear and decide actions addressing municipal compliance with constitutional Mount Laurel obligations (the "Decision"); and

WHEREAS, the Decision instructs municipalities seeking approval of their housing element and fair share plan to file a declaratory judgment action within 30 days of the Decision's effective date; and

WHEREAS, the Mayor and Borough Council wish to update the Borough's housing element and fair share plan in compliance with the Borough's affordable housing obligations; and

WHEREAS, to accomplish this task, the Mayor and Borough Council wish to acquire the services of a professional planner; and

WHEREAS, this contract is exempt from public bidding as a professional service in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Borough has solicited informal proposals from several professional planners; and

WHEREAS, after consideration of all proposals, the Mayor and Borough Council wish to enter into contract with Susan G. Blickstein AICP/PP, PhD and Elizabeth C. McKenzie, AICP/PP for professional planning services to update the Borough's housing element and fair share plan in compliance with the Borough's affordable housing obligations and, if the Mayor and Borough Council so direct, assist in filing a declaratory judgment action seeking approval of same in accordance with the Decision, as well as such additional planning services as the Borough deems necessary, all in accordance with Susan G. Blickstein AICP/PP, PhD and Elizabeth C. McKenzie, AICP/PP's proposal; and

WHEREAS, the maximum contract amount shall not exceed \$9,500.00; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Current Fund Account #5-01-20-100-300 for the award of this contract.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey that the Mayor and Borough Clerk be and hereby are authorized to execute a contract with Susan G. Blickstein AICP/PP, PhD and Elizabeth C. McKenzie, AICP/PP for a contract amount not to exceed \$9,500.00 for professional planning services in accordance with the terms and conditions of this Resolution and as set forth in Susan G. Blickstein AICP/PP, PhD and Elizabeth C. McKenzie, AICP/PP's proposal submitted and accepted for this work.

Council Member Victoria Fife made motion to approve Resolution #15-179. The motion was seconded by Council Member James Lonergan. A voice vote was taken with four Members of the Council voting in favor; Council President Gerald Helfrich dissented.

ADJOURNMENT

Council Member John Holman made motion to adjourn. The motion was seconded by Council Member James Lonergan, A voice vote was taken with all Members of the Council voting in favor.

Meeting adjourned 9:37 p.m.

Respectfully Submitted:

Robin R. Kline

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