

**AGENDA**  
**April 27, 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.

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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**

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

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

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

**WHEREAS**, Emergency Medical Services are now firmly established as a key component of the medical care continuum and EMS practitioners serve a vital role in saving lives from sudden cardiac arrest and trauma; in getting people to the hospitals best equipped to treat heart attacks and strokes; and in showing caring and compassion to their patients in their most difficult moments; and

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

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

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

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

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

## **RESOLUTION #15-170**

### **RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

**BE IT RESOLVED** by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

April 13, 2015

**BE IT FURTHER RESOLVED** by the Council of the Borough of Chatham that the minutes from the following Closed Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

April 13, 2015

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## **DISCUSSION ITEMS**

1. 2015 Morris County Budget – Hon. Thomas Mastrangelo, Freeholder  
and County Administrator John Bonanni
2. Water Master Plan – Mr. Vince DeNave
3. Hedges Avenue Sewer Line – Mr. Vince DeNave

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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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## **ORDINANCES FOR SECOND READING**

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

Council Member Lonergan reads Ordinance #15-05 entitled:

### **ORDINANCE #15-05**

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

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

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

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

Mayor Harris: 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 Lonergan: 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.

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

Council Member Lonergan reads Ordinance #15-06 entitled:

#### **ORDINANCE #15-06**

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

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

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

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

Mayor Harris: 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 Lonergan: 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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## **RESOLUTIONS REQUIRING SEPARATE ACTION**

### **RESOLUTION #15-171**

#### **RESOLUTION FOR SELF-EXAMINATION OF THE 2015 MUNICIPAL BUDGET**

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

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

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

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

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met and complies with the CAP law.
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

And,

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

## **RESOLUTION #15-172**

### **RESOLUTION TO READ THE 2015 OPERATING BUDGET BY TITLE**

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

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

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

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

## **RESOLUTION #15-173**

### **RESOLUTION TO ADOPT THE 2015 MUNICIPAL BUDGET**

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

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

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

Municipal Budget

Revenues

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

Appropriations

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

Water Operating Budget

Revenues

Rents and Fees	\$1,340,993.34
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Appropriations

Expenses	\$1,340,993.34
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Solid Waste Budget

Revenues

Rents and Fees	\$ 533,250.00
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Appropriations

Expenses	\$ 533,250.00
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**REPORTS**

**Board & Commission Members & Liaison Reports**

**Affordable Housing Advisory Committee**

Mayor Bruce A. Harris

**Traffic & Pedestrian Safety Advisory Committee**

Council Member James J. Collander

**MyChathamNJ Advisory Committee**

Council Member Victoria Fife

**Mayors' Wellness Committee**

Council Member Victoria Fife

**Planning Board**

Council Member Victoria Fife

**Project Community Pride**

Council Member Victoria Fife

**Public Arts Council Advisory Committee**

Council Member Victoria Fife

**Senior Center of the Chathams**

Council Member Victoria Fife

**Special Events Advisory Committee**

Council Member Victoria Fife

**Tricentennial Committee**

Council Member Victoria Fife

**Communications & Technology Advisory Committee**

Council Member James Lonergan

**Joint Recreation Advisory Committee**

Council Member James Lonergan

**Municipal Pool Advisory Committee**

Council Member James Lonergan

**Board of Health**

Council Member John Holman

**Farmers' Market Advisory Committee**

Council Member John Holman

**Joint Community Gardens Advisory Committee**

Council Member John Holman

**Madison Chatham Joint Meeting**

Council Member John Holman

**Board of Education**

Council President Gerald J. Helfrich

**9/11 Memorial Advisory Committee**

Council President Gerald J. Helfrich

**Environmental Commission**

Council Member Alida Kass

**Historic Preservation Commission**

Council Member Alida Kass

**Open Space & Historic Preservation Trust Advisory  
Committee**

Mayor Bruce A. Harris

**Shade Tree Commission**

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 #15-174 through Resolution #15-177 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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## **APPOINTMENT**

### **RESOLUTION #15-174**

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

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

**WHEREAS**, the Communications and Technology Advisory Committee shall be responsible for providing advice to the Mayor and Council on public communications matters, including, without limitation, the Borough's public access television channels, the Borough website, social networking, and related matters as may be requested by the Council; and

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

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



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

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## **CONTRACT**

### **RESOLUTION #15-175**

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

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

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

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

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

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

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## **FINANCE**

### **RESOLUTION #15-176**

#### **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 #15-177**

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

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

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

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

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

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

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

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

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

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

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #15-174 through #15-177.

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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#### **RESOLUTION #15-178**

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

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

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

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

Attorney-Client Privilege: 1. Oliver Street Vacation Request – Mr. Lott  
2. Borough Property Sale, River Road Parcel – Mr. Lott

3. Hopkins v. Chatham Borough – Mr. Lott
4. Property Donation – Mr. Lott
5. COAH Update – Mr. Lott

**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 may reconvene into Public Session after this Executive Session.

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**RETURN TO PUBLIC SESSION**

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**ADD ON:**

**RESOLUTION #15-179**

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**ADJOURNMENT**