

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

**January 23, 2017 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, January 23, 2017 at 7:30 p.m. in the Council Chambers in Borough Hall, 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 5, 2017.

**ROLL CALL**

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

Mayor Bruce A. Harris  
Council Member James J. Collander  
Council Member James Lonergan  
Council President 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 Harris asked Council President Fife to proceed with Resolution #17-084.

**PROCLAMATIONS**

**RESOLUTION #17-084**

**RESOLUTION SUPPORTING THE MAYORS' WELLNESS CAMPAIGN OF THE CHATHAMS IN CELEBRATING THE MONTH OF FEBRUARY AS AMERICAN HEART MONTH AND OBSERVING FRIDAY, FEBRUARY 3, 2017 AS NATIONAL WEAR RED DAY®**

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

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

**WHEREAS**, while anyone can develop heart disease, those with high blood pressure or high cholesterol, as well as 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**, the volunteers of the Mayors' Wellness Campaign of the Chathams remain committed in their efforts to increase awareness in our community of the importance of cardiovascular health by promoting healthy habits, such as getting regular exercise, eating diets rich in fruits and vegetables and low in salt, saturated fat, and cholesterol, and not smoking to help reduce one's risk of developing cardiovascular disease; and

**WHEREAS**, the month of February is American Heart Month; and

**WHEREAS**, the first Friday in February is National Wear Red Day®, a day when many people wear red to show their support for the awareness of heart disease.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham, that they hereby support and join the Mayors' Wellness Committee of the Chathams in increasing awareness of cardiovascular health in the Borough by celebrating the month of February as American Heart Month and encourage all citizens to show their support and solidarity for those struggling with heart disease by wearing red on National Wear Red Day®.

Council President Fife made a motion to approve Resolution #17-084. The motion was seconded by Council Member Collander. A vote was taken and Resolution #17-084 was unanimously approved.

Brian George, Chair of the Mayor's Wellness Committee, thanked Mayor Harris and the Borough Council for their continuing support of National Wear Red Day®. Mr. George stated that during the month of February, decals with heart healthy facts will be placed throughout Borough Hall.

Mayor Harris asked Council Member Resto to proceed with Resolution #17-085.

#### **RESOLUTION #17-085**

#### **RESOLUTION SUPPORTING THE 4<sup>TH</sup> ANNUAL AMERICAN CANCER SOCIETY'S RELAY FOR LIFE EVENT IN CHATHAM BOROUGH**

**WHEREAS**, Relay for Life is the signature activity of the American Cancer Society, whose mission is to raise funds to improve cancer survival, decrease the incidence of cancer, and improve the quality of life for cancer patients and their caretakers; and

**WHEREAS**, at Relay for Life events, communities in the United States and across the globe come together and to raise funds to help make a difference in the fight against cancer; and

**WHEREAS**, in its fourth year, Chatham Borough residents will be joining almost 4 million people in over 5,000 communities throughout the United States in organizing Relay for Life events to celebrate cancer survivors and remember loved ones who are no longer with us, and to raise much-needed funds for American Cancer Society's research grants and programs to find cures and provide community and patient support programs to help those undergoing treatment; and

**WHEREAS**, over the past three years, Chatham Borough residents have raised over \$388,350.00 for the American Cancer Society's Relay for Life fundraising program.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby support the American Cancer Society's Relay for Life programs and encourage all residents to participate in Chatham Borough's 4<sup>th</sup> annual Relay for Life event scheduled for Saturday, June 3, 2017 at Haas Field at the Chatham Middle School, from 6:00 p.m. to 12:00 midnight, to celebrate cancer survivors and remember loved ones who are no longer with us, and to help in raising funds to make a difference in the fight against cancer. Together we will find a cure.

Council Member Resto made a motion to approve Resolution #17-084. The motion was seconded by Council President Fife. A vote was taken and Resolution #17-084 was unanimously approved.

Kyra Miller, American Cancer Society Staff Partner, thanked Mayor Harris and the Borough Council for the Proclamation and their support of the 4<sup>th</sup> Annual American Cancer Society Relay for Life. She stated that last year Chatham Borough raised \$156,000.00 and the goal for this year is \$175,000.00. Ms. Miller invited all Chatham residents to attend this year's Relay for Life event.

Mayor Harris proceeded with Resolution #17-086.

## **RESOLUTION #17-086**

### **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 3, 2017 Reorganization Meeting

Council Member Helfrich made a motion to approve Resolution #17-086. Council Member Lonergan seconded the motion. A vote was taken and Resolution #17-086 was approved unanimously.

## **DISCUSSION ITEMS**

**2017 Capital Budget** – Mr. Timothy Day, the Borough's Chief Financial Officer, began the 2017 Capital Budget presentation by first setting forth the following Capital Ordinance.

Mr. Day reported that the Finance Committee would like to include the Water and General Capital borrowings for future improvements into the Bond Sale, which is the reason for the Capital Ordinances being done earlier than usual this year.

Mr. Day reported that the \$5,200,000 in short term notes and the two bond ordinances, on for first reading tonight, will be financed into a long term bond, for a total amount of \$6,279,200. He stated that capital spending was down in 2016. He stated that the total capital spending for 2017 is \$1,195,000 but the debt borrowed will be \$935,750 due to the inclusion of two grants received from the State. Additionally, he stated that the total debt for 2016 was less than anticipated.

### General Capital Budget

Mr. Day reported that \$935,750 would be funded through the 2017 General Capital Ordinance and presented a list of projects and items that will be funded. The 2017 Road Resurfacing Program, 2017 Drainage Improvement Program and the 2017 Curb and Sidewalk Program are among other programs and items that will be funded through the 2017 General Capital Ordinance.

### Water Capital Budget

Mr. Day provided a list of improvements to be funded for the Water Utility. Mr. Day reported that \$151,000 would be funded through the Water Capital Bond Ordinance for those improvements. He reported that the Water Utility had done a great job growing the fund balance using surplus funds. He stated that in a year or two the Borough will be able to utilize pay-as-you-go for capital improvements, which will save on costs.

### Present Debt & Future Debt

Lastly, Mr. Day reported on the Borough's total current debt with the addition of the 2017 Borough Capital and possible future projects that include Library of the Chathams improvements, ECLC heating and cooling improvements and sewer plant improvements. He stated that the total amount of debt would be \$21,755,080.

Mr. Falzarano and Mr. Day answered questions from the Council upon conclusion of the 2017 Capital Budget presentation.

## **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 and proceeded with the Ordinances scheduled for second reading.

## **REPORTS**

### **COUNCIL COMMITTEE REPORTS**

**Budget and Finance** – Council Member Lonergan reported that the 2017 budget is on track.

**Long Range Traffic & Pedestrian Safety Planning** - Council Member Collander reported that the Committee is working on upgrading the traffic signal installation at the intersection of Watchung Avenue and Washington Avenue. He reported that the New Jersey Department of Transportation corrected the timing of the traffic signals at North Passaic Avenue and Fairmount Avenue. He also reported that the Committee has met with members of Safe Routes to Schools to discuss safety issues at the Van Doren Middle School entrance. A striped box has been painted in front of Van Doren Middle School and the school will look at changing the interior traffic patterns.

Chief Crosson stated that the plastic pedestrian signs are required to be 25 feet from the crosswalk and requested that residents not move the signs into the intersections. Mr. Collander further reported that residents continue to park under the “No Parking” signs on Dellwood Avenue and warnings have been issued. Tickets will be issued if the warnings do not work. Lastly, Mr. Collander reported that the Police Department will be creating a database of speed monitoring records.

**Public Safety & Emergency Services** - Council Member Collander reported that the next committee meeting is scheduled for Tuesday, January 24<sup>th</sup>.

**Personnel** - Council Member Resto reported that the Police Lieutenant position interviews were conducted on Friday, January 13<sup>th</sup>. He also reported that the next committee meeting is scheduled for Wednesday, January 25<sup>th</sup>.

**Public Works Planning/Community Services** - Council President Fife reported that the Community Services Department is re-creating the Liberty Park landscaping proposal. She reported that the Shade Tree Commission has dedicated funds towards the project. She also reported that the Community Services Department is researching various other grants for the Borough to capitalize on. Lastly, Council President Fife reported that the Department of Public Works has been able to complete additional drainage projects thanks to the mild winter weather.

**Shared Services & 3<sup>rd</sup> Party Agreements** - Council Member Helfrich reported that the committee is continuing to evaluate active Shared Services and 3<sup>rd</sup> Party Agreements. He reported that the Joint Court costs have gone down for the coming year.

## **MAYOR’S REPORT**

Mayor Harris reported that there is nothing new to report regarding Pilgrim Pipeline, but mentioned that the Municipal Pipeline Group will be meeting in a few weeks to follow up on future planning.

## ADMINISTRATOR'S REPORT

Mr. Falzarano reported that the Borough received a letter from the Freeholder Director on December 19, 2016 stating that the grant for the Historic Riverside Trail around Shepard Kollock Park was approved, by the Freeholders, in the amount of \$93,710.00. Mr. Falzarano stated that the Department of Public Works plans to begin work on the walking path around Shepard Kollock Pond in the spring. Mr. Falzarano also reported that time is being spent prepping the 2017 Budget, Annual Report and 2017 Goals and Objectives. He thanked the Mayor and Council for taking the time to review the 2017 Goals & Objectives.

## 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 #17-087 through Resolution #17-093 have been placed on the Consent Agenda.

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

Council President Fife requested that Resolution #17-093 be removed from the Consent Agenda for separate discussion and vote.

## RESOLUTION #17-093

## RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE BOROUGH OF CHATHAM TO UNDERTAKE PRELIMINARY INVESTIGATION TO DETERMINE IF CERTAIN REAL PROPERTY WITHIN THE BOROUGH OF CHATHAM ARE AREAS IN NEED OF REDEVELOPMENT

**WHEREAS**, the Borough Council desires to direct the Planning Board to undertake preliminary investigation to determine if certain real property within the Borough of Chatham, specifically:

Bowers Lane

Block 121, Lot 11

Block 121, Lot 17

Block 122, Lots 13, 14, 15, 16, 17, 18

South Passaic Avenue

Block 121, Lot 10

Block 121, Lot 12

Block 121, Lot 13

Block 121, Lot 14

Main Street

Block 122, Lot 1

Block 122, Lot 2

are areas in need of redevelopment pursuant to and in accordance with the local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq.

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that they hereby authorize and direct the Planning Board to undertake a preliminary investigation to determine if certain real property within the Borough of Chatham as set forth herein are areas in need of redevelopment pursuant to and in accordance with the local Redevelopment and Housing Law; 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.

Mayor Harris opened Council discussion on Resolution #17-093.

Council President Fife expressed a concern that, even though the land is described by Block and Lot, residents might not know which parcels of land are being discussed. She stated that Mr. Falzarano has labeled the block and lots to clarify which properties are going to be reviewed in the Planning Board study.

Mayor Harris stated that the Borough has hired a special planner, Phil Abramson, to conduct the study and select the parcels that will be reviewed.

Council President Fife moved to approve Resolution #17-093. Council Member Collander seconded the motion. A vote was taken and Resolution #17-093 was approved unanimously.

Mayor Harris proceeded with the Consent Agenda.

## **CONTRACTS**

### **RESOLUTION #17-087**

#### **RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FINAL PHASE OF THE NORTH PASSAIC AVENUE PEDESTRIAN SAFETY IMPROVEMENT PROJECT [GRANT APPLICATION MA-2017-CHATHAM BOROUGH-0000326]**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they formally approve the grant application submission to the New Jersey Department of Transportation for the Final Phase of the North Passaic Avenue Pedestrian Safety Improvement Project and that the Mayor and Borough Clerk are authorized to submit an electronic grant application identified as MA-2017-Chatham Borough-0000326 to the New Jersey Department of Transportation on behalf of the Borough of Chatham; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Chatham and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; and

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

## **FINANCE**

### **RESOLUTION #17-088**

#### **RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

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

**BE IT RESOLVED**, by the 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 #17-089**

#### **RESOLUTION REFUNDING REDEMPTION OF TAX SALE CERTIFICATE #2016-3**

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

<b><u>BLOCK/LOT</u></b>	<b><u>OWNERS/PROPERTY LOCATION</u></b>	<b><u>AMOUNT</u></b>
122/7	30 Hillside Avenue LLC	\$66,101.61
	*Make check payable and mail to lienholder: Christiana T. c/f C & E1/Firsttrust Bank P. O Box 5021	

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Borough Tax Collector is hereby authorized to issue a refund for the redemption of Tax Sale Certificate #2016-3 as herein referenced.

**RESOLUTION #17-090**

**RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that an overpayment was made at the time of the mortgage refinance 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>	<u>TAX QTR</u>
125/10	Boggis, Gordon & Emilie 24 Myrtle Avenue	\$9,062.72	2016/4Qtr.

\*Refund check to be made payable to homeowners referenced above

**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 #17-091**

**RESOLUTION ESTABLISHING A “GREEN TEAM” TO PREPARE AND RECERTIFY CHATHAM BOROUGH AS A CERTIFIED MUNICIPALITY IN THE SUSTAINABLE JERSEY PROGRAM**

**WHEREAS**, Chatham Borough was certified by Sustainable Jersey at the Silver Level in 2015 and 2012, and at the Bronze level in 2009; and

**WHEREAS**, Chatham Borough shared the Sustainable Jersey Collaboration Award with Chatham Township in 2009 and achieved the Sustainable Champion Award for medium-sized municipalities in 2012 and 2015; and

**WHEREAS**, Sustainable Jersey requires that municipalities must recertify every third year meaning Chatham Borough must recertify in 2018; and

**WHEREAS**, the Chatham Borough Environmental Commission was the “Green Team” responsible for the 2015 Silver Certification conferred upon Chatham Borough by Sustainable Jersey in that year; and

**WHEREAS**, the Mayor and Borough Council desire to recertify in the Sustainable Jersey program and achieve the highest level possible during the 2018 recertification process; and

**WHEREAS**, the Mayor and Borough Council has previously named the Chatham Borough Environmental Commission as its “Green Team” responsible for achieving same and recognizes that additional help would be beneficial to reach its goal.

**BE IT RESOLVED**, that a “Green Team” is hereby established to lead the Borough’s Sustainable Jersey recertification project and the associated sustainability programs consisting of the following members: Kate Murphy, Kevin Murphy, Carl Cappabianca, Ben Lampert, John Dey, John Tancredi, Brendan Keating, Stephen Cheng, Council Liaison Len Resto and Marc Sunyak; that such Green Team shall be chaired by Marc Sunyak of Chatham Borough and such Green Team shall report to the Environmental Commission Chair, Kate Murphy; and

**BE IT FURTHER RESOLVED**, that the Chair of the Environmental Commission may select additional “Green Team” members at her sole discretion on an “as needed” basis.

#### **RESOLUTION #17-092**

#### **RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE SUSTAINABLE JERSEY PUBLIC INFORMATION & ENGAGEMENT TECHNOLOGY ASSESSMENT PILOT MUNICIPALITY PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE APPLICATION ON BEHALF OF THE BOROUGH OF CHATHAM**

**WHEREAS**, the Borough of Chatham is desirous of submitting a Sustainable Jersey Public Information & Engagement Technology Assessment Pilot Municipality Program Application to participate in a unique pilot program that will help the Borough implement public information and engagement goals and actions to improve public engagement and decision-making in municipal government and planning and zoning initiatives, and to further develop a communications strategy to get important information out to Borough residents; and

**WHEREAS**, the Sustainable Jersey Public Information & Engagement Technology Assessment Pilot Municipality Program would provide free consulting services to support the development and implementation of these goals and actions.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they support the Borough’s submission of an application for the Sustainable Jersey Public Information & Engagement Technology Assessment Pilot Municipality Program; and

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Chatham that they hereby authorize the Mayor and Borough Administrator to execute the Sustainable Jersey Public Information & Engagement Technology Assessment Pilot Municipality Application on behalf of the Borough; 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 #17-093** Resolution #17-093 was removed from the Consent Agenda for Council discussion and separate action.

#### **CONSENT AGENDA VOTE**

Council Member Helfrich moved to approve Resolution #17-087 through Resolution #17-092. (Resolution #17-093 was removed for separate discussion and vote.) Council Member Hoffman seconded the motion. A vote was taken and Resolution #17-087 through Resolution #17-092 were unanimously approved.

#### **ADD-ON RESOLUTION(S)**

None.

#### **ORDINANCES FOR FIRST READING**

Mayor Harris asked Council Member Lonergan to introduce Ordinance #17-01.



Council Member Lonerger introduced Ordinance #17-01 by title as follows:

**ORDINANCE #17-01**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,195,210 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

Council Member Lonerger explained the purpose of Ordinance will allow for funds to be used for improvements and acquisitions of new additional equipment for the Borough of Chatham. He moved for introduction on First Reading.

Council Member Lonerger read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on January 23, 2017.

**BE IT RESOLVED**, that at the Council meeting to be held on February 13, 2017 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Council Member Lonerger offered Ordinance #17-01 and moved its adoption on first reading.

Council Member Resto seconded the motion.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			x			
Lonerger	x		x			
Fife			x			
Helfrich			x			
Resto		x	x			
Hoffman			x			

Ordinance #17-01 passed on first reading.

Mayor Harris asked Council Member Lonerger to introduce Ordinance #17-02.

Council Member Lonergan introduced Ordinance #17-02 by title as follows:

**ORDINANCE #17-02**

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS 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 \$151,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

Council Member Lonergan explained the purpose of the Ordinance will allow funds to be allocated for improvements and additional equipment for the water utility of the Borough of Chatham. He moved Ordinance #17-02 for introduction on First Reading.

Council Member Lonergan read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on January 23, 2017.

**BE IT RESOLVED**, that at the Council meeting to be held on February 13, 2017 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Council Member Lonergan offered Ordinance #17-02 and moved its adoption on first reading.

Council Member Resto seconded the motion.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			x			
Lonergan	x		x			
Fife			x			
Helfrich			x			
Resto		x	x			
Hoffman			x			

Ordinance #17-02 passed on first reading.

Mayor Harris introduced Ordinance #17-03 by title as follows:

**ORDINANCE #17-03**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 75 OF THE BOROUGH CODE TO REGULATE THE SALE OF ALCOHOLIC BEVERAGES**

Mayor Harris explained that the purpose of this Ordinance is to change the hours of sale for alcoholic beverages. Mayor Harris stated that he had started to create a chart to show the hours of sale and asked Mr. Lott to explain the chart and changes made to the existing ordinance.

Mr. Lott advised that the existing ordinance is outdated and stated that the new ordinance distinguishes hours of sale for on-premises consumption sales, as well as, off-premises distribution sales. The updated ordinance establishes hours of sale for Saturdays and clarifies hours of sales for Christmas and New Year's Day. Section C allows establishments with liquor licenses to remain open provided that they provide other business services, such as hotels and drug stores.

Council Member Helfrich inquired if there is a need to distinguish separate hours for Christmas and New Year's Day. He suggested that the hours of sale should be for Monday through Friday and Saturday through Sunday. Mayor Harris agreed that the distinction for holiday hours was unnecessary. Mr. Lott advised that he would prepare an amendment that removes special holiday hours from the proposed Ordinance.

Mayor Harris asked Council President Fife to proceed with Ordinance #17-03, as amended to remove special holiday hours, and move for introduction on First Reading.

Council President Fife read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on January 23, 2017.

**BE IT RESOLVED**, that at the Council meeting to be held on February 13, 2017 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Council President Fife offered Ordinance #17-03, as amended to remove special holiday hours, and moved its adoption on first reading.

Council Member Lonergan seconded the motion.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			x			
Lonergan		x	x			
Fife	x		x			
Helfrich			x			
Resto			x			
Hoffman			x			

Ordinance #17-03 passed on first reading.

Mayor Harris asked Council Member Helfrich to proceed with Resolution #17-094.

Council Member Helfrich read Resolution #17-094.

#### **RESOLUTION #17-094**

#### **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:

Personnel: 1. Police Lieutenant Promotion – Council Member Resto

2. New Police Hire – Chief Crosson

Potential Litigation: 1. FieldTurf USA, Inc. – Mr. Lott  
Attorney-Client: 1. Florham Park Development – Mr. Lott  
2. Sanitary Sewer Capacity Issues – Mr. Lott

Contract: 1. ECLC – Mr. Lott  
2. Joint Meeting Agreement – Council Member Resto (add-on)

**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 reconvene in public session after this closed session.

Council Member Helfrich moved to approve Resolution #17-094. Council Member Collander seconded the motion. A vote was taken and Resolution #17-094 was approved unanimously.

Mayor Harris and the Borough Council convened into Closed Session at 8:42 p.m.

## **RETURN TO PUBLIC SESSION**

Mayor Harris asked for a motion to reconvene into Public Session.

Council Member Hoffman made a motion to reconvene into Public Session. Council Member Helfrich seconded the motion. A vote was taken with all present in favor.

Mayor Harris and the Borough Council reconvened into Public Session at 9:33 p.m.

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

## **ROLL CALL**

Mayor Bruce A. Harris  
Council Member James J. Collander  
Council Member James Lonergan  
Council President 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 Harris proceeded with Resolution #17-095

## **ADD-ON RESOLUTION**

### **RESOLUTION #17-095**

### **RESOLUTION TO HIRE AGNES CISECK AS A POLICE OFFICER IN THE CHATHAM BOROUGH POLICE DEPARTMENT**

**WHEREAS**, the Borough of Chatham publicly advertised the job opening for the position of a police officer and solicited resumes and applications from interested candidates; and

**WHEREAS**, the selection committee (the “Committee”) conducted interviews of interested and qualified candidates; and

**WHEREAS**, after considering all interested and qualified candidates, the Committee found that Agnes Ciseck is the best-qualified candidate and has recommended that she be hired for the police officer position.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Committee and hereby authorize that Agnes Ciseck shall be hired as a Police Officer in the Chatham Borough Police Department effective January 24, 2017; and

**BE IT FURTHER RESOLVED**, that the terms and conditions of Agnes Ciseck's employment shall be in accordance with the PBA Local #226 collective bargaining unit contract, pro-rated for the remainder of the calendar year.

Council Member Collander moved to approve Resolution #17-095. Council Member Fife seconded the motion. A vote was taken and Resolution #17-095 was approved unanimously.

## **ADJOURNMENT**

Having no other business to be conducted, Mayor Harris asked for a motion to adjourn the public meeting.

Council Member Helfrich moved to adjourn the public meeting. Council Member Collander seconded the motion. A vote was taken and the motion passed unanimously.

Meeting adjourned at 9:34 p.m.

Respectfully Submitted:

*Robin R. Kline*

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