

**REGULAR MEETING OF THE
MAYOR AND BOROUGH COUNCIL**

January 25, 2016 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, January 25, 2016 at 7:30 p.m. in the Council Chambers in the Municipal Building, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

The Mayor and Borough Council led the assembled in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Harris asked for a moment of silence for those who have given their lives for our country.

STATEMENT OF ADEQUATE NOTICE

Robin R. Kline, Municipal Clerk, read the following statement of adequate notice:

Pursuant to the requirements of the Open Public Meetings Act, 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 Borough Hall, emailed to 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 11, 2016.

ROLL CALL

On a call of the roll, the following officials were present:

Mayor Bruce A. Harris
Council Member James J. Collander
Council President James Lonergan
Council Member Victoria Fife
Council Member Gerald J. Helfrich
Council Member Leonard Resto
Council Member Peter Hoffman
Robert J. Falzarano, Borough Administrator
James L. Lott, Jr., Borough Attorney
Robin R. Kline, Borough Clerk

Mayor Bruce A. Harris opened the meeting and asked Council Member Fife to proceed with reading the proclamation for the Mayors' Wellness Campaign of the Chathams Celebrating American Heart Month in the month of February and Supporting National Wear Red Day on Friday, February 5, 2016.

PROCLAMATION

**THE MAYORS' WELLNESS CAMPAIGN OF THE CHATHAMS
CELEBRATING AMERICAN HEART MONTH IN THE MONTH OF FEBRUARY
AND SUPPORTING NATIONAL WEAR RED DAY ON FRIDAY, FEBRUARY 5, 2016**

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

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

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

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

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

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

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

WHEREAS, on Friday, February 5, 2016 everyone will have the chance to show their support for heart health by observing NATIONAL WEAR RED DAY[®] by wearing red in solidarity with those struggling with heart disease.

BE IT RESOLVED, that I, Bruce A. Harris, Mayor of the Borough of Chatham, together with the Council of the Borough of Chatham and the Mayors' Wellness Committee of the Chatham, encourage all citizens to celebrate the month of February as AMERICAN HEART MONTH and invite all citizens to join us in recognizing and reaffirming our commitment to fighting cardiovascular disease by wearing red on Friday February 5, 2016, NATIONAL WEAR RED DAY[®].

Council Member Fife made a motion to approve the proclamation. Council Member Collander seconded the motion. A voice vote was taken and the proclamation was approved unanimously.

Mayor Harris presented the proclamation to Mr. Brian George, chairman of the Mayors' Wellness Advisory Committee of the Chatham. Mr. George thanked Mayor Harris and the Borough Council for the proclamation, which helps raise awareness of cardiovascular health.

Mayor Harris proceeded with reading the following proclamation celebrating the American Cancer Society's Relay for Life in Chatham Borough on June 4, 2016:

PROCLAMATION

CELEBRATING THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE[®] EVENT IN CHATHAM BOROUGH ON JUNE 4, 2016

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

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

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

RELAY FOR LIFE® movement; and

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

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

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

BE IT RESOLVED, that I, Bruce A. Harris, Mayor of the Borough of Chatham, together with the Council of the Borough of Chatham, hereby proclaim

June 4, 2016 as "RELAY FOR LIFE® DAY"

in the Borough of Chatham and in doing so, invite all residents to join us in participating in the Borough's 6-hour RELAY FOR LIFE® event on Saturday, June 4, 2016 at Haas Field at the Chatham Middle School, from 6:00 p.m. to 12:00 midnight, to help raise much-needed funds and awareness to save lives and fight against cancer and to celebrate cancer survivors and remember loved ones who are no longer with us. Together will we find a cure.

Council Member Fife made a motion to approve the proclamation. Council Member Resto seconded the motion. A voice vote was taken and the proclamation was approved unanimously.

Mayor Harris presented the proclamation to Austin DeSavino, Relay for Life Community Manager for the American Heart Association, and Ms. Monica Hansen, Nutritionist for the Chatham ShopRite and a member of the Mayors' Wellness Advisory Committee. Austin DeSavino thanked Mayor Harris and the Borough Council for the proclamation and for supporting the Relay for Life event, which last year raised \$143,000.00 and was one of the top ten Relay for Life® fundraising events in the American Cancer Society's Eastern Division

Mayor Harris proceeded with Resolution #16-087.

RESOLUTION #16-087

RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

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

January 4, 2016 Reorganization Meeting

Council Member Hoffman made a motion to approve Resolution #16-087. Council President Lonergan seconded the motion. A voice vote was taken and Resolution #16-087 was approved unanimously.

Before proceeding with the "Discussion Items" listed on the agenda, Mayor Harris thanked Tony Torello, Public Works Director and the Department of Public Works crew for their snow removal efforts from this past weekend's snowstorm.

Council Member Resto further expressed his appreciation to the Chatham Borough Fire Department for making meals for the Public Works crew during their snow removal operations.

Mayor Harris also thanked the Police Department for patrolling areas throughout the town to ensure roadways and crosswalks were safe and passable.

DISCUSSION ITEMS

Rotary Park Sign – On behalf of the Rotary Club of Chatham, Mr. Matthew Wagner sought permission to replace an older Rotary Club sign that was mounted on the fence at Bi-centennial Rotary Park with a new 24” diameter die-cast sign. Mayor Harris and the Borough Council supported the request and asked that an authorizing Resolution granting permission be included on the next agenda. Mayor Harris thanked the Rotary Club of Chatham for their efforts in rehabilitating the park.

Lum Field Oak Tree and Emerald Ash Borer Plan – Council Member Collander, Council liaison to the Shade Tree Commission, reported that tonight’s presentations by the Shade Tree Commission regarding the Lum Field oak tree and the emerald ash borer treatment plan will require budgetary decisions by the Mayor and Borough Council.

Lum Field Oak Tree

Mr. Patrick Carroll, chair of the Shade Tree Commission, began his presentation by informing that the Shade Tree Commission members voted unanimously in favor of installing a fence around the drip line of the scarlet oak tree in Lum Field at their January 19th meeting. He defined the drip line as the outermost circumference of the tree’s branches and limbs, which measures approximately 40’ around the scarlet oak tree.

Mr. Falzarano confirmed that, although the Morris County Joint Insurance Fund (“JIF”) initially recommended that a fence should be installed around the fall zone of the tree (approximately an 80 foot circumference around the tree as measured from tree trunk), upon further review of the certified tree expert reports, JIF’s opinion was that [whether or not a fence is erected around the tree, the town’s coverage would not be voided if it fails to do so and a claim occurs. Any claim would be fact sensitive and coverage subject to all terms, exclusions, and conditions of the insurance policy.](#)

Upon the conclusion of Mr. Carroll’s presentation, Mayor Harris inquired how the Borough Council wished to proceed. The Borough Council concurred with the Shade Tree Commission’s recommendation to install a fence around the drip line of the scarlet oak tree. Mr. Falzarano estimated that the cost of the installation of a fence would be \$6,500.00. Mayor Harris asked that the fencing costs be included in the 2016 Capital Budget.

Council President Lonergan requested that the barricades in Lum Field be relocated to the drip line area around the scarlet oak tree until such time the fencing is installed.

Emerald Ash Borer Plan

Mr. Carroll reported that there are approximately 200 ash trees on Borough property and an estimated 300 ash trees on private property within the Borough. He further reported that the Shade Tree Commission recommends treating 95 ash trees this coming spring season. He noted that the certified tree expert, Mr. Jon Linson, had initially recommended that 35 trees on Rowan Road be removed, Mr. Linson now says they should be treated. The ash trees would be treated with a systemic injection costing approximately \$200.00 per tree. The treatment would be effective for a two-year period. Mr. Carroll further informed that the cost to remove a dead tree, including stump grinding, in comparison, is about \$2,000.00. He mentioned that the Shade Tree Commission would develop a tree re-planting program as well to replace those dying ash trees on Borough property that would not be treated.

Mr. Carroll reported that the Shade Tree Commission would send a direct mail piece to the homeowners adjacent to the 95 ash trees to be treated and, if possible, a direct mail piece would also be sent to homeowners adjacent to the 105 ash trees that would not be treated and will be removed in the future. He said the Shade Tree Commission will develop public education materials encouraging homeowners to have their own ash trees inspected for the presence of the emerald ash borer. Information will also be developed to help homeowners identify ash trees and will provide information on vendors offering treatment to help protect their trees. The Borough's website, community bulletin board, and other media outreach will be utilized in addition to direct mailing. Mayor Harris reminded Mr. Carroll that a member(s) of the Shade Tree Commission can be trained to update the Shade Tree Commission's web pages.

Mr. Carroll reported that the Shade Tree Commission has begun to plan activities for this year's Arbor Day, to be held on April 29th, and are in the process of finalizing the Commission's Annual Report and 5-year Plan.

The Borough Council agreed with the Shade Tree Commission's recommendation to treat 95 ash trees this coming spring and asked that the Finance Committee appropriate an additional \$20,000.00 in the 2016 budget for the treatment of the 95 ash trees.

Fishawack – Council Member Fife reported that the Community Services Department will be organizing Fishawack this year, which is planned to take place on June 11th. She noted that authorizing Resolution #16-102 is included on the Consent Agenda. Council Member Fife further reported that the organizing committee is planning a classic car show and will be re-introducing the art show and dancing in the streets as part of this year's Fishawack. In addition to utilizing both the north and south train station parking lots, Council Member Fife mentioned that Fishawack would be expanded along Fairmount Avenue and the art show would be located on the front yard of the library, offering opportunities for people to patronize downtown merchants. The next committee meeting is scheduled for January 29th. Council Member Fife welcomed anyone interested in helping to plan Fishawack to contact her.

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.

Mayor Harris opened the meeting to the public. Seeing no one wishing to comment, Mayor Harris closed the meeting to the public.

REPORTS

COUNCIL COMMITTEE REPORTS

Budget and Finance – Council President Lonergan reported that the committee will begin to finalize the 2016 budget. The next committee meeting is scheduled in two weeks.

Long Range Traffic & Pedestrian Safety Planning - Council Member Collander reported that the committee will be working with Chatham Township and the Board of Education in reviewing traffic issues along Dellwood Avenue. He also reported that a new parking map has been published for the Borough and

will be distributed at the train station and local merchants in town. (Maps will also be available in Borough Hall and a copy posted on the Borough's website.)

Public Safety & Emergency Services - Council Member Collander had nothing new to report.

Personnel - Council Member Resto reported the committee would be meeting on Tuesday January 26th to discuss the PBA and DPW collective bargaining contracts.

Public Works Planning/Community Services - Council Member Fife reported that the Department of Public Works continues its snow removal operations. She also reported that this year's Community Spring Clean is scheduled for Saturday, May 7th and further announced that a Community Open House is scheduled for Thursday, February 18th, 7:00 p.m. to 9:00 p.m., at the library to begin soliciting public input on the Borough's Master Plan update.

Shared Services & 3rd Party Agreements - Council Member Helfrich reported that the Joint Municipal Court held its annual re-organization meeting on Tuesday, January 19th. He further reported that he and Council Member Hoffman would be sharing the duties of chairing the Joint Municipal Court Committee this year. Budget items presented at the re-organization meeting have been discussed with Mr. Falzarano and will be forwarded to the Finance Committee for inclusion in the 2016 budget.

MAYOR'S REPORT

Mayor Bruce Harris thanked Mr. Falzarano and Mr. Williams for their planning efforts in anticipation of last weekend's snowstorm. He encouraged the public to help the Fire Department keep hydrants clear and accessible throughout the winter months. Mayor Harris further reported that on January 16th the Borough hosted mayors and elected officials from several other towns that may be impacted by the proposed Pilgrim Pipeline project. The meeting focused on ways the towns can work collectively to ensure that their interests are protected if, and when, Pilgrim Pipeline moves forward. Mayor Harris stressed that it will take a big effort to ensure legislators and freeholders are working in our community's interest and encouraged the public to get involved with the Borough's Pilgrim Pipeline Advisory Committee.

Mayor Harris informed everyone that a Closed Session will be held at the beginning of the February 9th meeting of the Mayor and Borough Council in order to discuss the Borough's Affordable Housing Plan with the Borough's Planner. He reported that the Closed Session would likely take about ½ hour and the public meeting would commence shortly thereafter.

ADMINISTRATOR'S REPORT

Mr. Falzarano informed the public that the Cable TV channel was not functioning properly and that only the audio component was running for tonight's meeting broadcast. He reported that the Department of Public Works completed several drainage projects in December due to the favorable weather and mentioned that the Senior Center of the Chathams sent its thank you to Borough officials for the Borough's contribution to their budget. Lastly, Mr. Falzarano reported that Fire Chief Allan has informed him that residents had cleared the snow around 200 of the 400 Borough hydrants.

CONSENT AGENDA

The following items are considered 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 #16-088 through Resolution #16-102 have been placed on the Consent Agenda.

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

None.

APPOINTMENTS

RESOLUTION #16-088

**RESOLUTION APPOINTING JAMIE BERLIN AS A PROBATIONARY FIREFIGHTER
FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT**

WHEREAS, the Mayor and Council of the Borough of Chatham recognize the valuable contributions volunteer firefighters make to our community every day of every year; and

WHEREAS, Jamie Berlin has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department; and

WHEREAS, the Fire Chief and Fire Coordinator have recommended that Jamie Berlin be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine Company 1.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Jamie Berlin is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine Company 1; and

BE IT FURTHER RESOLVED, that Jamie Berlin's Application for Membership to the Chatham Borough Volunteer Fire Department is hereby approved.

CONTRACTS

RESOLUTION #16-089

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ACCESS PERMIT
AGREEMENT WITH NEW JERSEY TRANSIT FOR USE OF THE CHATHAM TRAIN
STATION RESTROOMS FOR THE 2016 FARMERS' MARKET SEASON**

WHEREAS, the Chatham Farmers' Market desires to use the Chatham Train Station restrooms for its 2016 Farmers' Market season; and

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

WHEREAS, the Borough of Chatham desires to enter into an agreement with New Jersey Transit for the use of the Chatham Train Station restrooms in connection with conducting the Farmers' Market for the 2016 season.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it hereby authorizes the Mayor to sign an Access Permit Agreement with New Jersey Transit for use of the Chatham Train Station restrooms in connection with the 2016 Farmers' Market season; and

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

RESOLUTION #16-090

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SUBSCRIPTION SERVICE AGREEMENT WITH DOSSIER SYSTEMS, INC. FOR FLEET MAINTENANCE MANAGEMENT SOFTWARE

WHEREAS, the Department of Public Works has a need for fleet maintenance management software for the planning and tracking of vehicle maintenance; and

WHEREAS, pursuant to N.J.S.A. 40A:11-3 of the New Jersey Local Public Contracts Law, the Borough may enter into a services agreement without public bidding provided all reporting requirements have been met; and

WHEREAS, the Borough's Chief Financial Officer has determined that all reporting requirements have been satisfied and has further certified the availability of funds for this contract in account 5-01-26-315-208.

BE IT RESOLVED by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute a subscription service agreement with Dossier Systems, Inc. of Burlington, New Jersey for fleet maintenance management software for the Department of Public Works, in an amount not to exceed \$1,908.00 per year or \$5,724.00 for the term of the agreement, and a one-time implementation fee of \$ 1,000.00; 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 #16-091

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE VOLUNTARY COMPLIANCE AGREEMENT BETWEEN THE BOROUGH OF CHATHAM AND FAIR MOUNT CEMETERY, INC.

WHEREAS, Fair Mount Cemetery, Inc. (the "Cemetery") owns real property in the Borough located at 233 Hillside Avenue; and

WHEREAS, the Cemetery generates excess earth and landscaping debris in its normal operations which have been, and are, periodically removed from the Cemetery's grounds; and

WHEREAS, it has recently become more difficult for the Cemetery to dispose of excess or unwanted earth and landscaping debris, resulting in the stockpiling and accumulation of said materials on the Cemetery's grounds; and

WHEREAS, the Borough and Cemetery wish to enter into a Voluntary Compliance Agreement to resolve all issues related to the Cemetery's stockpiling of earth and landscaping debris.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute the Voluntary Compliance Agreement with the Cemetery on behalf of the Borough, in the form which shall be acceptable to the Borough Attorney; and

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

FINANCE

RESOLUTION #16-092

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 #16-093

RESOLUTION DESIGNATING INVESTORS BANK AS AN OFFICIAL DEPOSITORY FOR THE BOROUGH OF CHATHAM

WHEREAS, N.J.S.A. 40A:5-15 provides that the Governing Body of every municipality shall designate depositories wherein all public monies and other funds of the municipality shall be kept; and

WHEREAS, the Chief Financial Officer has informed that, for the proper conduct and order of business, it is necessary that Investors Bank be designated as an official depository for the Borough of Chatham and that sums so deposited may be withdrawn upon a check, draft or order of the Borough of Chatham bearing the facsimile signatures of its officers authorized to sign checks on behalf of the Borough of Chatham.

BE IT RESOLVED by the Council of the Borough of Chatham that Investors Bank be designated as an official depository for the Borough of Chatham and that sums so deposited may be withdrawn upon a check, draft or order of the Borough of Chatham bearing the facsimile signatures of its officers authorized to sign checks on behalf of the Borough of Chatham as authorized by Resolution #16-59 adopted on January 4, 2016.

RESOLUTION #16-094

RESOLUTION REFUNDING REDEMPTION OF TAX SALE CERTIFICATE #2015-1

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the following tax sale redemption refund should be made:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>
103/3	Mercer, Virginia 4 Chestnut Street Redemption of Tax Sale Certificate #2015-1 <u>Make check payable to:</u> John Venutolo 25 Hughes Place Summit, NJ 07901	\$14,334.94

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to issue a refund for the redemption of Tax Sale Certificate #2015-1 as herein referenced.

RESOLUTION #16-095

RESOLUTION AUTHORIZING REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that a duplicate payment was made at the time of the real estate closing resulting in an overpayment of property taxes; and

WHEREAS, the Tax Collector has further advised that a refund for the duplicate property tax overpayment is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	
110/8	LaPointe, Nicholas & Christina 12 Overlook Road Make check payable to: LaPointe, Nicholas & Christina c/o Hartlaub, Dotten & Mezzacca, Attorneys At Law 47 River Road Summit, NJ 07901	\$2,363.56	2015/4 th Qtr.

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.

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #16-096

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

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

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

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

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

WHEREAS, the Borough of Chatham achieved Sustainable Jersey Bronze Certification in 2010, Silver Certification in 2012, and Silver Certification in 2015; and

WHEREAS, the Borough of Chatham shared the Sustainable Jersey Collaboration Award with Chatham Township in 2009, and proudly achieved the Sustainable Jersey Champion Award for the Medium-sized Municipality category in 2012 and in 2015; and

WHEREAS, the Environmental Commission of the Borough of Chatham was created by Ordinance in 1968 for the protection of all natural resources located in the Borough, including open space preservation, water resource management, air pollution control, solid waste management, noise

control, soil and landscape practices, environmental appearance, protection of flora and fauna, and the environmental impacts of proposed activities in and affecting Chatham Borough; and

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

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

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

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

RESOLUTION #16-097

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL ALLIANCE GRANT APPLICATION FOR GRANT YEAR JULY 2016 – JUNE 2017

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, non-profit 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 has been approved for Municipal Alliance grant funding for Grant Year July 2016 – June 2017; 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 2016 – June 2017, 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 each contribute equally to the Cash Match and the 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 2016 – June 2017; 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 this Resolution shall be effective on the date that the Chatham Township Committee adopts a companion Resolution; 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.

PERSONNEL

RESOLUTION #16-098

RESOLUTION PROMOTING PETER ATKINSON TO THE POSITION OF UTILITY FOREMAN IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works posted the job opening for the position of Utility Foreman in the Department of Public Works and applications were solicited from interested employees of the Chatham Borough Public Works Department; and

WHEREAS, Public Works Director Tony Torello reported that one employee applied for the position and that the selection committee conducted an interview to determine the candidate's qualifications; and

WHEREAS, after the interview, the selection committee agreed that Peter Atkinson met or exceeded the qualifications and work requirements outlined in the Utility Foreman job description and has recommended Mr. Atkinson for promotion to the position of Utility Foreman in the Department of Public Works, effective as of January 1, 2016, with an annual salary of \$82,987.00.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the selection committee and hereby promote Peter Atkinson to the position of Utility Foreman, effective as of January 1, 2016, with an annual salary of \$82,987.00; and

BE IT FURTHER RESOLVED, that the promotion shall be subject to the terms and conditions contained in the communication from the Director of Public Works to the Borough Administrator dated December 2, 2015.

RESOLUTION #16-099

RESOLUTION RE-APPOINTING TIMOTHY DAY AS CHATHAM BOROUGH'S CHIEF FINANCIAL OFFICER

WHEREAS, Timothy Day was appointed Chatham Borough's Chief Financial Officer by Resolution #14-305 adopted on October 14, 2014; and

WHEREAS, the appointment of Timothy Day as Chatham Borough's Chief Financial Officer expired on December 31, 2015; and

WHEREAS, the Borough Administrator and the Borough Council Personnel Committee recommend Timothy Day's re-appointment as Chatham Borough's Chief Financial Officer.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Borough Administrator and the Borough Council Personnel Committee and hereby re-appoint Timothy Day as Chatham Borough's Chief Financial Officer in accordance with N.J.S.A. 40A:9-140.10, effective January 1, 2016 through December 31, 2019; and

BE IT FURTHER RESOLVED, that the 2016 annual salary for Timothy Day as Chatham Borough's Chief Financial Officer shall be fixed at \$92,270.00 and shall be paid as set forth in Chatham Borough's Salary Ordinance and the annual Salary Resolution.

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

OTHER

RESOLUTION #16-100

RESOLUTION AUTHORIZING AN INTERNSHIP PROGRAM FOR THE BOROUGH OF CHATHAM FOR THE CALENDAR YEAR 2016

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

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

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize an internship program for the Borough for the calendar year 2016; 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 #16-101

RESOLUTION AUTHORIZING THE BOROUGH OF CHATHAM'S SUPPORT AND PARTICIPATION IN THE NEW JERSEY VOLUNTEER TUITION CREDIT PROGRAM (P.L. 1998, c. 145)

WHEREAS, the Mayor and Council of the Borough of Chatham in the County of Morris deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Borough of Chatham; and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government; and

WHEREAS, the President of the Chatham Emergency Squad has provided a written request to the Borough Clerk stating that Kenneth Sham is a member in good standing with the Chatham Emergency Squad and requested that a Certificate of Authorization/Voucher be issued by the Borough so that squad member Kenneth Sham can submit same to the County College of Morris.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris that the Volunteer Tuition Credit Program as set forth in P.L. 1998, c. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

BE IT FURTHER RESOLVED, that the Borough Clerk is herewith delegated the responsibility to administer the program and is authorized to issue a Certificate of Authorization/Voucher on behalf of Chatham Borough for volunteer squad member Kenneth Sham and to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145.

RESOLUTION #16-102

RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES OF THE BOROUGH OF CHATHAM TO PLAN, ORGANIZE AND SPONSOR THE FISHAWACK CELEBRATION

WHEREAS, the Department of Community Services of the Borough of Chatham is requesting authorization to plan, organize and conduct the annual Fishawack celebration; and

WHEREAS, the Mayor and Borough Council wish to authorize the Fishawack celebration to be held on June 11, 2016 as a public event.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Community Services is hereby authorized to plan, organize and conduct the annual Fishawack celebration; and

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

CONSENT AGENDA VOTE

Council Member Resto moved to approve Resolution #16-088 through Resolution #16-102. Council Member Collander seconded the motion. A voice vote was taken and Resolution #16-088 through Resolution #16-102 listed on the Consent Agenda were approved unanimously.

ADD-ON RESOLUTIONS

None.

Mayor Harris asked Council Member Helfrich to proceed with Resolution #16-103.

RESOLUTION #16-103

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 Matters: | 1. Oliver Street Vacation – Mr. Falzarano
2. PBA and DPW Collective Bargaining Contracts – Mr. Falzarano
3. Madison Chatham Joint Meeting – Mayor Harris |
| Personnel Matter: | 1. Deputy Clerk/Administrative Assistant Hire – Mr. Williams |
| Attorney-Client Privilege: | 1. Perrin Street Vacation – Mr. Lott |
| Litigation Matter: | 1. Affordable Housing Declaratory Judgment Action – 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 will not return to public session after this closed session.

Council Member Helfrich moved to approve Resolution #16-103. Council Member Collander seconded the motion. A voice vote was taken and Resolution #16-103 was approved unanimously.

ADJOURNMENT

Having no other business to be conducted, Mayor Harris adjourned the meeting.

The Mayor and Borough Council convened into Closed Session.

Meeting adjourned 8:57 p.m.

Respectfully Submitted:

Robin R. Kline

Robin R. Kline, MAS, RMC, CMR
Borough Clerk
BOROUGH OF CHATHAM