

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

February 27, 2017 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, February 27, 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 (via Skype video calling)
Council Member James Lonergan (arrived at 7:40 pm)
Council President Victoria Fife
Council Member Gerald J. Helfrich
Council Member Leonard Resto
Council Member Peter Hoffman (via phone conferencing)
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 #17-112.

Council President Fife read Resolution #17-112.

PROCLAMATION

RESOLUTION #17-112

NATIONAL NUTRITION MONTH

WHEREAS, the Mayors' Wellness Campaign of the Chathams recognizes that food is the substance by which life is sustained; and

WHEREAS the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to encourage healthy eating practices.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham, together with the Mayors' Wellness Advisory Committee, encourage all citizens to celebrate National Nutrition Month during the month of March and in doing so, become more informed about their food choices and nutrition, and develop sound eating and physical activity habits, to achieve optimum health for both today and tomorrow.

Council President Fife made a motion to approve Resolution #17-112. Council Member Resto seconded the motion. A vote was taken and Resolution #17-112 was unanimously approved.

Mayor Harris presented the proclamation to Jennifer Lester, a registered dietician with the Chatham ShopRite. Ms. Lester thanked Mayor Harris and the Borough Council for the proclamation supporting National Nutrition Month. She reported that the Chatham ShopRite is partnering with the Library of the Chathams, the Senior Center of the Chathams, and local schools to provide nutrition education and promote awareness of the importance in making healthy food choices.

Mayor Harris asked Council Member Collander to proceed with Resolution #17-113.

Council Member Collander read Resolution #17-113.

RESOLUTION (APPOINTMENT)

RESOLUTION #17-113

RESOLUTION PROMOTING SERGEANT RALPH COLATRELLA TO THE RANK OF POLICE LIEUTENANT

WHEREAS, Chief Phillip Crosson, Jr. posted a job opening for the position of Police Lieutenant in the Chatham Borough Police Department and applications were solicited from interested and qualified police officers within the Chatham Borough Police Department; and

WHEREAS, three candidates applied for the position and were interviewed by the Personnel Committee to determine each candidate's qualifications; and

WHEREAS, after interviews were conducted, the Personnel Committee agreed that Sergeant Ralph Colatrella met or exceeded the qualifications and requirements for the position of Police Lieutenant; and

WHEREAS, Sergeant Ralph Colatrella was hired by the Borough of Chatham as a Police Officer on September 10, 2003; and

WHEREAS, in April 2009, Police Officer Colatrella was promoted to the rank of Sergeant; and

WHEREAS, Sergeant Ralph Colatrella received a Bachelor of Science Degree in Criminal Justice from Bellevue University and holds numerous law enforcement certifications; and

WHEREAS, in accordance with the Police Department Reorganization Plan and the Police Promotional Policy and Procedures, the Personnel Committee recommends that Sergeant Ralph Colatrella be promoted to the rank of Lieutenant; and

WHEREAS, pursuant to the Code of the Borough of Chatham, Chapter 48, *Police Department*, §48-5.A., and in accordance with N.J.S.A. 40A:14-118 et seq., all members of the Chatham Borough Police Department shall be appointed by the Mayor with the consent and approval of the Borough Council; and

WHEREAS, Mayor Bruce Harris concurs with the recommendation made by the Personnel Committee and wishes to appoint Sergeant Ralph Colatrella to the rank of Lieutenant in the Chatham Borough Police Department.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby approve the Mayor's appointment of Sergeant Ralph Colatrella to the rank of Lieutenant in the Chatham Borough Police Department and provide their consent and approval; and

BE IT FURTHER RESOLVED, that effective February 28, 2017, Sergeant Ralph Colatrella is hereby promoted to the rank of Lieutenant at an annual salary of \$142,719.03 to be pro-rated for the remainder of 2017; and

BE IT FURTHER RESOLVED, that Mayor Bruce A. Harris and the Borough Council hereby congratulate and extend their best wishes to Lieutenant Ralph Colatrella.

Council Member Collander made a motion to approve Resolution #17-113. Council Member Resto seconded the motion. A vote was taken and Resolution #17-113 was unanimously approved.

PRESENTATION OF LIEUTENANT BADGE AND ADMINISTRATION OF THE OATH OF OFFICE

Mayor Harris and Chief Crosson presented Lieutenant Colatrella with the authorizing Resolution and Lieutenant Badge. Lieutenant Colatrella's wife, Stacey, was present to pin the badge.

The Borough Clerk administered the oath of office to Lieutenant Ralph Colatrella, who was accompanied by his family and Chief Crosson.

Lieutenant Colatrella thanked Chief Crosson and Captain Gibbons for the opportunities provided him in the Police Department and thanked Mayor Harris and the Borough Council for their continuous support of the Police Department.

Chief Crosson then introduced Probationary Police Officer Agnes Ciseck and welcomed her to the Chatham Borough Police Department. Probationary Police Officer Ciseck thanked Chief Crosson, Mayor Harris and the Borough Council for the opportunity to work for the Chatham Borough community.

Mayor Harris proceeded with Resolution #17-114.

RESOLUTION #17-114

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:

February 13, 2017

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:

February 13, 2017

Council President Fife made a motion to approve Resolution #17-114. Council Member Lonergan seconded the motion. A vote was taken and Resolution #17-114 was approved unanimously.

DISCUSSION ITEMS

Overnight Parking Ordinance – Council Member Collander reported that the Long Range Traffic and Pedestrian Safety Planning Committee has been discussing amending the current overnight parking Ordinance to grant the Chief of Police, or his designee, the authority to permit overnight parking by those residents who may have an extraordinary circumstance or need to park on a street overnight.

Chief Crosson reported that in 2015, the Morris County Dispatch Center received calls from residents regarding overnight parking concerns, which equated to about fourteen 8-hour days of dispatcher personnel time. Chief Crosson further reported that the Police Department works with residents to address their overnight parking concerns and that the proposed amendment to the Ordinance would codify current police practices.

Mr. Lott will draft an amending Ordinance for introduction at the March 13th meeting of the Mayor and Borough Council.

South Passaic Avenue Tenant Parking – Council Member Collander stated that South Passaic Avenue tenant parking would be discussed at a future meeting.

Art Festival – Janice Piccolo, Director of Community Services, reported that the Chatham Artisans Guild, which hosted the art festival in the Borough for the past three years, has disbanded. She further reported that JC Promotions contacted her to discuss the possibility of the Borough (MyChathamNJ Advisory Committee) hosting the event this year, especially since they have already begun promoting the event, submitted the necessary Facility Use forms and are planning to distribute thirty signs around Morris County advertising the event. Ms. Piccolo reported that JC Promotions, a for-profit organization, has offered a \$2,000 donation to MyChathamNJ to host the art festival and help promote the event locally by posting signage in and around the Borough. JC Promotions would pay all costs associated with policing and public works services, as well as garbage cans, dumpsters and portajohns that would be required for the event. The art festival is planned for Sunday, September 10th.

Mayor Harris expressed concern that the Borough has never allowed a for-profit organization to use Borough property or facilities for an event and questioned the precedent it would set. He stated that he would support a one-time event without having a policy and procedure in place, but a policy and procedure should be established and approved before considering future requests.

The Council Members questioned what risks may be posed to the Borough in allowing a for-profit organization using Borough property. There was a consensus that JC Promotions should exclusively bear all costs associated with the event and that the Borough should further negotiate the donation amount to ensure that Borough personnel costs to administer and/or coordinate the event are adequately compensated.

Mr. Lott advised that although the Borough has the authority to conduct public celebrations, he commented that the Borough must decide whether it wants to provide public events by independent for-profit organizations.

MOTION

Council Member Resto made a motion to approve the MyChathamNJ Advisory Committee to host the art festival organized and run by JC Promotions on Sunday, September 10, 2017.

Council Member Helfrich asked that the motion be amended so that it also includes that such approval is subject to further negotiating the amount to be donated to the Borough by JC Promotions.

AMENDED MOTION

Council Member Resto amended his motion to approve the MyChathamNJ Advisory Committee to host the Art Festival organized and run by JC Promotions on Sunday, September 10, 2017, subject to further negotiating the amount to be donated to the Borough by JC Promotion. Council Member Helfrich seconded the motion. A vote was taken and the amended motion was approved. Council President Fife abstained.

Liberty Park Redesign – Mr. DeNave reported that Phase I of the project had been completed last Fall, which included bank stabilization of Days Brook, clearing of overgrown vegetation, and the installation of a decorative fence. Phase II of the project, which has been significantly scaled down from the initial presentation, consists of laying a brick paver walkway and installing three park benches and four alternating planting beds parallel to the decorative fencing. The existing sidewalk along Lafayette Avenue will be widened from four feet to eight feet. The lighting element has been removed from the project.

Mr. DeNave commented that the completion of Phase II will not require any additional budgeted funding and reported that the Department of Public Works will perform much of the landscaping work, keeping the Phase II project costs to \$27,400.00. The Shade Tree Commission has also dedicated some of its budget towards landscaping and planting a tree for holiday lighting. The Shade Tree Commission dedicated \$1,100.00 from its budget for tree and shrub plantings. Concerns were expressed regarding the spruce tree and it was agreed that alternative trees would be considered. He requested approval of the conceptual and esthetic plan for Phase II of the Liberty Park project.

Mayor Harris and the Borough Council provided approval for Mr. DeNave to proceed with Phase II of the Liberty Park project.

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.

Rozella Clyde, 33 Carmine Street, stated that in response to recent national media attention Chatham Borough and the Board of Education received after two parents questioned why Islam is taught in the seventh grade social studies curriculum, she asked that Mayor Harris and Borough Council consider passing a Resolution similar to one recently passed by the Madison Borough Council deeming Madison a welcoming community.

Mayor Harris responded that he has always believed, and continues to believe, that Chatham is a welcoming community and supports the Resolution. He acknowledged that the community has elected a diverse governing body to represent them and stated that the actions of our community speak much louder than words. The Council supported Mayor Harris' statement and voiced support of a Resolution.

Colleen Markley, 31 Chandler Road, thanked the Mayor and Council for their excellent work. She provided a petition formally requesting that the Mayor and Council pass a resolution reaffirming that Chatham Borough is a welcoming tolerant community and does not accept intolerance or hatred of any kind.

Members of the Council offered their support for the Resolution and reminded the community that words matter. Council Member Resto offered to draft the Resolution for inclusion on the March 13th agenda for Council consideration and action. Council Member Hoffman expressed his support for the resolution provided it did not vilify those in the community who started the conversation with the Board of Education that led to the media's attention.

Bill Heap, Hillside Avenue, encouraged people to take a step back from social media platforms.

Reverend Jeffrey Markley, pastor of the United Methodist Church of Chatham, thanked the elected officials and police officers who attended the interfaith luncheon held earlier in the month. Pastor Markley offered to help Council Member Resto with creating the resolution.

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

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 a pending issue before the Committee would be presented before the Mayor and Council at a future meeting.

Public Safety & Emergency Services - Council Member Collander had nothing new to report but stated that the Committee will address resident concerns brought to his attention by Council Member Resto.

Personnel - Council Member Resto reported that the next Committee meeting is scheduled for Thursday, March 2nd.

Public Works Planning/Community Services - Council President Fife reported that the next Committee meeting is scheduled for Thursday, March 9th.

Shared Services & 3rd Party Agreements - Council Member Helfrich had nothing new to report.

MAYOR'S REPORT

Mayor Harris reported that a new dumpster was added at the Recycling Center for community use. He further reported that the Chatham Emergency Squad would be holding a blood drive on Saturday, March 11th at its North Passaic Avenue location. Lastly, Mayor Harris applauded the Madison Area YMCA for taking a leadership role in mental health education programs, as well as drug and alcohol abuse services.

ADMINISTRATOR'S REPORT

Mr. Falzarano reported that the Administration continues to work on the 2017 Budget. He was pleased to report that Sustainable Jersey has approved the Borough's Public Information Engagement Professional Consulting application. Only two municipalities were chosen. This program will allow Chatham Borough access to technology professionals that will provide advice and direction on how technology solutions can be implemented to improve public information and public engagement in government.

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 #17-115 through Resolution #17-130 have been placed on the Consent Agenda.

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

None.

CONTRACTS

RESOLUTION #17-115

RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT WITH HENDRICKS APPRAISAL COMPANY, LLC AS A PROPERTY APPRAISAL AND LITIGATION CONSULTANT TO THE BOROUGH OF CHATHAM

WHEREAS, the Borough of Chatham requires property appraisal services and wishes to appoint a property appraisal and litigation consultant to assist in defending tax appeals on behalf of the Borough; and

WHEREAS, such services constitute a professional service as defined by the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-2, and are specifically exempt from the public bidding process in accordance with N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Borough Council finds that it would be in the best interest of the Borough to enter into a professional services agreement with Hendricks Appraisal Company, LLC, Seven Hutton Avenue, West Orange, New Jersey 07052 to provide property appraisal and litigation consultant services to the Borough in connection with tax matters before the Morris County Tax Board and the Tax Court of New Jersey based upon the firm's expertise and extensive experience in such matters; and

WHEREAS, the contract was not awarded through a "fair and open" process pursuant to N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, Mark E. Hendricks has submitted a proposal to provide said services at the rate of \$150.00 per hour; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Current Fund Account #7-01-20-150-223 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that a professional service contract is hereby awarded to Hendricks Appraisal Company, LLC, for property appraisal and litigation consultant services and that the Mayor is hereby authorized to execute a professional services contract on behalf of the Borough; and

BE IT FURTHER RESOLVED, that Hendricks Appraisal Company, LLC, its subsidiaries, assigns or principals controlling in excess of 10% of the firm will be required to submit to the Borough a Business Entity Disclosure Certification pursuant to the New Jersey Pay-to-Play Act, N.J.S.A. 19:44A-1 et seq., a completed Disclosure of Investment Activities in Iran pursuant to Public Law 2012, C.25, a New Jersey Business Registration Certificate, a completed affirmative action report (Form AA-302) and a completed W-9 form; 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 #17-116

RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT WITH THE LAW FIRM OF GREEBBAUM, ROWE, SMITH & DAVIS LLP FOR SPECIAL PLANNING LEGAL SERVICES

WHEREAS, the Borough of Chatham requires special planning legal services; and

WHEREAS, such services constitute a professional service as defined by the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-2, and are specifically exempt from the public bidding process in accordance with N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Borough Council finds that it would be in the best interest of the Borough to enter into a professional services agreement with the law firm Greenbaum, Rowe, Smith & Davis, LLP, 75 Livingston Avenue, Roseland, NJ 07068 to provide special planning legal services to the Borough based upon the firm's expertise and extensive experience in such matters; and

WHEREAS, the contract was not awarded through a "fair and open" process pursuant to N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, Robert Goldsmith, Esq. has submitted a proposal to provide said services at a blended rate of \$290.00 per hour; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Current Fund Account #7-01-20-100-300 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that a professional service contract is hereby awarded to the law firm Greenbaum, Rowe, Smith & Davis, LLP for special planning legal services and that the Mayor is hereby authorized to execute a professional services contract on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the law firm Greenbaum, Rowe, Smith & Davis, LLP, its subsidiaries, assigns or principals controlling in excess of 10% of the firm will be required to submit to the Borough a Business Entity Disclosure Certification pursuant to the New Jersey Pay-to-Play Act, N.J.S.A. 19:44A-1 et seq., a completed Disclosure of Investment Activities in Iran pursuant to Public Law 2012, C.25, a New Jersey Business Registration Certificate, a completed affirmative action report (Form AA-302) and a completed W-9 form; 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 #17-117

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 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 #17-118

RESOLUTION REFUNDING REDEMPTION OF TAX SALE CERTIFICATE #2014-1

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

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>
33/7	ATZ 548 Main Street	\$81,818.22 redemption of Tax Sale certificate #2014-1, including return of \$31,100.00 premium.
	Make check payable and mail to: US Bank Cust BV001 Trst & Crdtrs 50 South 16 th Street – Suite 2050 Philadelphia, PA 19102-2513	

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 #2014-1 as herein referenced.

RESOLUTION #17-119

RESOLUTION REFUNDING REDEMPTION OF TAX SALE CERTIFICATE #2014-2

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

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>
33/7	ATZ 552 Main Street	\$141,956.98 redemption of Tax Sale certificate #2014-2, including return of \$65,600.00 premium.
	Make check payable and mail to: US Bank Cust BV001 Trst & Crdtrs 50 South 16 th Street – Suite 2050 Philadelphia, PA 19102-2513	

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 #2014-2 as herein referenced.

LAW AND PUBLIC SAFETY

RESOLUTION #17-120

RESOLUTION AUTHORIZING THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT TO HOST THE TRI-COUNTY FIREMATICS COMPETITION ON JUNE 10, 2017

WHEREAS, the Chatham Borough Volunteer Fire Department desires to host the Tri-County Firematics Competition in the Borough on June 10, 2017 from 8:00 a.m. until 4:00 p.m. at the Chatham Middle School and Garden Park; and

WHEREAS, it is anticipated that there will be nine competing fire departments in addition to the Chatham Borough Volunteer Fire Department hosting the event; and

WHEREAS, the Mayor and Borough Council wish to authorize this event.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Chatham Borough Volunteer Fire Department is hereby granted authority to host the annual Tri-County Firematics Competition in Chatham Borough on June 10, 2017 from 8:00 a.m. until 4:00 p.m. at the Chatham Middle School and Garden Park, contingent upon approval by the School District of the Chathams Board of Education authorizing same; and

BE IT FURTHER RESOLVED, the Chief of Police is authorized to establish detour routes, close roads and re-route traffic as is necessary before and during the competition; and

BE IT FURTHER RESOLVED, that the Chatham Borough Volunteer Fire Department and every participating fire department shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of \$1,000,000.00 shall be submitted for this event; 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

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #17-121

RESOLUTION APPROVING THE SUBMISSION OF THE CHATHAM BOROUGH SHADE TREE COMMISSION'S 2016 ANNUAL ACCOMPLISHMENT REPORT TO THE STATE FORESTRY SERVICE'S COMMUNITY FORESTRY PROGRAM

WHEREAS, by Resolution #16-140 the Borough Council adopted the Shade Tree Commission's third five-year New Jersey Community Forestry Management Plan as required by the New Jersey Shade Tree and Community Forestry Assistance Act ("the Act"); and

WHEREAS, the New Jersey Community Forestry Plan requires that an Annual Accomplishment Report must be submitted to the State Forestry Service's Community Forestry Program summarizing the accomplishments of the Shade Tree Commission for each year in order to achieve and maintain approved status under the Act to be eligible for Community Stewardship Incentive Program (CSIP) grant funding; and

WHEREAS, the Shade Tree Commission has prepared its 2016 Annual Accomplishment Report and wishes to submit it to the State Forestry Service's Community Forestry Program to maintain its approved status under the Act.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby accept the Shade Tree Commission's 2016 Annual Accomplishment Report; and

BE IT FURTHER RESOLVED, by the Council that the Mayor is hereby authorized to sign the Shade Tree Commission's 2016 Annual Accomplishment Report for submission to the State Forestry Service's Community Forestry Program; 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.

RESOLUTION #17-122

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR TREE CITY, USA RECERTIFICATION

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

WHEREAS, throughout the year, the volunteers of the Shade Tree Commission provide community education and outreach programs, review residents' tree concerns, and identify planting locations for new trees within the Borough; and

WHEREAS, Tree City, USA designation recognizes communities that have demonstrated an effective ongoing community forestry program; and

WHEREAS, Tree City, USA designation often gives preference to those communities competing for urban forestry grants; and

WHEREAS, the Borough of Chatham is currently recognized as a Tree City, USA community by the National Arbor Day Foundation and is desirous to submit a 2017 application for Tree City, USA recertification.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute an application for Tree City, USA recertification; 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 #17-123

RESOLUTION ESTABLISHING THE HISTORIC RIVERSIDE TRAIL ADVISORY COMMITTEE

WHEREAS, N.J.S.A. 40A:60-7(d) authorizes Borough councils to create “advisory councils” in the municipality; and

WHEREAS, the Mayor and Council of the Borough of Chatham have determined that it would be beneficial to establish a Historic Riverside Trail Advisory Committee (the “Committee”) to help organize and plan for the construction and build-out of Phase I of the Historic Riverside Trail Project, and to present recommendations to the Mayor and Borough Council as appropriate.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Historic Riverside Trail Advisory Committee is hereby established for the herein referenced purpose(s); and

BE IT FURTHER RESOLVED, that the members of the Committee shall be:

- | | |
|---------------------|--|
| Mia Craig | Vince DeNave, Borough Engineer |
| Gerry Geisler | Janice Piccolo, Director, Community Services |
| Mary Keselica | Robert Falzarano, Borough Administrator |
| Kate Murphy | Bruce A Harris, Mayor |
| Kevin Murphy | Victoria Fife, Council President |
| Helen Ann Rosenfeld | Len Resto, Council Member |
| John Tancredi | |

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 #17-124

RESOLUTION AUTHORIZING THE HIRING OF MICHAEL BOARDMAN AS A SERVICE PERSON IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Chatham publicly advertised the job opening for the position of a Service Person in the Department of Public Works and solicited resumes and applications from interested candidates; and

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

WHEREAS, after considering all interested and qualified candidates, the Committee found that Michael Boardman is the best-qualified candidate and has recommended that he be hired for the Service Person position in the Department of Public Works with an effective starting date of March 16, 2017 at the annual starting salary of \$38,450.00, which is to be pro-rated for the remainder of the calendar year.

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 Michael Boardman be hired for the Service Person position in the Department of Public Works with an effective starting date of March 16, 2017 at the annual starting salary of \$38,450.00, which is to be pro-rated for the remainder of the calendar year; and

BE IT FURTHER RESOLVED, that the terms and conditions of Michael Boardman’s employment shall be in accordance with the Department of Public Works collective bargaining unit

contract and in accordance with provisions set forth in the offer of employment letter from Tony Torello, Director of Public Works, dated January 23, 2017, attached and made part of this Resolution.

RESOLUTION #17-125

RESOLUTION APPROVING THE TERMINATION OF RICHARD BRADLEY AND JOSEPH GRANATO FROM THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT

WHEREAS, Fire Chief Douglas Allan has recommended that Richard Bradley and Joseph Granato be terminated from the Chatham Borough Volunteer Fire Department for their lack of involvement in department activities, including attending meetings, drills and calls of the fire department over many years.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the termination of Richard Bradley and Joseph Granato from the Chatham Borough Volunteer Fire Department; 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.

SHARED SERVICES

RESOLUTION #17-126

RESOLUTION AUTHORIZING THE MADISON AREA YMCA TO SUBMIT A DRUG FREE COMMUNITIES GRANT APPLICATION ON BEHALF OF THE MADISON/CHATHAM COALITION FOR A HEALTHY COMMUNITY

WHEREAS, the Madison Area YMCA (the “YMCA”) has established a partnership with the Madison/Chatham Coalition for A Healthy Community (the “Coalition”); and

WHEREAS, the Coalition has met all requirements to apply for a \$125,000.00 Drug Free Communities Grant on behalf of the communities of Madison Borough, Chatham Borough and Chatham Township; and

WHEREAS, the YMCA has agreed to administer the grant and will work with the Coalition to develop and implement initiatives to minimize and prevent substance abuse in our communities; and

WHEREAS, the Drug Free Communities Grant will run from September 30, 2017 through September 29, 2018 and will be renewable for up to five (5) years, and potentially for four (4) years beyond that, to off-set the Coalition’s costs; and

WHEREAS, there is a 100% match requirement that will be met through existing resources and in-kind donations of volunteer time and services and will not require additional funds from any of the participating communities.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, in the State of New Jersey that the YMCA is hereby authorized to submit a \$125,000.00 Drug Free Communities Grant on behalf of the Madison/Chatham Coalition for A Healthy Community; 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 #17-127

RESOLUTION AUTHORIZING THE SUBMISSION OF A 2016 RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act, P.L.1987, c.102; and

WHEREAS, the Mandatory Source Separation and Recycling Act established a recycling fund from which recycling tonnage grants may be made to municipalities to encourage local source separation and recycling programs; and

WHEREAS, it is the spirit and intent of the Mandatory Source Separation and Recycling Act to use the recycling tonnage grants to help communities develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the regulations impose on municipalities certain requirements as a condition for applying for recycling tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, Stan Serbanica, the Borough's Recycling Coordinator, has confirmed that the total tonnage of recycled materials certified by the NJDEP for the Borough in 2015 was 11,347.74 tons; and

WHEREAS, this resolution authorizing the Borough to apply for a 2016 Recycling Tonnage Grant memorializes the Borough's commitment to recycling materials and compliance efforts with the requirements of the Mandatory Source Separation and Recycling Act and recycling regulations.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the submission of a 2016 Recycling Tonnage Grant application to the NJDEP and designates Stan Serbanica to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund by the Chief Financial Officer to be used solely for the purposes of recycling; 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 #17-128

RESOLUTION AUTHORIZING THE PUBLIC SALE OF BOROUGH PROPERTY NO LONGER NEEDED FOR PUBLIC USE THROUGH GOVDEALS.COM PUBLIC ONLINE AUCTION

WHEREAS, the Borough of Chatham is the owner of certain property which is no longer needed for public use; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes municipalities to sell public property that is no longer needed for public use at a public sale to the highest bidder as surplus property; and

WHEREAS, the Mayor and Borough Council are desirous of selling such surplus property in "as is" condition without express or implied warranties.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the sale of Borough property no longer needed for public use; and

BE IT FURTHER RESOLVED, that the public auction shall be conducted through GovDeals.com public online auction pursuant N.J.S.A. 40A:11-36, Local Finance Notice 2008-9 of the New Jersey Department of Community Affairs, Division of Local Government Services, and in accordance with the terms and conditions of State Contract A-70967/T2581. (The terms and conditions of the agreement entered into with GovDeals is available online at www.govdeals.com and is also available in the Borough Clerk's office.); and

BE IT FURTHER RESOLVED, that the sale of surplus property to be sold in "is as" condition without expressed or implied warranties is as follows:

ITEM	MINIMUM BID
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24952	\$100.00
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24918	\$100.00
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24910	\$100.00
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24936	\$100.00
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24940	\$100.00
One (1) Panasonic Toughbook Model CF-30KAPAQ2M, Serial 9BKYA31715	\$100.00
One (1) Panasonic Toughbook Model 30KAPAQ2M, Serial 9BKYA31528	\$100.00
2010 Ford Crown Victoria 4.6L, VIN#2FABP7BV3AX142258, 104,345 miles	\$4,000.00
2004 Dodge Durango 4.7L VIN#1D4HB38N94F199313, 60,414 miles	\$3,900.00
1997 Custom trailer, 16' X 6' wooden deck Model # 4T162CESBTW 7800 LBS Max Serial #- 1KX32153XV1B1T958 "AS IS"	\$2,000.00
One (1) lot of nine (9) Bicycles	No minimum bid set
One (1) Stanley hydraulic power unit	No minimum bid set
One (1) pallet of bullet proof glass	No minimum bid set
One (1) Motorola MSF VHF Base Station Radio	\$100.00
One (1) Motorola GM300 UHF Mobile Radio w/power supply	\$100.00
Two (2) Motorola Quantar VHF Base Station Radios	\$250.00 each
One (1) Decibel VHF Duplexer	\$25.00
One (1) Netgear MR 314 wireless modem	\$20.00
One (1) Linksys-G wireless access point	\$20.00
One (1) HP LaserJet P2055dn printer	\$25.00
One (1) Persona C25 ID card printer	\$25.00
Two (2) computer monitors	\$10.00 each
One (1) HP Touchsmart 15 laptop	\$25.00
One (1) Tru-Spec black parka size 3XL	\$50.00
Taylor Leatherware Motor Jacket size 46	\$50.00
Twenty (20) Tex Shoemaker basketweave holsters for SW 4566	\$10.00 each
Twenty (20) Tex Shoemaker basketweave dual mag pouches for SW 4566	\$10.00 each

Seventeen (17) Safariland 6360-4302 holsters for SW 4566	\$5.00 each
One (1) gold Nixon men's watch	\$25.00
One (1) silver Citizen men's watch	\$25.00
One (1) Hilti X 36 M powder actuated fastener	\$10.00
One (1) woman's gold ring with diamond type jewel setting	\$50.00
One (1) Apple iPod	\$5.00
One (1) Apple iPad with case	\$25.00
One (1) Blackberry (no battery)	\$5.00
One (1) Kindle with case	\$10.00
One (1) Escort Solo radar detector	\$20.00
One (1) Baby Jogger	\$25.00

And,

BE IT FURTHER RESOLVED, that the Borough of Chatham reserves the right to accept or reject any bid submitted; and

BE IT FURTHER RESOLVED, that the successful bidder(s) shall be required to pay the full amount of the sale, execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property, and shall be required to make arrangements for the pick-up of sold property from the Borough of Chatham within 10 business days of the auction; and

BE IT FURTHER RESOLVED, the Borough Clerk shall publish a legal advertisement in the official newspapers informing the public as to the nature of items being sold and how to obtain more information on the sale as required by N.J.S.A. 40A:11-36; 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 #17-129

RESOLUTION APPROVING A CATERING PERMIT TO DISPENSE AND SERVE ALCOHOLIC BEVERAGES AT THE FISHAWACK FESTIVAL ON JUNE 10, 2017

WHEREAS, Chatham Borough will be holding its Fishawack Festival on June 10, 2017; and

WHEREAS, Chatham Towne Tavern, doing business as the River Grille, desires to submit an Application for a Catering Permit to the Division of Alcoholic Beverage Control, pursuant to N.J.S.A. 33:1-74, to dispense and serve alcoholic beverages for consumption at Fishawack on June 10, 2017.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham hereby grant permission to Chatham Towne Tavern, doing business as the River Grille, to dispense and serve alcoholic beverages for consumption at the Fishawack Festival on June 10, 2017 contingent upon approval of a Catering Permit issued by the Division of Alcoholic Beverage Control Commission; and

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

RESOLUTION #17-130

RESOLUTION AUTHORIZING THE CHATHAM FIRE DEPARTMENT ASSOCIATION TO HOLD A PICNIC ON JUNE 10, 2017 AT THE DEPARTMENT OF PUBLIC WORKS YARD

WHEREAS, the Chatham Fire Department Association desires to hold a picnic in Chatham Borough on June 10, 2017 at the Department of Public Works yard; and

WHEREAS, the Chatham Fire Department Association seeks to serve and dispense alcoholic beverages at the June 10th picnic; and

WHEREAS, the Mayor and Borough Council wish to authorize this event.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham does hereby grant permission for the picnic to be conducted by the Chatham Fire Department Association on June 10, 2017 at the Department of Public Works yard; and

BE IT FURTHER RESOLVED, that the Chatham Fire Department Association shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of \$1,000,000.00 shall be submitted for this event; and

BE IT FURTHER RESOLVED, that permission to dispense alcoholic beverages at the June 10, 2017 picnic is granted subject to the Chatham Borough Fire Department Association obtaining a Social Affairs Permit from the Director of the Division of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-74 and N.J.A.C. 13:2-5.1; 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.

CONSENT AGENDA VOTE

Council Member Helfrich moved to approve Resolution #17-115 through Resolution #17-130. Council Member Resto seconded the motion. A vote was taken and Resolutions #17-115 through Resolution #17-130 were unanimously approved.

ADD-ON RESOLUTION(S)

None.

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 Resto seconded the motion. A vote was taken and the motion passed unanimously.

Meeting adjourned at 9:10 p.m.

Respectfully Submitted:

Robin R. Kline

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