

**AGENDA**  
**April 13, 2015**

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

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

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

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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.

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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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**PROCLAMATION**

**CELEBRATING ARBOR DAY ON APRIL 24, 2015**

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**WHEREAS**, this special day, called Arbor Day, was first observed with the planting of more than a million trees in the State of Nebraska; and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world each year; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

**WHEREAS**, trees also increase property values, enhance the economic vitality of our business areas, and beautify our community; and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal.

**BE IT RESOLVED**, I, Bruce A. Harris, Mayor of the Borough of Chatham, together with the Borough Council, do hereby proclaim April 24, 2015 ARBOR DAY in the Borough of Chatham and encourage all citizens to join together to celebrate the benefits of community trees and to support efforts to protect our trees and woodlands for the well-being of present and future generations.

## **RESOLUTION #15-159**

### **RESOLUTION COMMEMORATING THE ARMENIAN GENOCIDE**

**WHEREAS**, this year, 2015, marks the 100<sup>th</sup> anniversary of the beginning of the historic episode referred to as the Armenian Genocide; and

**WHEREAS**, the Armenian Genocide, which spanned the period from April 1915, and continued through 1923, during World War I and its aftermath, resulted in approximately 1.5 million Armenians perishing in their ancestral lands of Asia Minor and while fleeing from those lands as the Ottoman Empire collapsed; and

**WHEREAS**, the Armenian Genocide is one of the many episodes in mankind's history of violence against an ethnic minority; and

**WHEREAS**, many of those who survived the Armenian Genocide did so with the assistance of courageous, defiant and selfless people within Asia Minor and elsewhere in the Middle East, in Europe and beyond; and

**WHEREAS**, many survivors found safe haven in the United States of America, which opened its arms and raised its lantern with the proclamation, "Give me your tired, your poor, your huddled masses yearning to breathe free"; and

**WHEREAS**, Armenians, in the light of Armenian freedom, settled and built families in the United States of America and today, cherishing the opportunities afforded by our great nation, thrive in myriad occupations and positions of leadership in our communities, business, government and institutions; and

**BE IT RESOLVED**, by the Mayor and Borough Council that they hereby encourage residents of Chatham Borough to honor Friday, April 24, 2015 as "Armenian Genocide Remembrance Day"; and

**BE IT FURTHER RESOLVED**, that we honor the memory and legacy of those who perished in the Armenian Genocide one century ago; and

**BE IT FURTHER RESOLVED**, that we make this commemoration an opportunity for all of us not to turn a blind eye to genocide, a scourge that has not yet been stopped.

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## **RESOLUTION #15-160**

### **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:

March 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:

March 9, 2015

March 23, 2015

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## **DISCUSSION ITEMS**

1. School District Budget – Dr. LaSusa
2. Monuments/Memorials Policy – Council Member Victoria Fife
3. Florham Park North Passaic Avenue Sports Dome – Ms. Diane Hickey

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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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## **ORDINANCE FOR SECOND READING**

Mayor Harris asks Council Member Fife to proceed with Ordinance #15-04.

Council Member Fife reads Ordinance #15-04 entitled:

### **ORDINANCE #15-04**

#### **ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING SECTION 165-76.2 OF THE BOROUGH CODE REGULATING GROUND-BASED MECHANICAL EQUIPMENT**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on March 23, 2015.

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

The Borough Clerk states: A legal notice was published indicating that Ordinance #15-04 was introduced and passed on first reading at the March 23, 2015 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on April 13, 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: The meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

Mayor Harris: Seeing no one else wishing to be heard, I will now close the public hearing.

Council Member Fife: I offer the following Ordinance and move 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.

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						

Mayor Harris: I declare this Ordinance adopted and finally passed and request the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

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## **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 & 3<sup>rd</sup> Party Agreements**

Council President Gerald Helfrich

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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 #15-161 through Resolution #15-168 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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## **FINANCE**

### **RESOLUTION #15-161**

#### **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.

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## **LAW & PUBLIC SAFETY**

### **RESOLUTION #15-162**

#### **RESOLUTION AUTHORIZING THE ADOPTION OF REGULATIONS FOR THE CHATHAM FIRE DEPARTMENT JUNIOR FIREMEN'S AUXILIARY COMPANY**

**WHEREAS**, Section 15-24 of the Borough Code establishes the Chatham Fire Department Junior Firemen's Auxiliary Company (hereinafter the "Auxiliary Fire Company"); and

**WHEREAS**, pursuant to Section 15-25 of the Borough Code, the Borough Administrator upon the recommendation of the Fire Department Coordinator and the Fire Chief may promulgate regulations for the proper and efficient conduct of the Fire Department; and

**WHEREAS**, the governing body of any municipality having established an Auxiliary Fire Company is required in accordance with N.J.S.A 40A:14-98 to adopt rules and regulations governing for its operations; and

**WHEREAS**, the Borough Administrator is recommending the promulgation of the regulations attached hereto as Exhibit "A" as the rules and regulations governing the operations of the Auxiliary Fire Company; and

**WHEREAS**, the Mayor and Borough Council wish to adopt Exhibit "A" as the rules and regulations governing the operations of the Auxiliary Fire Company.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey that the rules and regulations governing the operations of the Auxiliary Company, attached hereto as Exhibit "A," are hereby adopted as if fully set forth herein; and

**BE IT FURTHER RESOLVED**, that the Fire Chief is hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

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## **BOARDS, COMMISSIONS & COMMITTEES**

### **RESOLUTION #15-163**

#### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR RECERTIFICATION FOR THE ARBOR DAY FOUNDATION'S TREE CITY USA DESIGNATION**

**WHEREAS**, the Arbor Day Foundation's Tree City USA program recognizes communities across the country for their excellence in urban forestry management; and

**WHEREAS**, the Tree City USA program provides direction, assistance, and national recognition to communities by supporting the framework for a sustainable urban forest; and

**WHEREAS**, since 1909 the Borough of Chatham's Shade Tree Commission has actively been engaged in the planting and maintaining of trees along Borough streets, public rights-of-ways, municipal open spaces, and have been stewards of the health and safety of the Borough's "green infrastructure"; and

**WHEREAS**, in addition to planting and maintaining Borough trees, the volunteers of the Shade Tree Commission take time out of their busy schedules to work on projects such as community outreach, education, reviewing residents' tree concerns and identifying planting locations for new trees; and

**WHEREAS**, the Borough of Chatham is desirous of submitting an Application for Recertification in the Arbor Day Foundation's Tree City USA program, having achieved the standards set forth by the Arbor Day Foundation.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute an Application for Recertification for the Arbor Day Foundation's Tree City USA Designation; 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 #15-164**

#### **RESOLUTION AUTHORIZING THE HIRING OF THOMAS E. GRAY AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE APRIL 13, 2015**

**WHEREAS**, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham's Police Department Crossing Guard roster; and

**WHEREAS**, the Chief of Police recommends the hiring of Thomas E. Gray to fill the vacancy.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorized the hiring of Thomas E. Gray as a Crossing Guard for the Borough of Chatham Police Department effective April 13, 2015, with an hourly rate of \$20.76.

### **RESOLUTION #15-165**

#### **RESOLUTION AUTHORIZING THE HIRING OF MARGARET M. GRADY AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE APRIL 13, 2015**

**WHEREAS**, the Chief of Police has informed that a vacancy currently exists on the Borough of Chatham's Police Department Crossing Guard roster; and

**WHEREAS**, the Chief of Police recommends the hiring of Margaret M. Grady to fill the vacancy.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorized the hiring of Margaret M. Grady as a Crossing Guard for the Borough of Chatham Police Department effective April 13, 2015, with an hourly rate of \$20.76.

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**OTHER**

**RESOLUTION #15-166**

**RESOLUTION APPROVING A SOCIAL AFFAIRS PERMIT TO DISPENSE ALCOHOLIC BEVERAGES AT THE CHATHAM EMERGENCY SQUAD PICNIC SCHEDULED ON MAY 16, 2015**

**WHEREAS**, the Chatham Emergency Squad will be holding its annual picnic at Shepard Kollock Park on May 16, 2015; and

**WHEREAS**, the Chatham Emergency Squad desires to submit an Application for a Social Affairs Permit to the Division of Alcoholic Beverage Control to dispense and serve alcoholic beverages for consumption at its May 16, 2015 picnic pursuant to N.J.S.A. 33:1-74 and N.J.A.C. 13:2-5.1; and

**WHEREAS**, the Chatham Emergency Squad has submitted a completed *Reservation of Borough Facilities Application* for use of Shepard Kollock Park.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham hereby grant permission to the Chatham Emergency Squad to dispense and serve alcoholic beverages for consumption at its May 16, 2015 picnic contingent upon (i) approval of a Social Affairs Permit issued by the Division of Alcoholic Beverage Control Commission, and (ii) issuance of a Reservation of Borough Facilities Permit by signed by the Borough Administrator and Recreation Coordinator; 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 #15-167**

**RESOLUTION APPROVING A SOCIAL AFFAIRS PERMIT TO DISPENSE ALCOHOLIC BEVERAGES AT THE SENIOR SERVICES CENTER OF THE CHATHAMS 25<sup>TH</sup> ANNIVERSARY CELEBRATION SCHEDULED ON APRIL 24, 2015**

**WHEREAS**, the Senior Services Center of the Chathams will be celebrating its 25<sup>th</sup> Anniversary at an affair to be held at the Fish and Game Protective Association facility on April 24, 2015; and

**WHEREAS**, the Senior Services Center of the Chathams desires to submit an Application for a Social Affairs Permit to the Division of Alcoholic Beverage Control to sell, dispense and serve alcoholic beverages for consumption at its April 24, 2015 affair pursuant to N.J.S.A. 33:1-74 and N.J.A.C. 13:2-5.1.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham hereby grant permission to the Senior Services Center of the Chathams to sell, dispense and serve alcoholic beverages for consumption at its April 24, 2015 affair contingent upon approval of a Social Affairs Permit issued by the Division of Alcoholic Beverage Control Commission; 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 #15-168**

#### **RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO CLOSE CERTAIN DESIGNATED PARKING LOTS AND TO CONTROL AND REGULATE TRAFFIC CONDITIONS CONSEQUENT THERETO FOR THE 2015 CHATHAM FISHAWACK FESTIVAL ON JUNE 13, 2015**

**WHEREAS**, the 2015 Chatham Fishawack Festival (the “Festival”) is scheduled for June 13, 2015; and

**WHEREAS**, the Chief of Police has reviewed the traffic conditions created by the Festival and has recommended to the Borough Administrator that certain designated parking lots and roads be closed in order to facilitate the public activity created by the Festival and to control and to regulate traffic conditions consequent thereto.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that they hereby authorize the Chief of Police to close the following parking lots from 8:00 a.m. to 11:00 p.m. on June 13, 2015 to facilitate the public activity created by the Festival:

- A. Parking Lot No. 1 - Plaza North
- B. Parking Lot No. 4 - Passaic Avenue Lot
- C. Parking Lot No. 7 - Firehouse Plaza Lot

And,

**BE IT FURTHER RESOLVED**, that the Chief of Police is authorized to close roads, establish detour routes and undertake such traffic measures as deemed necessary to control and regulate traffic conditions created consequent to the closure of the aforesaid parking lots and roads.

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

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #15-161 through #15-168.

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 #15-05.



Council Member Lonergan introduces Ordinance #15-05 by title as follows:

**ORDINANCE #15-05**

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

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 April 13, 2015.

**BE IT RESOLVED**, that at the Council meeting to be held on April 27, 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						

Mayor Harris asks Council Member Lonergan to introduce Ordinance #15-06.

Council Member Lonergan introduces Ordinance #15-06 by title as follows:

**ORDINANCE #15-06**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$191,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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 April 13, 2015.

**BE IT RESOLVED**, that at the Council meeting to be held on April 27, 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						

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**RESOLUTION #15-169**

**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:

Contract Matter:	1. Special Development Planner – Mayor Harris
	2. ECLC Lease Extension – Mr. Falzarano

Potential Litigation Matter: 1. Florham Park Development- Mr. Lott

## ADJOURNMENT