

AGENDA
March 9, 2015

Regular Meeting
Mayor and Borough Council

Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928

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

SALUTE TO FLAG

MOMENT OF SILENCE

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

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

RESOLUTION #15-134

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 23, 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 23, 2015

DISCUSSION ITEMS

1. 2015 Budget Presentation – Mr. Timothy Day
2. Farmers’ Market Update – Council Member John Holman
3. Farmers’ Market Spotlight on Local Business Program – Council Member John Holman
and Ms. Janice Piccolo
4. Community Garden Update – Council Member John Holman
5. Morris County Community Development Representative – Mr. Robert Falzarano

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.

REPORTS

Council Committees

| | |
|--|-----------------------------------|
| Budget and Finance | Council Member James Lonergan |
| Long Range Traffic & Pedestrian Safety Planning | Council Member James J. Collander |
| Public Safety & Emergency Services | Council Member James J. Collander |
| Personnel | Council Member Victoria Fife |
| Public Works Planning | Council Member John Holman |
| Shared Services & 3rd Party Agreements | Council President Gerald Helfrich |

MAYOR’S REPORT

ADMINISTRATOR’S REPORT

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 #15-135 through Resolution #15-140 have been placed on the Consent Agenda.

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

RESOLUTION #15-

APPOINTMENT

RESOLUTION #15-135

RESOLUTION REAPPOINTING ANNE MANDAL AS CERTIFIED MUNICIPAL REGISTRAR

WHEREAS, pursuant to N.J.S.A. 26:8-14, there is a need for the Borough of Chatham to appoint a Certified Municipal Registrar of Vital Statistics; and

WHEREAS, Anne Mandal a Certified Municipal Registrar and has indicated a willingness to be reappointed to serve a 3-year term as the Borough's Certified Municipal Registrar of Vital Statistics.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Anne Mandal is hereby reappointed as a Certified Municipal Registrar effective March 24, 2015 with such term to expire March 24, 2018.

CONTRACT

RESOLUTION #15-136

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL ALLIANCE GRANT APPLICATION FOR GRANT YEAR JULY 2015 – JUNE 2016

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government, schools, law enforcement, nonprofit organizations and the faith community in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough of Chatham, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem across all communities in our society and amongst people of all ages; and

WHEREAS, the Borough of Chatham and the Township of Chatham have combined efforts and established the Municipal Alliance Committee of the Chathams; and

WHEREAS, the Municipal Alliance Committee of the Chathams was approved for Municipal Alliance grant funding for Grant Year July 2014 – June 2015; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has agreed to make a \$20,073.00 grant funding allocation available to the Municipal Alliance Committee of the Chathams for Grant Year July 2015 – June 2015, contingent upon meeting the Municipal Alliance Committee of the Chathams contributing a 25% Cash Match (\$5,018.25) and a 75% In-kind Match (\$15,054.75) for a Total Alliance Budget of \$40,146.00; and

WHEREAS, the Borough of Chatham and Township of Chatham will equally contribute the Cash Match and In-Kind Match required for the grant funding.

BE IT RESOLVED, by the Council of the Borough of Chatham that it does hereby authorize the Mayor to execute the Municipal Alliance Grant Application for Grant Year July 2015 – June 2016; and

BE IT FURTHER RESOLVED, that the Mayor is permitted to execute any supplement or amendment to the Municipal Alliance Grant Application that increases the grant funding allocation; 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 #15-137

RESOLUTION TO APPROVE PAYMENT OF VOUCHERS

WHEREAS, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

BE IT RESOLVED by the Borough Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #15-138

RESOLUTION REAFFIRMING APPOINTMENTS TO THE CHATHAM BOROUGH BOARD OF HEALTH AND CORRECTING RESPECTIVE TERM DATES

WHEREAS, an audit of volunteer appointments made to the Chatham Borough Board of Health revealed administrative errors were made concerning certain appointments and their respective appointed term dates; and

WHEREAS, it is necessary to reaffirm certain Mayoral appointments to the Chatham Board of Health and correct their respective term dates; and

WHEREAS, Borough records reflect that Micki Chaput and Rita Marts were appointed as Regular Members by Resolution #10-01, adopted on January 4, 2010 to a 3-year term commencing on 01/01/2010 and ending 12/31/2012 and their respective re-appointments were made in 2014 by Resolution #14-02 adopted on January 6, 2014, reflecting a 3-year term date commencing on 01/01/14 and ending on 12/31/2016; and

WHEREAS, Micki Chaput and Rita Marts should have been reappointed at the 2013 January Reorganization Meeting to serve a 3-year term commencing on 01/01/2013 and ending 12/31/2015; and

WHEREAS, Borough records reflect that Kay I. Kaiser and Sally Meyers were appointed as Alternate 1 and Alternate 2 Members, respectively, by Resolution #13-03, adopted on January 7, 2013 for a 2-year term commencing on 01/01/2013 and ending 12/31/2014; and

WHEREAS, by Resolution #15-05, adopted on January 5, 2015, Kay I. Kaiser and Sally Meyers were re-appointed to a 1-year term commencing on 01/01/2015 and ending 12/31/2015; and

WHEREAS, Kay I. Kaiser and Sally Meyers should have been appointed to a 2-year term commencing on 01/01/2015 and ending on 12/31/2017.

BE IT RESOLVED, that the Borough Council of the Borough of Chatham does hereby reaffirm the following Mayoral appointments, with corrected terms of appointment as follows:

Board of Health

| <u>Name</u> | <u>Position</u> | <u>Term</u> |
|------------------|-----------------|-----------------------|
| Micki Chaput | Regular Member | 01/01/2013-12/31/2015 |
| Rita Marts, R.N. | Regular Member | 01/01/2013-12/31/2015 |
| Kay I. Kaiser | Alternate 1 | 01/01/2015-12/31/2016 |
| Sally Meyers | Alternate 2 | 01/01/2015-12/31/2016 |

OTHER

RESOLUTION #15-139

RESOLUTION AUTHORIZING THE RELAY FOR LIFE EVENT TO BE HELD ON SATURDAY, MAY 30, 2015

WHEREAS, Relay for Life is the American Cancer Society's signature fund-raising event in support of research, education, advocacy, and cancer patient services; and

WHEREAS, the Relay for Life event is a community-owned/volunteer-driven event, not simply to raise funds, but to help the American Cancer Society fight against cancer, save lives, celebrate cancer survivors, and remember loved ones who are no longer with us; and

WHEREAS, on May 30, 2015 at Chatham Middle School Haas Field from 6:00 p.m. to 12:00 midnight the Relay for Life Event will take place in Chatham Borough with plenty of food, fun, music, entertainment for everyone, and ceremonies honoring those who have been affected by cancer; and

WHEREAS, the Mayor and Borough Council wish to recognize this event as a public celebration that is not subject to the Borough's noise ordinance. However, should the Chatham Borough Police Department receive complaints regarding noise, the event sponsors shall comply with the directions of the Chatham Police Department to mitigate the complaint.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the Relay for Life Event to be held on May 30, 2015 at Chatham Middle School Haas Field from 6:00 p.m. to 12:00 midnight and encourage residents to display purple ribbons outside their homes or business on May 30, 2015 in support of Relay for Life Day in the Borough; and

BE IT RESOLVED, that the Relay for Life event coordinators are hereby granted permission to hang one (1) banner at the Train Station South Lot beginning the week of May 12, 2015 to advertise and promote the Relay for Life event and the banner and all materials, including ribbons and signs promoting the event, shall be removed by Monday, June 1, 2015; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council extend their appreciation to the many volunteers who give their time to plan, coordinate and manage the Relay for Life event; 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 #15-140

RESOLUTION AUTHORIZING THE CHATHAM HISTORICAL SOCIETY TO DISPLAY A BANNER AT BICENTENNIAL PARK AND LAWN SIGNS AT REASONER PARK

WHEREAS, on March 26, 2015, The Chatham Historical Society will be hosting the Road Show Evening of Appraisals; and

WHEREAS, The Chatham Historical Society submitted a request to the Mayor and Borough Council to advertise the event and display a banner at Bicentennial Park and lawn signs at Reasoner Park; and

WHEREAS, the Mayor and Borough Council support the Road Show Evening of Appraisals.

BE IT RESOLVED, by the Mayor and Borough Council that the display of one banner at Bicentennial Park and two lawn signs at Reasoner Park is hereby approved; and

BE IT FURTHER RESOLVED, that the banner and lawn signs are authorized for display from March 10, 2015 to March 26, 2015; and

BE IT FURTHER RESOLVED, that the banner and lawn signs are to be removed on March 27, 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 the Resolution.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #15-135 through #15-140.

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:_____.

RESOLUTIONS REQUIRING SEPARATE ACTION

RESOLUTION #15-141

RESOLUTION AUTHORIZING TRANSFERS BETWEEN CERTAIN BUDGET RESERVE APPROPRIATIONS IN THE 2014 CURRENT FUND BUDGET PURSUANT TO N.J.S.A. 40A:4-58

WHEREAS, N.J.S.A. 40A:4-58 provides that transfers may be made between appropriation accounts in the General Budget in the last two months of the fiscal year; and

WHEREAS, such transfers are made to cover expenses in accounts in excess of that anticipated and from accounts having expenses in lesser amounts than anticipated; and

WHEREAS, these transfers do not affect the total of the operations budget as originally approved in the 2014 Current Fund Budget.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, State of New Jersey, that the Chief Financial Officer is hereby authorized to make the following line-item transfers in the 2014 Current Fund Budget with an effective date of March 9th, 2015 in accordance with N.J.S.A. 40A:4-58:

CHATHAM BOROUGH
BUDGET TRANSFERS - 2015

| Account Name | Account Number | Transfer To | Transfer From |
|--------------------------|-----------------|-------------|---------------|
| <u>TO</u> Gasoline OE | 4-01-31-460-200 | \$8,700.00 | |
| <u>FROM</u> Police OE | 4-01-25-240-200 | | \$8,700.00 |
| Totals | | \$8,700.00 | \$8,700.00 |

And,

BE IT FURTHER RESOLVED, that a certified copy of this resolution adopted by not less than a two-thirds (2/3) vote of the full membership of the governing body shall be forwarded to Borough Administrator and to the Chief Finance Officer/Treasurer.

Council Member _____: I offer Resolution #15-141 and move its adoption:

Council Member _____ seconds the motion.

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

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

RESOLUTION #15-142

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$1,334,000 GENERAL IMPROVEMENT BONDS, SERIES 2015, OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE SFY 2015 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURETRUST FINANCING PROGRAM

WHEREAS, the Borough of Chatham (the "Local Unit"), in the County of Morris, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project which consists of the rehabilitation of the Madison-Chatham Joint Meeting's Molitor Water Pollution Control Facility (the "Project"), as further defined in each of that certain Loan

Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the SFY 2015 New Jersey Environmental Infrastructure Trust Financing Program (the "Program"); and

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively; and

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Trust Loan General Improvement Bonds, Series 2015, to the Trust (the "Trust Loan Bond") and the Local Unit's Fund Loan General Improvement Bonds, Series 2015, to the State (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$1,334,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes Annotated (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

BE IT RESOLVED, by a 2/3 vote of the full membership of the Borough Council of the Local Unit (the "Borough Council") as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its Trust Loan Bond to the Trust and its Fund Loan Bond to the State, in a total aggregate principal amount not to exceed \$1,334,000, all in accordance with the provisions hereof. The Local Unit Bonds have been referred to and described in Bond Ordinance No. 14-10 of the Local Unit entitled, "BOND ORDINANCE TO AUTHORIZE THE FUNDING OF A PORTION OF THE COST OF THE REHABILITATION OF THE MADISON-CHATHAM JOINT MEETING'S MOLITOR WATER POLLUTION CONTROL FACILITY IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,334,000 TO PAY THE COST THEREOF, 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 was finally adopted by the Borough Council at a meeting thereof duly called and held on November 24, 2014, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amount of the Trust Loan Bond and the Fund Loan Bond to be issued; and

- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed twenty years; and
- (c) The date of the Local Unit Bonds; and
- (d) The interest rates of the Local Unit Bonds; and
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Borough Council hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-1F. The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1T; and
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Rogut McCarthy LLC (the "Local Unit's Bond Counsel") is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Borough Auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The Mayor and the Chief Financial Officer are severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to the Local Unit's Bond Counsel and to Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Council Member _____: I offer Resolution #15-142 and move its adoption:

Council Member _____ seconds the motion.

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

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

RESOLUTION #15-143

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF CHATHAM AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE SFY 2015 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Chatham (the "Local Unit"), in the County of Morris, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project which consists of the rehabilitation of the Madison-Chatham Joint Meeting's Molitor Water Pollution Control Facility (the "Project"), as further defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the SFY 2015 New Jersey Environmental Infrastructure Trust Financing Program (the "Program"); and

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively; and

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Trust Loan General Improvement Bonds, Series 2015, to the Trust (the "Trust Loan Bond") and the Local Unit's Fund Loan General Improvement Bonds, Series 2015, to the State (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$1,334,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes Annotated, other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of that certain Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein.

BE IT RESOLVED, by a 2/3 vote of the full membership of the Borough Council of the Local Unit as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by the Mayor in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor, in his or her sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of each such Financing Document by the Mayor. The Borough Clerk is hereby authorized to attest to the execution of the Financing Documents by the Mayor and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Mayor or the Chief Financial Officer (the "Authorized Officers") and the Borough Clerk are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to Rogut McCarthy LLC, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Council Member _____: I offer Resolution #15-143 and move its adoption:

Council Member _____ seconds the motion.

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

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

ORDINANCE FOR FIRST READING

Mayor Harris asks Council Member Lonergan to introduce Ordinance #15-03.

Council Member Lonergan introduces Ordinance #15-03 by title as follows:

ORDINANCE #15-03

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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 March 9, 2015.

BE IT RESOLVED, that at the Council meeting to be held on March 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.

Council Member _____ seconds the motion.

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

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

RESOLUTION #15-144

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 Matters: 1. Chatham Township Planning Board Matter – Mr. DeNave

2. Record Confidentiality – Mr. Lott

- Disposition of Public Land Matters:
1. Minisink Swim & Tennis Club Site Improvements
– Mr. Lott
 2. Perrin Street Vacation Update – Mr. DeNave
 3. Oliver Street Vacation Request Update – Mr. DeNave

- Personnel Matter:
1. Professional Service Providers – Mayor Harris

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Borough Council will not return to public session after this closed session.

ADJOURNMENT