

**AGENDA**  
**February 2, 2015**

**Regular Meeting**  
**Mayor and Borough Council**

**Borough of Chatham**  
**54 Fairmount Avenue**  
**Chatham, NJ 07928**

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**CALL MEETING**      The meeting will be called to order at 7:30 p.m.  
**TO ORDER**

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**SALUTE TO FLAG**

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**MOMENT OF SILENCE**

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**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.

In addition, notice of the cancellation and rescheduling of the January 26, 2015 meeting to today's date, February 2, 2015, was emailed to the official newspapers and electronic press on January 26, 2015 and was published in the Daily Record on January 28, 2015 and the Chatham Courier on January 29, 2015.

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**ROLL CALL**

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

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**PROCLAMATIONS**

**PROCLAMATION**

**THE MAYORS' WELLNESS CAMPAIGN OF THE CHATHAMS CELEBRATING  
AMERICAN HEART MONTH, FEBRUARY 2015, AND SUPPORTING NATIONAL WEAR  
RED DAY, FRIDAY, FEBRUARY 6, 2015**

**WHEREAS**, maintaining a strong heart is key to a long and healthy life; and

**WHEREAS**, the number one killer of American men and women, cardiovascular disease, is responsible for one out of every four deaths in the United States; and

**WHEREAS**, while anyone can develop heart disease, those with high blood pressure or high cholesterol and those who smoke are at greater risk. Risk factors like diabetes, obesity, poor diet, physical inactivity, and excessive alcohol use can also increase the likelihood of developing heart disease; and

**WHEREAS**, by adopting a few healthy habits - getting regular exercise; not smoking; eating diets rich in fruits and vegetables and low in salt, saturated fat, and cholesterol - each of us can reduce our risk; and

**WHEREAS**, during AMERICAN HEART HEALTH MONTH, we renew our fight, both as a Nation and in each of our own lives, against the devastating epidemic of heart disease; and

**WHEREAS**, the Mayors' Wellness Campaign of the Chathams recognizes that more could be done in the Chathams to increase awareness of cardiovascular health and encourage people to adopt a few heart healthy habits to reduce their risk of developing heart disease; and

**WHEREAS**, cardiovascular health remains a priority for The Mayors' Wellness Campaign of the Chathams, and its commitment in helping to keep our citizens and community healthy and stronger than ever; and

**WHEREAS**, on Friday, February 6, 2015 everyone will have the chance to show their support for heart health by observing NATIONAL WEAR RED DAY® by wearing red in solidarity with those struggling with heart disease.

**BE IT RESOLVED**, that I, Bruce A. Harris, Mayor of the Borough of Chatham, together with the Council of the Borough of Chatham and the Mayors' Wellness Committee of the Chathams, encourage all citizens to celebrate the month of February as AMERICAN HEART HEALTH MONTH and invite all citizens to join us in recognizing and reaffirming our commitment to fighting cardiovascular disease by wearing red Friday February 6, 2015, on "NATIONAL WEAR RED DAY®."

## **PROCLAMATION**

### **CELEBRATING THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE EVENT IN CHATHAM BOROUGH ON MAY, 30, 2015**

**WHEREAS**, RELAY FOR LIFE is the signature activity of the American Cancer Society, which celebrates cancer survivors, those who have ever been diagnosed with cancer, and remembers those lost to the disease and empowers individuals and communities to fight back against cancer; and

**WHEREAS**, at RELAY FOR LIFE events, communities across the globe come together to celebrate cancer survivors and remember loved ones who are no longer with us. The funds raised truly make a difference in the fight against cancer; and

**WHEREAS**, in its third year, Chatham Borough is joining more than 4 million people in over 20 countries raise much-needed funds and awareness to save lives from cancer through participating in the RELAY FOR LIFE movement; and

**WHEREAS**, money raised during THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE in the Borough of Chatham, Morris County, New Jersey, helps the Society save lives and create more birthdays by helping individuals stay well, get well, fight back and find cures; and

**WHEREAS**, RELAY FOR LIFE helps make possible programs such as rides to and from treatment, “Look Good...Feel Better” sessions for women undergoing treatment, support networks, and cancer care specialists who are there to answer questions 24/7 and funds more than \$100 million in cancer research each year; and

**WHEREAS**, over the past two years, Chatham Borough has raised over \$150,000.00 for the AMERICAN CANCER SOCIETY RELAY FOR LIFE fundraising program.

**BE IT RESOLVED**, that I, Bruce Harris Mayor of the Borough of Chatham, together with the Council of the Borough of Chatham, hereby proclaim May 30, 2015 as

“RELAY FOR LIFE DAY”

in the Borough of Chatham and in doing so, invite all residents to join us in participating in Borough’s 6-hour RELAY FOR LIFE event on May 30, 2015 at the Chatham Middle School from 6:00 p.m. to 12:00 midnight to help raise much-needed funds and awareness to save lives and fight against cancer and to celebrate cancer survivors and remember loved ones who are no longer with us. Together we will find a cure.

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## **RESOLUTION #15-93**

### **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:

January 5, 2015 Reorganization Meeting

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## **DISCUSSION ITEMS**

1. 2014 Memorial Pool Report – Mr. Jim LeMon
2. Pilgrim Pipeline Signs – Ms. Dawn Ferguson
3. Pilgrim Pipeline Update – Council Member John Holman
4. Bicentennial Park Sign – Ms. Janice Piccolo
5. Fishawack Festival – Ms. Janice Piccolo and Council Member Victoria Fife
6. Library Employee Parking – Council Member James Collander
7. Crime Reports – Chief Crosson

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## **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.

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## **REPORTS**

### **Board & Commission Members & Liaison Reports**

**Affordable Housing Advisory Committee**

Mayor Bruce A. Harris

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| <b>Traffic &amp; Pedestrian Safety Advisory Committee</b>              | Council Member James J. Collander    |
| <b>MyChathamNJ Advisory Committee</b>                                  | Council Member Victoria Fife         |
| <b>Mayors' Wellness Committee</b>                                      | Council Member Victoria Fife         |
| <b>Planning Board</b>  | Council Member Victoria Fife         |
| <b>Project Community Pride</b>   | Council Member Victoria Fife         |
| <b>Public Arts Council Advisory Committee</b>                          | Council Member Victoria Fife         |
| <b>Senior Center of the Chathams</b>                                   | Council Member Victoria Fife         |
| <b>Cares &amp; Shares Advisory Committee</b>                           | Council Member James Lonergan        |
| <b>Communications &amp; Technology Advisory Committee</b>              | Council Member James Lonergan        |
| <b>Joint Recreation Advisory Committee</b>                             | Council Member James Lonergan        |
| <b>Municipal Pool Advisory Committee</b>                               | Council Member James Lonergan        |
| <b>Board of Health</b>   | Council Member John Holman           |
| <b>Farmers' Market Advisory Committee</b>                              | Council Member John Holman           |
| <b>Joint Community Gardens Advisory Committee</b>                      | Council Member John Holman           |
| <b>Madison Chatham Joint Meeting</b>                                   | Council Member John Holman           |
| <b>Board of Education</b>  | Council President Gerald J. Helfrich |
| <b>9/11 Memorial Advisory Committee</b>                                | Council President Gerald J. Helfrich |
| <b>Environmental Commission</b>  | Council Member Alida Kass            |
| <b>Historic Preservation Commission</b>                                | Council Member Alida Kass            |
| <b>Open Space &amp; Historic Preservation Trust Advisory Committee</b> | Mayor Bruce A. Harris                |
| <b>Shade Tree Commission</b>   | Council Member Alida Kass            |
|  | Council Member Alida Kass            |

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## **MAYOR'S REPORT**

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## **ADMINISTRATOR'S REPORT**

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## **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 #15-94 through Resolution #15-105 have been placed on the Consent Agenda.

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

### **RESOLUTION #15-**

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## **CONTRACTS**

### **RESOLUTION #15-94**

#### **RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ACCESS PERMIT AGREEMENT WITH NEW JERSEY TRANSIT FOR USE OF THE CHATHAM TRAIN STATION RESTROOMS FOR THE 2015 FARMERS' MARKET SEASON**

**WHEREAS**, the Chatham Farmers' Market desires to use the Chatham Train Station restrooms for its 2015 Farmers' Market season; and

**WHEREAS**, New Jersey Transit requires an Access Permit Agreement setting forth the terms and conditions for use of the Chatham Train Station restrooms and facilities; and

**WHEREAS**, the Borough of Chatham desires to enter into an agreement with New Jersey Transit for the use of the Chatham Train Station restrooms in connection with conducting the Farmers' Market for the 2015 season.

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it hereby authorizes the Mayor to sign an Access Permit Agreement with New Jersey Transit for use of the Chatham Train Station restrooms in connection with the 2015 Farmers' Market season; 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.

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## **FINANCE**

### **RESOLUTION #15-95**

#### **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 Finance Officer.

### **RESOLUTION #15-96**

#### **RESOLUTION AUTHORIZING THE IMPLEMENTATION OF A SECTION 125 FLEXIBLE BENEFITS PLAN FOR THE PURPOSE OF OFFERING PRE-TAX EMPLOYEE PREMIUM CONTRIBUTIONS AND FLEXIBLE SPENDING ACCOUNTS AT NO FINAL COST TO THE BOROUGH OF CHATHAM**

**WHEREAS**, the Borough of Chatham previously adopted a Code Section 125 plan, also known as a Flexible Spending Account, (the "Plan"), providing an opportunity for employees to have employer sponsored benefit plan premium contributions, as well as, voluntary plan premiums, deducted pre-tax through payroll and thereby saving immediate Federal and FICA taxes; and

**WHEREAS**, providing an opportunity for employees to elect to participate in Flexible Spending Accounts for Medical Expense Reimbursement and Dependent Care Expense

Reimbursement and have their contributions deducted pre-tax through payroll thereby saving immediate Federal and FICA taxes; and

**WHEREAS**, Aflac Benefit Services provides a discounted fee schedule for Section 125 Premium Only Plan and Flexible Spending Account services at no final employer cost after employer matching FICA payroll tax savings with sufficient employee participation as a value added benefit to offering Aflac supplemental insurance benefits and education services to employees on a voluntary basis at no employer cost; and

**WHEREAS**, providing an opportunity for the Borough of Chatham to save matching FICA payroll taxes on all employee elective pre-tax plan contributions, premiums and premium contributions which are payroll deducted on a pre-tax basis through the Section 125 Flexible Benefits Plan hereby saving the Borough of Chatham 7.65% of all pre-taxed plan contributions, premiums and premium contributions for F.I.C.A. eligible employees.

**BE IT RESOLVED**, that the Borough of Chatham hereby recognizes and authorizes Aflac to provide a Section 125 Flexible Benefits Plan for its employees with employee voluntary contributory Flexible Spending Accounts with the following specifications:

- Medical Expense Reimbursement: \$2,500.00 Annual Maximum.
- Dependent Care Expense Reimbursement: \$5,000.00 Annual Maximum; and

**BE IT FURTHER RESOLVED**, that the Borough of Chatham hereby recognizes and authorizes payment of discounted administrative fees to Aflac as follows:

- 1) Initial Account Setup Fee – Waived
- 2) Annual Renewal Fee – Waived; and

**BE IT FURTHER RESOLVED**, that the Borough of Chatham hereby authorizes Aflac to enroll its employees in their pre-tax elections; and

**BE IT FURTHER RESOLVED**, that the Section 125 Plan shall be effective on January 1, 2015 or until such time the Borough terminates the plan; and

**BE IT FURTHER RESOLVED**, that such payroll deductions for participation in the Section 125 pre-tax premiums shall take effect with the first payroll period after January 1, 2015; and

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

## **RESOLUTION #15-97**

### **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 seller's mortgage lender and purchaser's mortgage lender at the date of closing 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                    |
|---------|-----------------------------------|------------|-----------------------------|
| 97 / 1  | Baum, Matthew<br>40 Chandler Road | \$6,455.96 | 2014 – 3 <sup>rd</sup> Qtr. |

Mortgage company and the property owner paid the 3<sup>rd</sup> quarter tax bill to the Borough of Chatham. Both payments were deposited by the Borough and a refund is due to the property owner.

Make check payable and mail to:  
Mr. Matthew Baum  
40 Chandler Road  
Chatham, NJ 07928

**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.

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## **LAW & PUBLIC SAFETY**

### **RESOLUTION #15-98**

#### **RESOLUTION CONCURRING WITH THE SPEED LIMITS ESTABLISHED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE NEW ROUTE NJ 124 WITHIN THE CORPORATE LIMITS OF THE BOROUGH OF CHATHAM**

**WHEREAS**, the New Jersey Department of Transportation (“NJDOT”) recently conducted an investigation of speed limit zones along Route NJ 124, formerly part of Route NJ 24; and

**WHEREAS**, based upon the results of the investigation, the NJDOT has determined that the existing speed limits are realistic and reasonable for existing conditions and should be maintained as follows:

Speed Limits Along Route NJ 124 for both directions of traffic

- (A) Zone 1: 35 MPH between the Madison Borough-Chatham Borough corporate line and Washington Avenue (approximate mileposts 5.90 to 6.47)
- (B) Zone 2: 30 MPH between Washington Avenue and Summit Avenue (approximate mileposts 6.47 to 6.98)
- (C) Zone 3: 35 MPH between Summit Avenue and the Chatham Borough-Millburn Township corporate line (Passaic River) (approximate mileposts 6.98 to 7.34)

and,

**WHEREAS**, since the current speed limit approvals reference Route NJ 24 within the corporate limits of the Borough of Chatham, they must be revised to reflect the new Route NJ 124; and

**WHEREAS**, the NJDOT is required to promulgate a Traffic Regulation Order in order to legally establish the speed limits for the new Route NJ 124 and therefore has requested that the Borough submit a certified, adopted resolution of concurrence to the NJDOT.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby concur with the existing speed limits referenced herein; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is directed to provide a certified copy of this resolution to the NJDOT and to Chief Crosson, Chatham Borough Police Department.

## **RESOLUTION #15-99**

### **RESOLUTION OPPOSING THE INSTALLATION OF MID-BLOCK CROSSWALK ON ROUTE 124 BETWEEN BOWERS LANE AND SOUTH PASSAIC AVENUE IN FRONT OF THE LIBRARY OF THE CHATHAMS**

**WHEREAS**, there has been a request made to the New Jersey Department of Transportation (“NJDOT”) to investigate the feasibility of installing a mid-block crosswalk on Route 124 between Bowers Lane and South Passaic Avenue in front of the Library of the Chathams; and

**WHEREAS**, in order to install the crosswalk, the NJDOT is required to undertake an investigation and promulgate a traffic regulation order; and

**WHEREAS**, the adoption of a resolution of concurrence by the municipal governing body pursuant to N.J.S.A. 39:4-8.4(c) is a necessary precondition to the issuance of a traffic regulation order; and

**WHEREAS**, the NJDOT has determined that at least six (6) parking stalls along Route 124, three (3) on each side of the State highway, will need to be removed in connection with the installation of the crosswalk in order to comply with the statutory parking restrictions as they related to crosswalks pursuant to N.J.S.A. 39:4-138e; and

**WHEREAS**, the Borough’s Long Range Traffic and Pedestrian Safety Planning Committee (the “Committee”) considered the feasibility of installing the crosswalk; and

**WHEREAS**, after consulting with the Borough Traffic Safety Officer and the Library Director, the Committee recommends against the installation of the crosswalk because the crosswalk would not meet the requirements set forth by the Manual on Uniform Traffic Control Devices related to the placement of mid-block crosswalks and would result in the loss of parking along both sides of Route 124; and

**WHEREAS**, based upon the Committee’s recommendation, the Mayor and Borough Council do not support the installation of the crosswalk.

**BE IT RESOLVED**, by the Mayor and Chatham Borough Council that the Mayor and Borough Council do not support the installation of a mid-block crosswalk on Route 124 between Bowers Lane and South Passaic Avenue in front of the Library of the Chathams; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby directed and authorized to transmit a certified copy of this Resolution to the NJDOT and to the Morris County Board of Chosen Freeholders.

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## **BOARDS, COMMISSIONS & COMMITTEES**

### **RESOLUTION #15-100**

#### **RESOLUTION DESIGNATING THE CHATHAM BOROUGH ENVIRONMENTAL COMMISSION AS THE GREEN TEAM TO SERVE AS THE BOROUGH’S LEAD AGENCY IN THE IMPLEMENTATION OF THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM**

**WHEREAS**, the Mayor and Borough Council are vigilant about protecting the health, safety, and welfare of our residents through environmental stewardship; and



**WHEREAS**, Resolution #09-144 adopted by the Mayor and Council of the Borough of Chatham on April 27, 2009 authorized the Borough's participation in the Sustainable Jersey Municipal Certification Program; and

**WHEREAS**, Borough residents appreciate a program like the Sustainable Jersey Municipal Certification Program, which provides a framework for success, with many options, and the freedom to choose the options, that work best for Chatham Borough; and

**WHEREAS**, Borough residents want an approach to environmental education that will equip the municipality with the skills necessary to manage the environmental impact inherent in all activities, and to adopt sustainable practices and behaviors; and

**WHEREAS**, the Borough of Chatham achieved Sustainable Jersey Bronze Certification in 2010 and Silver Certification in 2012; and

**WHEREAS**, the Borough of Chatham received the Sustainable Jersey Champion Award for Medium-sized Municipality in 2012 and shared the Sustainable Jersey Collaboration Award with Chatham Township in 2009; and

**WHEREAS**, the Environmental Commission of the Borough of Chatham was created by Ordinance in 1968 for the protection of all natural resources located in the Borough, including open space preservation, water resource management, air pollution control, solid waste management, noise control, soil and landscape practices, environmental appearance, protection of flora and fauna, and the environmental impacts of proposed activities in and affecting Chatham Borough; and

**WHEREAS**, the Mayor and Council wishes to authorize the Environmental Commission to serve as the Borough's lead agency for the Sustainable Jersey Municipal Certification Program.

**BE IT RESOLVED**, that the Mayor and Council of Chatham Borough hereby designates the Chatham Borough Environmental Commission to serve as the "Green Team" to lead in the sustainable activities of the community and in coordinating the implementation of local initiatives and actions that will lead to maintaining and expanding Sustainable Jersey certification; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Chatham do hereby authorize the Environmental Commission of the Borough of Chatham to form subcommittees, as appropriate, to implement specific actions of the Sustainable Jersey municipal certification program. Members of the subcommittees may be selected from municipal staff and elected officials in a liaison capacity and from volunteer members of Chatham Borough commissions, boards, and committees, school representatives, and other community volunteers and representatives; 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.

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## **PERSONNEL**

### **RESOLUTION #15-101**

### **RESOLUTION AMENDING RESOLUTION #15-32 SETTING FORTH THE HOURLY RATE FOR SCHOOL CROSSING GUARDS FOR YEAR 2015**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the following School Crossing Guards for the school calendar year 2015 be appointed at the hourly rate of pay of \$21.08:

|                     |                   |                    |
|---------------------|-------------------|--------------------|
| David Achille       | Kathleen Donnelly | Janice Parcels     |
| Thomas Boland       | Janine Eggerman   | Susan Piana        |
| Donna Cali-Charles  | Melon Grimm       | Nancy Renzulli     |
| Patricia Casteliano | Anne Kling        | Lizbeth Salinardi  |
| Carmela Cooke       | Anthony Lombardi  | Mark Spinner       |
| Marjorie Conlan     | Richard Loock     | Jacqueline Sweetin |
| Richard Crater      | Harvey Ochs       | Grace Walsh        |
|                     |                   | Judith Whiteside   |

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## **RECREATION**

### **RESOLUTION #15-102**

#### **RESOLUTION AMENDING RESOLUTION #15-87 ENTITLED, RESOLUTION OF AGREEMENT FOR THE JOINT CHATHAM RECREATION PROGRAM FOR CHATHAM BASEBALL, SOFTBALL, FOOTBALL, FIELD HOCKEY, SOCCER, LACROSSE AND BASKETBALL CLUBS, TO INCLUDE THE CHATHAM YOUTH WRESTLING CLUB**

**WHEREAS**, on January 5, 2015, the Mayor and Council of the Borough of Chatham adopted Resolution #15-87 authorizing agreements for the Joint Chatham Recreation Program for Chatham Baseball, Softball, Football, Field Hockey, Soccer, Lacrosse and Basketball Clubs; and

**WHEREAS**, it is necessary to amend Resolution #15-87 to include the Chatham Youth Wrestling Club program; and

**WHEREAS**, Chatham Borough (the “Borough”) and Chatham Township (the “Township”) have sponsored joint sports programs through the Joint Recreation Advisory Committee (the “Joint Chatham Recreation Program”) for over twenty years; and

**WHEREAS**, the not-for profit sports clubs for Chatham baseball, softball, football, field hockey, soccer, lacrosse, basketball and wrestling (collectively, the “Clubs”) manage various sports programs for the Joint Chatham Recreation Program; and

**WHEREAS**, the Borough and the Township recognize that they will from time to time provide support and assistance to the Clubs through the Borough and Township’s respective designees; and

**WHEREAS**, the Borough and Township recognize that municipal and/or the School District of the Chathams facilities are needed to support participation; and

**WHEREAS**, the Clubs shall pay the facility maintenance trust fee that is recommended annually by the Joint Recreation Advisory Committee and established by the Chatham Township Committee and Chatham Borough Council that is considered ordinary and commensurate with the fee charged to other sports for same. The fee shall be paid within thirty (30) days from the activity registration closing date. All monies shall be deposited in a dedicated recreation trust account to be held and maintained by the Borough; and

**WHEREAS**, the Clubs agree to and shall obtain and pay for insurance policy premiums that cover players, coaches and staff to include general liability, basic accident medical, catastrophic accident, directors’ and officers’ liability and excess liability in amounts satisfactory to the Borough

and Township Administrators (limits not less than \$1,000,000 (one million dollars) and naming the Borough of Chatham and the Township of Chatham as additional insured parties); and

**WHEREAS**, the Clubs agree to indemnify, hold harmless and defend the Joint Recreation Advisory Committee, as well as the Borough, Township and School District of the Chathams, and their respective officials, employees, volunteers and agents, from any and all liabilities, claims, injuries (including death), losses or damages of whatever nature, arising out of or resulting from Club activities; and

**WHEREAS**, the Clubs shall be responsible for the collection of fees, purchase and issue of uniforms and equipment for all participants as well as the payment of officials and trainers; and

**WHEREAS**, the Clubs recognize that the Joint Recreation Advisory Committee, in consultation with the Borough, the Township and/or the School District of the Chatham, reserve the exclusive right to change the current facility use model in regards to access, time and/or location as needed; and

**WHEREAS**, the Clubs agree to maintain communication with the Joint Recreation Advisory Committee regarding program philosophy, annual fees and any changes/additions to the current program content; and

**WHEREAS**, the Clubs agree to adopt and follow the grievance procedure and Code of Conduct approved by the Joint Chatham Recreation Advisory Committee; and

**WHEREAS**, the Clubs agree to comply with the Joint Chatham Recreation Program's facility use policy, background check policy and procedures, and training certification (Rutgers S.A.F.E.T.Y. Clinic or evidence that of equivalent training); and

**WHEREAS**, the Clubs agree to provide the Borough and the Township, upon request, with the participants name and grade, parent names, addresses and e-mail addresses of all the seasonal participants to be used for Joint Chatham Recreation Program's purposes only; and

**WHEREAS**, non-resident participants will not be added to programs without first obtaining the approval of the Joint Recreation Advisory Committee; and

**WHEREAS**, the Clubs agree that the Joint Recreation Advisory Committee's designee(s) and liaison(s) shall be invited to attend the Clubs' board meetings; and

**WHEREAS**, when requested by the Joint Recreation Advisory Committee, a representative of the Clubs' board shall attend and participate in meetings of the Joint Chatham Recreation Advisory Committee as a non-voting member.

**BE IT RESOLVED**, by the Mayor and Chatham Borough Council that the above recitals are incorporated herein as though fully set forth; and

**BE IT FURTHER RESOLVED**, that the president of each of the Clubs, being authorized to sign on behalf of his/her respective Club, signs this Resolution and thereby agrees to all the terms and conditions set forth herein; and

**BE IT FURTHER RESOLVED**, that failure to follow the terms and conditions set forth herein could necessitate that the use of the Borough, Township and School District of the Chathams facilities could give the club unequal footing within their typical in-season for play or events; and

**BE IT FURTHER RESOLVED**, that this resolution will be effective on the date that the Chatham Township Committee adopts a companion resolution.

## **RESOLUTION #15-103**

### **RESOLUTION AUTHORIZING TERMINATION OF THE SHARED SERVICES AGREEMENT FOR OPERATION OF A JOINT RECREATION PROGRAM**

**WHEREAS**, the Borough of Chatham and Township of Chatham are parties to a Shared Services Agreement for the operation of a joint recreation program (the “Agreement”) whereby the parties employ a Joint Recreation Director and Assistant Recreation Director; and

**WHEREAS**, paragraph 7 of the Agreement provides that “[t]he Agreement may be terminated by either the Township or the Borough upon six (6) month written notice to the other party”; and

**WHEREAS**, recognizing that the joint recreation program now utilizes a club model, the Mayor and Borough Council of the Borough of Chatham have determined that the Agreement is no longer necessary and that it is in the best interest of the Borough and its residents to terminate the Agreement.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby wish to terminate the Shared Services Agreement for the operation of a joint recreation program with Chatham Township; and

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby directed to notify Chatham Township of the Borough’s desire to terminate the Shared Services Agreement in accordance with the terms of the agreement; 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.

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## **OTHER**

## **RESOLUTION #15-104**

### **RESOLUTION AUTHORIZING THE CHATHAM HIGH SCHOOL THEATER DEPARTMENT TO HANG ONE BANNER ON BICENTENNIAL PARK FENCE**

**WHEREAS**, the Chatham High School Theater Department has requested permission to hang one (1) 4’ by 8’ banner on the Bicentennial Park fence beginning the week of February 16, 2015 to advertise and promote its spring musical “Once Upon a Mattress” scheduled for March 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup>, 2015.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Chatham High School Theater Department is granted permission to hang one (1) 4’ by 8’ banner on the Bicentennial Park fence beginning the week of February 16, 2015 to advertise and promote its upcoming spring musical production; and

**BE IT FURTHER RESOLVED**, that the Chatham High School Theater Department shall remove the banner on, or by, March 8<sup>th</sup>, 2015; and

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

## **RESOLUTION #15-105**

### **RESOLUTION AUTHORIZING AN INTERNSHIP PROGRAM FOR THE BOROUGH OF CHATHAM FOR CALENDAR YEAR 2015**

**WHEREAS**, internships help individuals gain experience, develop skills, make connections, strengthen their resumes, learn about a field, and assess their interest and abilities, which facilitates a positive future; and

**WHEREAS**, internships have helped the Borough take advantage of short-term support to effectively manage workflow to accomplish immediate objectives; and

**WHEREAS**, internships help Borough staff to be more productive and frees them up to accomplish more creative tasks or those tasks requiring higher-level strategic thinking or expertise.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize an internship program for the Borough for calendar year 2015; and

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

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#### **CONSENT AGENDA VOTE:**

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #15-94 through #15-105.

Council Member \_\_\_\_\_: I would like to make a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Council.

Seconded by Council Member:\_\_\_\_\_.

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#### **ADD-ON RESOLUTIONS**

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#### **ORDINANCES FOR FIRST READING**

Mayor Harris asks Council Member Lonergan to introduce Ordinance #15-01.

Council Member Lonergan introduces Ordinance #15-01 by title as follows:

#### **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.**

Council Member Lonergan explains the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Lonergan reads:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on February 2, 2015.

**BE IT RESOLVED**, that at the Council meeting to be held on February 23, 2015 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED** that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in the Municipal Building and make copies available to members of the general public. And I do so move.

Seconded by Council Member:\_\_\_\_\_.

Mayor asks Clerk for a Roll Call Vote:

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

Mayor Harris asks Council Member Collander to introduce Ordinance #15-02.

Council Member Collander introduces Ordinance #15-02 by title as follows:

**ORDINANCE #15-02**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING THE  
BOROUGH OF CHATHAM LOCAL VIOLATIONS BUREAU SCHEDULE  
(TRAFFIC RELATED OFFENSES)**

Council Member Collander explains the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Collander reads:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on February 2, 2015.

**BE IT RESOLVED**, that at the Council meeting to be held on February 23, 2015 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED** that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in the Municipal Building and make copies available to members of the general public. And I do so move.

Seconded by Council Member:\_\_\_\_\_.

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

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

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## **RESOLUTION #15-106**

### **RESOLUTION TO ADJOURN INTO CLOSED SESSION**

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

- Attorney-Client Privilege: 1. Minisink Swim & Tennis Club Site Improvements – Mr. Lott  
Contract Matters: 2. St. Paul's Agreement – Mr. Lott  
3. AT&T Lease – Mr. Falzarano

**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.

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## **ADJOURNMENT**