

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

February 23, 2015 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, February 23, 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 L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

Mayor Bruce A. Harris opened the meeting by reading the following proclamation proclaiming the month of March as National Nutrition Month:

PROCLAMATION

NATIONAL NUTRITION MONTH 2015

WHEREAS, The Mayors' Wellness Campaign of the Chathams recognizes that food is the substance by which life is sustained; and

WHEREAS the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to enhance healthy eating practices.

BE IT RESOLVED, that I, Bruce A. Harris, Mayor of the Borough of Chatham by virtue of the authority vested in me, do hereby proclaim the month of March, 2015 as

NATIONAL NUTRITION MONTH®

In doing so, I encourage all citizens and employees to join the campaign and become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

Ms. Monica Hansen, a Registered Dietician with Chatham ShopRite, was present to accept the proclamation. Ms. Hansen briefly spoke of the food tasting programs available at the ShopRite promoting healthy food choices during National Nutrition Month in March and invited the public to take advantage of ShopRite's nutrition and wellness programs.

Mayor Bruce Harris proceeded with the Special Presentation.

SPECIAL PRESENTATION

Presentation of Guinness Record Certificate

Ms. Christine Grobert, of the Chatham Historical Society, informed the Mayor and Council that as part of the Borough's Train Station Centennial Celebration, the Chatham Historical Society reached out to Guinness World Records for approval to attempt to break the current world record of 396 wooden train whistles being blown simultaneously. Following strict Guinness World Record protocols, the Chatham Historical Society along with Borough volunteers planned and organized the train whistle blowing event, which took place on June 14, 2015. 1,269 participants were registered and Guinness verified 1,127 wooden train whistles were blown simultaneously in Chatham. Ms. Grobert stated that participants of all ages took part in the exciting whistle blowing event.

On behalf of the Chatham Historical Society, Ms. Grobert presented Mayor Harris and the Borough Council with the official Guinness World Record Certificate to proudly display in Borough Hall.

Mayor Harris accepted the official Guinness Book of World Record Certificate, which was framed and included a wooden train whistle from the event.

RESOLUTION #15-122

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:

February 9, 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:

February 9, 2015

Council President Gerald Helfrich moved to approve Resolution #15-107. The motion was seconded by Council Member James Collander. A voice vote was taken and Resolution #15-107 was approved unanimously.

DISCUSSION ITEMS

JCP&L Area Manager Change – Mr. Rob Walton, Area Manager for JCP&L, was introduced as the new Area Manager, replacing Stan Prater. Mr. Walton stated he has 20 years in customer service and served as a Council Member and Mayor in his hometown. He currently serves as a Freeholder on the Hunterdon County Board of Chosen Freeholders. Mr. Walton expressed that as an elected official he values the commitment and partnership between JCP&L and elected officials, who want the best for their communities. Mr. Walton informed the Mayor and Council that there are no planned activities in the coming year in Chatham. Mr. Walton invited the Mayor and Council to take the JCP&L Dispatch Center tour, which are given every month to local elected officials and provide an overview of how JCP&L crews respond to emergency situations.

Mayor Harris informed the Council and public that most power outages in the Borough are caused by trees, tree limbs and animal contact. In closing the presentation, Mayor Harris thanked Mr. Walton for keeping him informed about electric power issues and for fostering a great relationship with the Borough.

Artisan Guild Fair – Mr. Bill Fagnant stated this year marks the 3rd Annual Chatham Area Fine Arts and Craft Festival, which has been well-received by the community with an estimated 2,000-3,000 people attending last year's arts festival. This year's event is scheduled to be held on Saturday, September 13th. Mr. Fagnant thanked the Borough for its support, especially the services provided by the Police Department, Department of Public Works and the Health Department in ensuring the event is safe and clean for visitors.

Council President Gerald Helfrich inquired whether the Artisan Guild Fair pays for police and DPW services and further questioned if the event could be planned in conjunction with the annual Fishawack Festival. Mr. Fagnant responded that the Artisan Guild Fair pays for needed police and DPW services, but depends on the Borough's support in helping to make those services available. He also supported the concept of combining the art festival with the Fishawack Festival, but stated doing so would present some challenges in organizing its artisan vendors to attend a June event.

Pilgrim Pipeline Signage – Ms. Dawn Ferguson was not present.

Baseball Club Request to Install Dugout at Shepard Kollock Park – Mr. Anthony Gruppuso presented a proposal on behalf of the Chatham Baseball Club to install two dugouts, a batting cage and fencing at Shepard Kollock Park's South Field. Mr. Gruppuso informed the Mayor and Council that the Chatham Baseball Club is affiliated with the Babe Ruth Baseball Organization, which requires 46/60 fields for K through 5th grade teams and 50/70 fields for 5th and 6th grade teams. Shunpike Field No. 2 is currently the only 50/70 field, creating difficulties in scheduling regulation field use for teams during the summer season.

Mr. Gruppuso stated the Baseball Club proposes to build, at its expense, two dugouts at the South Field and a batting cage for pre-game warm-ups. The Borough would install fencing for the dugouts and backstop.

Council Member James Lonergan commented that the fields at Shepard Kollock Park have historically been underutilized and voiced support in developing the South Field for baseball. He also confirmed that the Borough has bonded funds for ball field development.

The Council inquired about potential parking concerns, which may arise as a result of developing the South Field and agreed that on-street parking restrictions may need to be enforced with the additional field use. A request was also raised that the residential neighborhood should be given notice of the proposal and made aware of the proposed improvements to Shepard Kollock Park's South Field and subsequent increased use of the park as a result of park improvements. Council Member James Collander asserted that the club should inform the residential neighborhood of its planned improvements to South Field.

The Council then briefly discussed the need that it should begin to explore improvements to the North Field of Shepard Kollock Park in efforts to address the growing demand of field use by the 5th and 6th grade baseball program.

At the conclusion of the presentation, Mayor Harris inquired if there was Council consensus to approve the proposed installation of dugouts and batting cage to South Field in Shepard Kollock Park. The Borough Council consented that the Chatham Baseball Club can move forward with the proposed capital project to install dugouts, back stops, fencing and batting cage on the South Field. Mayor Harris requested an authorizing resolution be prepared.

Council Member James Lonergan left the meeting at 8:27 p.m.

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.

Paul Susinski, 23 Kimble Street, voiced his opposition to the expansion and development of Shepard Kollock Park for the baseball and softball programs.

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

ORDINANCES FOR SECOND READING

Mayor Bruce Harris asked Council President Gerald Helfrich to proceed with Ordinance #15-01.

Council President Helfrich read Ordinance #15-01 entitled:

ORDINANCE 15-01

ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING EXECUTION OF AMENDMENT TO LEASE AGREEMENT WITH COMMUNITY PERSONNEL SERVICES, INC.

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on February 2, 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 #15-01 was introduced and passed on first reading at the February 2, 2015 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on February 23, 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 #15-01. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council President Gerald Helfrich offered the Ordinance and moved its adoption:

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

The motion was seconded by Council Member John Holman.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			x			
Lonergan						x
Holman		x	x			
Fife			x			
Helfrich	x		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 James Collander to proceed with Ordinance #15-02.

Council Member Collander read Ordinance #15-02 entitled:

ORDINANCE 15-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, ADOPTING THE BOROUGH OF CHATHAM LOCAL VIOLATIONS BUREAU SCHEDULE (TRAFFIC RELATED OFFENSES)

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on February 2, 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 #15-02 was introduced and passed on first reading at the February 2, 2015 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on February 23, 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 #15-02. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council Member James Collander offered the Ordinance and moved its adoption:

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

The motion was seconded by Council President Gerald Helfrich.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Collander	x		x			
Loneragan						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.

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Affordable Housing Advisory Committee

Mayor Bruce Harris reported the proposed regulations on the Council on Affordable Housing (COAH) are still pending and 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 reported the MyChathamNJ Advisory Committee recently met. The Committee is gearing up for its 3rd Annual Spring Clean event scheduled for Saturday, May 2nd. Council Member Fife encouraged everyone to participate in helping to make the Borough look its best after the long winter.

Mayor's Wellness Committee

Council Member Victoria Fife reported the Committee will be celebrating National Nutrition Month in March.

Planning Board

Council Member Victoria Fife reported developers are expressing interest in the new zoning of the M Districts and are contacting the Borough Engineer with their inquiries.

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 reported the Senior Center of the Chathams will be celebrating its 25th year anniversary on Saturday, April 24th at the Fish and Game Club. Their Garden Club Tour is also coming up soon.

Special Events Advisory Committee

Council Member Victoria Fife reported the Special Events Advisory Committee held its first meeting last week. The Committee agreed to alternate daytime and evening meetings to help accommodate everyone's schedules.

Communications & Technology Advisory Committee

Council Member James Lonergan was absent.

Joint Recreation Advisory Committee

Council Member James Lonergan was absent.

Overnight Parking Advisory Committee

Council Member James Lonergan was absent.

Municipal Pool Advisory Committee

Council Member James Lonergan was absent.

Board of Health

Council Member John Holman reported on the measles outbreak and encouraged residents to be aware of symptoms associated with measles and importance of getting vaccinated.

Farmers' Market Advisory Committee

Council Member John Holman had nothing new to report.

Joint Community Gardens Advisory Committee

Council Member John Holman had nothing new to report.

Madison Chatham Joint Meeting

Council Member John Holman had nothing new to report.

Board of Education

Council President Gerald Helfrich reported the Board of Education will present a referendum question on the School Election Ballot and encouraged everyone to be informed and vote.

9/11 Memorial Advisory Committee

Council President Gerald Helfrich had nothing new to report.

Environmental Commission

Council Member Alida Kass reported there will be an informational meeting concerning the proposed Pilgrim Pipeline project on February 25th at 7:00 p.m. at the Madison High School.

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 he stopped by the Cub Scouts Blue and Gold Dinner on Saturday and attended the Eagle Court of Honor for Troop 8 Boy Scouts. He reported that Eagle Scout designations were earned by four Chatham scouts: Stephen Kamionek, who built flower beds of pollinator-friendly plants and an information kiosk next to the Chatham Community Bee Garden; Patrick McAuliffe created a prayer garden for St. Patrick Church; Griffin Kenny built and installed bat houses at Kelley's Pond and improved the walking path around the pond; and, Landon Paulson constructed and placed bat houses for three Morris County parks. Mayor Harris stated scouts set a good example for young people in the community and contribute great things to the community by way of their Eagle Scout projects.

Mayor Harris also reported he attended the Emergency Squad Annual Dinner on Saturday night and congratulated Connie Hartman in becoming the new Squad Captain. Mayor Harris reminded the public that the Emergency Squad is always looking for members and mentioned they have a Junior Cadet Program for younger members.

Lastly, Mayor Harris reported on the progress of the Community Bee Garden. Although one of the coop hives was lost, the remaining bees survived the cold spell and are doing well. The club has 20 members, who met for an end-of-year celebration at The Meadery, located in the Millburn Mall in Short Hills. He announced that several members, including him, will be establishing their own hives this year.

ADMINISTRATOR'S REPORT

Mr. Robert Falzarano reported on the following:

1. The draft Policy and Procedure for Planning Board and Zoning Board applications have been revised and recirculated for final review.
2. The Bank of America will be removing an underground storage tank that is located under the sidewalk sometime between March 2nd and March 6th. The Borough Engineer is coordinating the tank removal with the bank.
3. The online training module has been installed and harassment training for Borough employees is underway.
4. Employee notification of weather-related closures, or delayed openings, has been automated using the Everbridge Notification System.
5. The 2015 Budget discussion is scheduled for the March 9th meeting. Mr. Tim Day, the Borough's Chief Financial Officer, will present the budget at that meeting. Budget books will be distributed to the Mayor and Council in Friday's mail.
6. Mr. Falzarano informed the Mayor and Council that Police Chief Crosson has reported that motor vehicle crashes in the Borough decreased 11% in 2014 from 2013 and credited the Police Department's directive patrol assignments and enforcement in high-frequency accident locations in the Borough.

7. The MUA has offered to collect recyclables at the library at no added cost. The additional recycled material will be added to the Borough's tonnage reporting.
8. The Borough budgeted \$45,000.00 for road salt. To date the Borough ordered approximately 463.5 tons of road salt at the cost of \$28,238.00. In addition, the Borough has an order for 100 more tons of road salt for an additional cost of \$6,093.00. An additional \$10,000.00 will be appropriated in the 2015 budget.

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 #15-123 through Resolution #15-132 have been placed on the Consent Agenda.

Council Member Victoria Fife sought clarification on Resolution #15-127, which states 38 parking permits are to be issued to the library for use by its employees. Mr. Falzarano confirmed that the Borough would issue 38 parking permits; however, only 14 parking permits, plus one parking for the van, can be used at any one time. The Parking Enforcement officers will monitor the use of the parking permits. Any discrepancy in the use of more than 14 parking permits at any one time would be addressed by the Administrator directly with the Library Director.

Council Member Alida Kass requested that Resolution #15-128 be removed from the Consent Agenda for discussion and vote.

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

RESOLUTION #15-128

RESOLUTION AUTHORIZING THE SHADE TREE COMMISSION TO DISPLAY BANNERS ON DECORATIVE STREET LIGHT STANCHIONS ALONG MAIN STREET TO PROMOTE TREE PLANTING AND RELATED ACTIVITIES

WHEREAS, the Shade Tree Commission seeks permission from the Mayor and Borough Council to display banners on the decorative street light stanchions along Main Street to promote tree planting and related activities; and

WHEREAS, banners promoting tree planting may be displayed by the Shade Tree Commission during the months of April and May to coincide with National Arbor Day, April 24, 2015, and at such other times throughout the year, as appropriate, and provided there are no existing conflicts with respect to other banners previously approved to be displayed on the decorative street light stanchions; and

WHEREAS, the Department of Community Services, together with the Borough Administrator, shall arbitrate any issues arising in connection with displaying of banners on the decorative street light stanchions along Main Street.

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Chatham that they hereby approve the display of banners on the decorative street light stanchions along Main Street by the Shade Tree Commission to promote tree planting and related activities during the months of April and May to coincide with National Arbor Day, April 24, 2015, and at such other times throughout the

year, as appropriate, and provided there are no existing conflicts with respect to other banners previously approved to be displayed on the decorative street light stanchions; 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.

Council President Gerald Helfrich moved to remove Resolution #15-128 from the Consent Agenda for discussion and vote. The motion was seconded by Council Member James Collander.

Mayor Bruce Harris opened Resolution #15-128 for discussion.

Council Member Alida Kass commented that she would like to reduce visual clutter and opined that banners should be used only for specific events, such as the Farmer's Market and Shop Chatham. Council Member Kass reiterated that a Borough policy is needed to establish guidelines with respect to the messaging and content of banners displayed in the Borough.

Council Member James Collander objected to the broad language used in the resolution, allowing banners to be displayed "at such other times throughout the year, as appropriate."

Council Member John Holman agreed, stating guidelines are needed to address the scope of timeframes when banners can be displayed, as well as, who can display banners.

Council President Gerald Helfrich noted that the Resolution states "the Department of Community Services, together with the Borough Administrator, shall arbitrate any issues arising in connection with displaying of banners" and voiced his consent with this provision.

Mr. Falzarano confirmed that he would not approve any banner without the Council's prior consent.

Mayor Bruce Harris closed discussion and asked for the Borough Clerk for a Roll Call Vote.

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

The Borough Clerk stated Resolution #15-128 was defeated.

Mayor Bruce Harris proceeded with Resolution #15-123 through Resolution #15-127 and Resolution #15-129 through Resolution #15-132 listed on the Consent Agenda.

CONTRACTS

RESOLUTION #15-123

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO LTI, INC. FOR GRASS AND PROPERTY MAINTAINANCE SERVICES IN THE AMOUNT NOT TO EXCEED \$32,053.50

WHEREAS, the Director of Public Works solicited proposals from four (4) qualified contractors for grass and property maintenance services for the 2015 calendar year; and

WHEREAS, four (4) quotations were received as follows:

<u>VENDOR</u>	<u>QUOTE AMOUNT</u>
1. LTI, Inc.	\$ 32,053.50
2. Donofrio & Son Inc.	\$ 33,289.00
3. Pat Scanlan Landscaping, Inc.	\$ 66,500.00
4. Florence Landscaping Service Inc.	\$176,341.00

And,

WHEREAS, the value of this contract will exceed 15% of the bid threshold, but will be less than the bid threshold of \$36,000.00, and therefore may be awarded by soliciting competitive quotes without advertising for bids under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Director of Public Works recommends that the award of the contract be made to LTI, Inc., 70-76 Passaic Avenue, Florham Park, NJ 07932 in the amount of \$32,053.50; and

WHEREAS, LTI, Inc. has submitted a Business Entity Disclosure Certification certifying that they have not made any reportable contributions to a political and/or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit the contractor from making any reportable contributions through the term of this contract; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Current Fund Account #5-01-28-375-258 for the award of this contract.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Director of Public Works and hereby authorizes the Mayor to execute the contract with LTI, Inc., in the amount of \$32,053.50, in accordance with the specifications upon which quotations were received and accepted; and

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

FINANCE

RESOLUTION #15-124

RESOLUTION ESTABLISHING A DEDICATION BY RIDER OF REVENUES FOR THE SHADE TREE COMMISSION TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 permits the Borough to use dedicated revenues anticipated from donations in support of Shade Tree Commission activities for the purposes to which said donations are made; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Shade Tree Commission Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said donations are made in accordance with N.J.S.A. 40A:5-29.

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Chatham that they hereby request permission from the Director of the Division of Local Government Services to pay expenditures of the Shade Tree Commission Trust Fund in accordance with N.J.S.A. 40A:5-29; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services; 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.

PERSONNEL

RESOLUTION #15-125

RESOLUTION PROMOTING MICHAEL KLIESCH TO THE POSITION OF EQUIPMENT OPERATOR IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works has posted the job opening for the position of Equipment Operator for the Department of Public Works and solicited resumes and applications from interested current employees of the Chatham Borough Public Works Department; and

WHEREAS, the Public Works selection committee (the "Committee") conducted interviews of interested and qualified candidates; and

WHEREAS, after considering all interested and qualified candidates the Committee finds that Michael Kliesch is the best qualified candidate for the position of Equipment Operator and has recommended his promotion to the position with an annual salary of \$71,223.00 to be prorated for the remainder of the 2015 calendar year.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Committee that Michael Kliesch is the best qualified candidate and is hereby promoted to the position of Equipment Operator with an annual salary of \$71,223.00 to be prorated for the remainder of the 2015 calendar year, effective March 1, 2015; and

BE IT FURTHER RESOLVED, that the other terms and conditions of promotion to the position of Equipment Operator are contained in a letter from the Deputy Director of Public Works to the Borough Administrator dated February 11, 2015.

OTHER

RESOLUTION #15-126

RESOLUTION TO SUBMIT A 2015 TONNAGE GRANT APPLICATION

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the spirit and intent of the Mandatory Source Separation and Recycling Act to use the tonnage grants to help communities develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, the total tonnage of recycled materials certified by the NJDEP in 2013 increased to 18,455.74 tons; and

WHEREAS, a resolution authorizing the Borough to apply for a 2015 Recycling Tonnage Grant memorializes the Borough's commitment to recycling materials and efforts to compile with the requirements of the Mandatory Source Separation and Recycling Act and recycling regulations.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the submission of a 2015 Recycling Tonnage Grant application to the NJDEP and designates Stan Serbanica to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund by the Chief Financial Officer to be used solely for the purposes of recycling; 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 #15-127

RESOLUTION ISSUING PARKING PERMITS TO THE LIBRARY OF THE CHATHAMS FOR LIBRARY EMPLOYEE USE

WHEREAS, the Library of the Chathams has requested the Mayor and Borough Council issue parking permits for Library employee use; and

WHEREAS, the Long Range Traffic and Pedestrian Safety Committee has reviewed this request and recommended that the Borough issue 38 parking permits to the Library for its employees subject to the terms and conditions set forth in this Resolution; and

WHEREAS, recognizing that the Library employs no more than 14 employees on a shift, only 14 permits will be active at any given time for Library employees working at that time; and

WHEREAS, the Library also requires a 24 hour permit for the Library van; and

WHEREAS, the permits will be only valid at the Center Street East, Center Street West and Bowers Lane lots; and

WHEREAS, it will be the responsibility of the Library Director to assure compliance with the permit terms and conditions as set forth in this Resolution; and

WHEREAS, in the event of noncompliance, the Borough Administrator will have the authority to modify or revoke the permits; and

WHEREAS, upon the Committee's recommendation, the Mayor and Borough Council recommend issuing these permits to the Library for employee use.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham that the Utilities Clerk be and hereby is authorized and directed to issue 38 parking permits to the Library of the Chathams for Library employee use subject to the terms and conditions set forth in this Resolution.

RESOLUTION #15-129

RESOLUTION RECOGNIZING THE ENVIRONMENTAL COMMISSION'S NAMING OF A CREATIVE TEAM AS A SUB-COMMITTEE IN ACCORDANCE WITH THE GUIDELINES OF SUSTAINABLE JERSEY

WHEREAS, the creative arts have long been part of the rich fabric of Chatham through the Public Arts Council, the Art League of the Chathams and other independent artists living in Chatham; and

WHEREAS, the creative arts enhance all our lives and the wellbeing of the community through art shows at Borough Hall, the Township Municipal Building, The Library of the Chathams, sculptures on display in the Borough, the Mural beneath the Fairmount Avenue Railroad Underpass and the Mural at the entrance to the Municipal Building of the Township of Chatham; and

WHEREAS, the inclusion of green and sustainability themes in our artwork manifests itself in artwork displaying the area's rich landscapes, native species, flora and fauna in addition to reinforcing the importance of sustainability in our lives; and,

WHEREAS, the Environmental Commission saw fit in March 2014 to establish an ongoing sub-committee known as "The Creative Team" consisting of a member of the Environmental Commission, (Len Resto) a Business Leader (Tony Britt), two members of the Education Community (Kate Murphy and Ruth Phillipson Dekker), two local Artists (Jen Kaplan and Ann Frommer) and a Council Liaison (Council Member Alida Kass).

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Chatham, County of Morris, State of New Jersey that they hereby fully endorse the action of the Environmental Commission in establishing the "Creative Team" as a sub-committee and look forward to their continued involvement in the life fabric of Chatham for many years to come.

RESOLUTION #15-130

RESOLUTION APPROVING THE MINUTES OF THE MADISON-CHATHAM JOINT MEETING FOR THE REGULAR AND ANNUAL MEETING OF JANUARY 20, 2015, WITH CORRECTIONS

WHEREAS, the approval of minutes of the Madison-Chatham Joint Meeting's Regular and Annual Meeting of January 20, 2015 was listed on the February 17, 2015 agenda of the Madison-Chatham Joint Meeting Finance and Operating Committee for approval; and

WHEREAS, the Borough of Chatham did not have a quorum present at the February 17, 2015 meeting of the Madison-Chatham Joint Meeting Finance and Operating Committee Meeting; and

WHEREAS, it is necessary for the Borough of Chatham to approve the Regular and Annual Meeting minutes of January 20, 2015 as prepared with corrections.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the minutes of the Madison-Chatham Joint Meeting for the Regular and Annual Meeting of January 20, 2015, as prepared with corrections, are hereby approved.

RESOLUTION #15-131

RESOLUTION APPROVING THE FEBRUARY CHECK REGISTRY AND PURCHASE ORDERS RENDERED BY THE MADISON-CHATHAM JOINT MEETING

WHEREAS, the approval of the February 2015 Check Registry and Purchase Orders Rendered

were presented on the February 17, 2015 agenda of the Finance and Operating Committee Meeting of the Madison-Chatham Joint Meeting for approval; and

WHEREAS, the Borough of Chatham did not have a quorum present at the February 17, 2015 meeting of the Finance and Operating Committee Meeting of the Madison-Chatham Joint Meeting; and

WHEREAS, the purchase orders have been reviewed and signed by Tim Day, Chatham Borough's Chief Financial Officer, Bob Landrigan, Madison Borough Councilman, and John Holman, Chatham Borough Councilman; and

WHEREAS, it is necessary for the Borough of Chatham to approve the February 2015 Check Registry and Purchase Orders Rendered for the Madison-Chatham Joint Meeting.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the February 2015 Check Registry and Purchase Orders Rendered for the Madison-Chatham Joint Meeting are hereby approved.

RESOLUTION #15-132

RESOLUTION AUTHORIZING THE REFUND OF RECREATION FEES

WHEREAS, the Borough's Recreation Coordinator for the Chatham Joint Recreation Program has advised that a refund for certain recreation fees should be refunded as follows:

Last Name	Amount	Activity	Reason
Bellas	\$55.00	Basketball	Medical

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough's Recreation Coordinator for the Chatham Joint Recreation Program to process the herein referenced recreation fee refund; 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 John Holman made a motion to approve Resolution #15-123 through Resolution #15-127 and Resolution #15-129 through Resolution #15-132 on the Consent Agenda. The motion was seconded by Council Member James Collander.

ADD-ON RESOLUTIONS

None.

Mayor Bruce Harris asked Council President Gerald Helfrich to proceed with Resolution #15-133.

Council President Gerald Helfrich read Resolution #15-133 in full.

RESOLUTION #15-133

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 Matter: 1. Record Confidentiality - Mr. Lott
2. Planning Board Matter – Mr. Lott
- Litigation Matters: 1. Tricare Litigation Update – Mr. Lott
2. David Hill Litigation Update – Mr. Lott
- Disposition of Public Land Matter: 1. 10 Oliver Street Vacation Request– Mr. Lott
2. Minisink Tennis and Swim Club Site
Improvements – 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 motion to approve Resolution #15-133. The motion was seconded by Council Member James Collander.

The Mayor and Council adjourned into Closed Session.

ADJOURNMENT

Meeting adjourned 9:05 p.m.

Respectfully Submitted:

Robin R. Kline

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