

AGENDA
July 13, 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

PROCLAMATION

Proclamation
Borough of Chatham

WHEREAS, the Borough of Chatham having made this Proclamation on behalf of Fibrodysplasia Ossificans Progressiva known as FOP to hopefully one day display a Proclamation/Resolution book in Washington, D.C. on behalf and in support of the children and young adults in the State of New Jersey afflicted with FOP; and equally show concern for all others afflicted with FOP, and

WHEREAS, Fibrodysplasia Ossificans Progressiva is a rare genetic condition in which the body makes additional bone where bone should not form, such as within muscle, tendons, ligaments and other

connective tissues. Symptoms of FOP include excruciating pain and distortion of the existing skeletal frame; and

WHEREAS, a gene has been identified after 15 years of hard research by the University of Pennsylvania, the only known research facility currently investigating a cure for this; and

WHEREAS, discoveries made in the FOP lab by scientists and researchers may aid in the treatment or cure for other genetic diseases such as osteoporosis, arthritis, and spinal cord injuries; and

WHEREAS, the symptoms of FOP usually begin in the first or second decade of life, with the majority of patients diagnosed by age 10, depriving children of normal development. One in every seven Americans suffers from musculoskeletal impairment causing physical disability and severe long term-pain. FOP affects approximately 2,500 people worldwide.

BE IT RESOLVED that the Borough of Chatham commends Gary W. Whyte, a FOP Advocate for his dedication in making the Borough of Chatham and others aware of this affliction and for his work and support for the benefit of FOP research.

RESOLUTION #15-232

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:

June 22, 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:

June 22, 2015

DISCUSSION ITEMS

1. Stanley Church – Ms. Susan Lenz
2. Memorial – Mr. Michael Dean
3. Capital Projects – Mr. Vince DeNave
4. Water Capital Master Plan – Mr. Vince DeNave
5. Route 124 Traffic – Council Member James Collander
6. July 27, 2015 Meeting of the Mayor & Council – Mayor Bruce Harris

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 #15-233 through Resolution #15- 245 have been placed on the Consent Agenda.

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

RESOLUTION #15-

FINANCE

RESOLUTION #15-233

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.

RESOLUTION #15-234

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 mortgage lender during a refinance transaction 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 |
|---------|--|------------|------------|
| 54=17 | Gruppuso, Anthony & Colette 38 N. Summit Avenue | \$2,678.09 | 2015/2Qtr. |

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.

RESOLUTION #15-235

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 mortgage lender during a refinance transaction 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 |
|---------|--|------------|------------|
| 64=17.2 | Zaleck, Craig & Mariellen 67 Elmwood Avenue | \$3,806.81 | 2015/1Qtr. |

Please make check payable & mail to:
Linda J. Hockstein, Esquire Trust Account
660 Broadway
P.O. Box 1717
Bayonne, NJ 07002-6717

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.

RESOLUTION #15-236

RESOLUTION AUTHORIZING REFUND FOR WATER TAP SERVICE FEE

WHEREAS, the Utility Clerk for the Borough of Chatham has advised that a written request has been made for the refund of the 1-inch water tap service fee in the amount of \$1,650 for property located at 14 Cherry Lane; and

WHEREAS, the Utility Clerk has further advised that the Director of Public Works has confirmed that the existing water tap service is being utilized and a refund is due as follows:

Menza & Beissel Homes, Inc.
41 Stonehouse Road
Basking Ridge, NJ 07920
Attention: Karen Miller, Office Manager

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough's Utility Clerk to process a refund for the 1-inch water tap service fee as herein referenced.

RESOLUTION #15-237

RESOLUTION CERTIFYING RECEIPT AND REVIEW OF THE 2014 ANNUAL AUDIT REPORT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed with the Borough Clerk by the Borough's Registered Municipal Accountant pursuant to N.J.S.A. 40A:5-6, and a copy has been distributed and received by each member of the Governing Body; and

WHEREAS, N.J.S.A. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed the Annual Report of Audit, and specifically, as a minimum, the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham hereby states that it has complied with N.J.S.A. 40A:5-4 and N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit attached hereto to the Local Finance Board to show evidence of said compliance.

LAW & PUBLIC SAFETY

RESOLUTION #15-238

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) NEW AND UNUSED 2015 FORD EXPLORER UNMARKED VEHICLE FOR THE POLICE DEPARTMENT

WHEREAS, the Chatham Borough Police Department has a need to purchase one (1) new and unused 2015 Ford Expedition SSV 4x4 unmarked police vehicle; and

WHEREAS, Police Department wishes to purchase this vehicle through the New Jersey Cooperative Purchasing Program, New Jersey State Contract #A88730, pursuant to N.J.S.A 40A:11-12; and

WHEREAS, the Police Department recommends that an award of the contract be made through New Jersey State Contract #A88730 to Beyer Ford, Morristown, NJ for the purchase of one (1) new and

unused 2015 Ford Expedition SSV 4x4 unmarked police vehicle with emergency equipment and options in the amount of \$39,272.65; and

WHEREAS, the Chief Financial Officer has provided a certification of availability of funds in the amount not to exceed \$39,272.65 from General Capital Fund accounts # C-04-55-915-712, C-04-55-912-708, and C-04-55-909-250.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the Police Department is hereby authorized to purchase one (1) new and unused 2015 Ford Expedition SSV 4x4 unmarked police vehicle under state contract from Beyer Ford.

RECREATION

RESOLUTION #15-239

RESOLUTION APPOINTING A SUBSTITUTE POOL STAFF MEMBER FOR THE 2015 SUMMER SEASON

WHEREAS, the Chatham Borough Recreation Program has a need to hire substitute pool staff for the 2015 summer season; and

WHEREAS, the Department of Community Services recommends the hiring of the following individual pending completion of all paperwork requirements prior to any employment:

| Pool Staff | Salary | Position |
|-------------------|---------------|-----------------|
| O'Reilly, Brendan | \$8.38 | Substitute |

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby appoints the herein referenced individual as substitute pool staff for the 2015 summer season at the respective position and rate of pay, pending completion of all paperwork requirements prior to employment; 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.

OTHER

RESOLUTION #15-240

APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2015-2016 LICENSING TERM

WHEREAS, applications have been filed by holders of liquor licenses in the Borough of Chatham seeking the renewal of liquor licenses for the 2015-2016 licensing term; and

WHEREAS, inspections were conducted at each of the licensee's premises in accordance with N.J.S.A. 33:1-24; and

WHEREAS, the Chatham Borough Police Department prepared an annual investigation report, which reported no items of concern; and

WHEREAS, the Borough Clerk reported no objections were filed, either written or in person, with respect to the renewal of any liquor license in the Borough; and

WHEREAS, the Borough Clerk confirmed that each of the following liquor license renewal applications are complete in all respects, that all required fees have been paid, and that Tax Clearance Certificates have been issued by the New Jersey Division of Taxation:

PLENARY RETAIL CONSUMPTION LICENSES

| | |
|-----------------|---|
| 1404-33-008-001 | Charley's Aunt Inc. |
| 1404-33-002-005 | Chatham Towne Tavern, Inc. t/a River Grille |
| 1404-33-006-009 | Jamnan, Inc. t/a Restaurant Serenade |
| 1404-33-007-004 | Jesus Saves, Inc. t/a Scalini Fedeli |

PLENARY RETAIL DISTRIBUTION LICENSES

| | |
|-----------------|---------------------------------|
| 1404-44-001-006 | OMGS LLC t/a Cottage Dele |
| 1404-44-003-009 | Chatham Bottle King, Inc. |
| 1404-44-004-005 | Srinidhi Liquors LLC (inactive) |

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they are hereby satisfied that all requirements for the renewal of said liquor licenses have been met and approve the renewal of the liquor licenses for the 2015-2016 licensing term; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue liquor licenses for the 2015-2016 licensing term on the form and certificate approved by the Alcoholic Beverage Control Commission in the State of New Jersey for each of the herein referenced liquor licenses.

RESOLUTION #15-241

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE BOROUGH ADMINISTRATOR TO REQUEST INVESTIGATION OF TRAFFIC CONDITIONS ON MAIN STREET (ROUTE 124)

WHEREAS, at a recent meeting of Chatham Borough's Long Range Traffic & Pedestrian Safety Committee, the Committee discussed traffic conditions on Main Street (Route 124) in Chatham; and

WHEREAS, the Committee recommends that the Borough request that Morris County and the New Jersey Department of Transportation investigate the feasibility of locating a new interchange on Route 24 and/or the widening Route 24 from the existing Exit 7 to the Columbia Turnpike interchange in an effort to reduce traffic on Main Street (Route 124); and

WHEREAS, the Mayor and Borough Council have previously discussed traffic conditions on Main Street (Route 124) and concur with the Committee's recommendation, finding that it is in the best interest of the Borough to make said request.

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 Borough Administrator be and hereby is authorized and directed to submit a request to Morris County and the New Jersey Department of Transportation to investigate the feasibility of locating a new interchange on Route 24 and/or the widening Route 24 from the existing Exit 7 to the Columbia Turnpike interchange in an effort to improve traffic on Main Street (Route 124); and

BE IT FURTHER RESOLVED, that all other Borough officials are hereby authorized and directed to take such further action as may be necessary to implement the objectives of this Resolution.

RESOLUTION #15-242

RESOLUTION APPROVING THREE EAGLE SCOUT PROJECTS PROPOSED BY ERIK BRITT, VAN BENEDICT AND MICHAEL SALVO, SCOUT TROOP #8, TO BE CONSTRUCTED AND INSTALLED ON BOROUGH-OWNED PROPERTY

WHEREAS, Erik Britt, Van Benedict and Michael Salvo of Scout Troop #8, have requested permission to construct and install their proposed Eagle Scout project on Borough-owned property; and

WHEREAS, Erik Britt proposes to build and install two benches and one picnic table at Kelley's Pond to help promote the area as a destination place for residents to go and meet others or to relax, and further proposes to build a kiosk that will provide information on how Kelley's Pond got its name; and

WHEREAS, Van Benedict proposes to maintain the overgrown hiking trail through the Wuhala Woods area, install trail markers and repair the bog bridges to make the area usable again for residents, and further proposes to build a kiosk to display a trail map of the area; and

WHEREAS, Michael Salvos proposes to amend the scope of his Eagle Scout project that was approved last year to add a third picnic table at Memorial Park and to add a third reading table to the children's reading area at the Library of the Chathams; and

WHEREAS, the Mayor and Council recognize that each of the proposed Eagle Scout projects would be beneficial to the community and enjoyed by many residents.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve each of the stated Eagle Scout projects proposed by Erik Britt, Van Benedict and Michael Salvo, and hereby grant permission to each Eagle Scout candidate to construct and install their proposed Eagle Scout project on Borough-owned property; and

BE IT FURTHER RESOLVED, that the Mayor and Council commend Erik Britt, Van Benedict and Michael Salvo for their efforts in designing and building projects that will benefit the Chatham Borough community.

RESOLUTION #15-243

RESOLUTION AUTHORIZING VILLA MILAGRO VINEYARDS TO CONDUCT RETAIL SALES AND PROVIDE SAMPLES OF ITS PRODUCTS AT THE CHATHAM BOROUGH FARMERS' MARKET

WHEREAS, Villa Milagro Vineyards wishes to conduct retail sales and provide free samples of its products at the Chatham Borough Farmers' Market; and

WHEREAS, the New Jersey Beverage Control Act, N.J.S.A. 33:1-10(2)(a) and N.J.S.A. 33:1-10(2)(b), authorizes holders of a Farm Winery Licenses or Plenary Winery License to provide free samples of their products to the public, and sell those products, in original containers, for off-premises consumption, provided a valid permit is issued to the licensee from the Division of Alcoholic Beverage Control; and

WHEREAS, the Borough Clerk has verified that Villa Milagro Vineyards has received from the New Jersey Division of Alcoholic Beverage Control a Special Wine Festival Permit authorizing them to display and sell products produced by its winery under the authority of its New Jersey Farm Winery License or Plenary Winery License and to provide wine samples at the Chatham Borough Farmers' Market on the following dates and time in the month of July:

Saturday, 07/18/2015, 8:00 AM to 1:00 PM

Saturday, 07/25/2015, 8:00 AM to 1:00 PM

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby grant permission to Villa Milagro Vineyards to display and sell products produced by its winery and to provide free wine samples at the Chatham Borough Farmers' Market on the referenced dates and times in accordance with state laws; and

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

RESOLUTION #15-244

RESOLUTION TO AWARD CONTRACT FOR THE INSTALLATION OF DRAINAGE IMPROVEMENTS ON CENTER AVENUE TO S&L CONTRACTORS, LLC

WHEREAS, the Borough of Chatham has determined the need to improve certain Borough pathways; and

WHEREAS, the Borough of Chatham appropriates monies each year for Drainage Improvements; and

WHEREAS, the Borough Engineer has identified a drainage issue on Center Avenue; and

WHEREAS, the Borough of Chatham has received two (2) quotes for the required Drainage Installation; and

WHEREAS, the bid submitted by S&L Contractors, LLC of Berkeley Heights, N.J., in the amount of \$33,628.00 was the low quote for the drainage improvements; and

WHEREAS, the Borough Engineer has reviewed the quotes and finds the low bidder qualified; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in capital account # C-04-55-915-101.

BE IT RESOLVED by the Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract be processed and awarded to S&L Contractors, LLC of Berkeley Heights, N.J., in the amount of \$33,628.00; and

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute a contract with S&L Contractors, LLC of Berkeley Heights, N.J., in the amount not to exceed \$33,628.00 for said Improvements.

RESOLUTION #2015-245

RESOLUTION EXTENDING THE PAYMENT OF THIRD QUARTER PROPERTY TAX BILLS FROM AUGUST 1, 2015 TO AUGUST 21, 2015

WHEREAS, N.J.S.A. 54:4-64 requires municipal property tax bills to be mailed at least 47 days prior to August 1st of each year; and

WHEREAS, due to the delay in the certification of the Borough's tax rate by the Morris County Tax Board, the mailing of the 2015 tax bills will be delayed; and

WHEREAS, N.J.S.A. 54:4-64 further mandates that property taxpayers shall be given adequate notice of the date when taxes are due before interest is charged on delinquent tax payments; and

WHEREAS, by law the taxpayer has 25 days from the date of mailing of the tax bill to pay property taxes due without interest or penalty; and

WHEREAS, the taxpayer would have less than the required 25-day period from the date of mailing of the tax bill to the third quarter August 1, 2015 due date to pay property taxes due without interest or penalty.

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that tax payments due on August 1, 2015 will not be considered delinquent until August 21, 2014, after which date interest will be charged from August 1, 2015 to the date of payment.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #15-233 through #15-245.

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:_____.

ADD-ON RESOLUTION

RESOLUTION REQUIRING SEPARATE ACTION

RESOLUTION #15-246

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF CHATHAM AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$4,258,000 BOND ANTICIPATION NOTE AND A \$24,000 SPECIAL EMERGENCY NOTE, BOTH ISSUES DATED JULY 16, 2015 AND PAYABLE JULY 15, 2016, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Chatham, in the County of Morris, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$4,258,000 bond anticipation note and a \$24,000 special emergency note, both issues dated July 16, 2015 and payable July 15, 2016 (collectively, the "Notes"); and

WHEREAS, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code.

BE IT RESOLVED by the Borough Council of the Borough of Chatham, in the County of Morris, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Notes be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2015.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2015 dated as of the date of delivery of the Notes.

SECTION 8. This resolution shall take effect immediately upon its adoption.

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 #15-247

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:

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

Contract Matter:

1. Solid Waste Contract RFP – Mr. Lott
2. Planning Services – Mayor Harris
3. Madison Board of Health Shared Service Contract – Mr. Falzarano

Attorney-Client:

1. Oliver Street Vacation – Mr. Lott

Professional Services:

1. Municipal Auditor – 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