

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

**May 22, 2017 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, May 22, 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 and asked that a moment of silence also be given in memory of Alice Lundt, former Administrator for Chatham Township, who recently passed away at the age of 100.

**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 #17-185.

Council President Fife read Resolution #17-185.

**RESOLUTION #17-185**

**RESOLUTION RECOGNIZING JEFFREY DAVIS FOR HIS GENEROSITY AND EXEMPLARY SERVICE TO CHATHAM BOROUGH**

**WHEREAS**, Jeffrey Davis is the owner of Specialized Auto Craft, a family-operated business in Chatham Borough since 1973; and

**WHEREAS**, throughout the years, Jeff and his family have been generous supporters of community events and civic organizations within the Borough, continually seeking to improve the quality of life for all residents; and

**WHEREAS**, as an art major in the early 1970's, Jeff first volunteered to restore the clock that stands in Reasoner Park as a way of giving back to his home town; and

**WHEREAS**, once again Jeff saw that there was a need to refinish the Reasoner Park clock after decades of it being weathered and fading from exposure and sun and without hesitation offered to volunteer his talent, time and materials to repaint the clock at no cost to our community; and

**WHEREAS**, it took three weeks of devoted labor for Jeff to sand, spray a new shiny finish of paint, and hand paint the gold lettering and intricate details on the clock for our community to enjoy for many more years; and

**WHEREAS**, Jeff has demonstrated himself to be a thoughtful, caring citizen and businessman in the Borough, who at all times dedicates himself to preserving the Borough's small town character and spirit of volunteerism that has helped make Chatham Borough the town we love.

**WHEREAS**, Jeff is to be recognized and commended for his generosity and exemplary service that he has demonstrated to our community over the years.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they do hereby extend their grateful appreciation to Jeffrey Davis for restoring the Reasoner Park clock and on behalf of our entire community and citizenry commend him for his loyal support, generosity, and exemplary service to our community over the years.

Council President Fife made a motion to approve Resolution #17-185. Council Member Resto seconded the motion. A vote was taken and Resolution #17-185 was unanimously approved.

Mayor Harris presented the Resolution to Mr. Jeff Davis, owner of Specialized Auto Craft, and thanked him for his generous contributions to our community over the years.

Mr. Davis thanked Mayor Harris and the Borough Council for their recognition and mentioned that he was born and raised in the Borough and believes that it is important for citizens to give back to their community. Doing so, he said, helps preserve the small hometown feeling that makes the Borough a great place to live.

Mayor Harris and the Borough Council commended Mr. Davis for his expert workmanship in restoring the clock and thanked him for his generosity and exemplary service to the community over the years.

Mayor Harris asked Council Member Resto to proceed with Resolution #17-186.

Council Member Resto mentioned that Morris County is promoting the Mental Health "Stigma Free" initiative throughout all towns in the county to promote awareness of mental health problems and to help end the stigma associated with mental illness and substance addiction.

Council Member Resto read Resolution #17-186.

**RESOLUTION #17-186**

**RESOLUTION SUPPORTING MORRIS COUNTY'S MENTAL HEALTH "STIGMA-FREE" INITIATIVE BY DESIGNATING THE BOROUGH OF CHATHAM AS A "STIGMA-FREE" COMMUNITY**

**WHEREAS**, the Morris County Department of Human Services recognizes that one in four Americans have experienced mental illness, including substance abuse, in any given year according to the National Institute of Mental Health (NIMH); and

**WHEREAS**, mental health problems are more common than cancer and heart disease combined; and,

**WHEREAS**, mental health issues affect both children and adults, including more than half of our Iraq and Afghanistan War veterans treated at Veteran’s Administration hospitals, making mental illness a public health problem which is very real in our communities; and

**WHEREAS**, the stigma associated with mental health and substance abuse disorders is identified as the primary reason individuals fail to seek the help they need to recover from these disorders; and

**WHEREAS**, “Stigma-Free” communities aim to inspire and raise public interest and open dialogue about stigma, raise awareness of mental health and substance abuse disorders and create a culture wherein residents with mental health and/or substance abuse disorders feel supported by their community and neighbors and free to seek treatment without fear of stigma; and

**WHEREAS**, promoting awareness that there can be no “health” without mental health, will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, as well as educating us to be more able to discern the signs of situations where assistance is called for; and

**WHEREAS**, local resources are available to treat mental health and substance use disorders so no one needs to suffer alone or feel helpless.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Borough of Chatham joins Morris County’s “Stigma-Free” Community Initiative by declaring the Borough of Chatham as a “Stigma-Free” Community and encourages every resident to make themselves more aware of mental health issues as a means to combat the rising rates of depression, anxiety, suicide and all other mental health disorders.

Council Member Resto made a motion to approve Resolution #17-186. Council Member Collander seconded the motion. A vote was taken and Resolution #17-186 was approved unanimously.

Mayor Harris asked the Borough Clerk to forward a copy of the Resolution to the Morris County Chosen Board of Freeholders.

Mayor Harris proceeded with Resolution #17-187.

**RESOLUTION #17-187**

**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:

May 8, 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:

May 8, 2017

Council Member Resto made a motion to approve Resolution #17-187. Council Member Collander seconded the motion. A vote was taken and Resolution #17-187 was approved unanimously.

**DISCUSSION ITEMS**

**Build Out Analysis** – Dr. Susan Blickstein, the Borough’s Planner, and Ms. Kendra Lelie, a planner with the firm Clarke Caton Hintz, presented the *Chatham Borough Sewer Demand Projection Technical Study*.

Dr. Blickstein reported that the technical study is designed to assist the Madison-Chatham Joint Meeting in projecting the build out of future development and estimation of sewerage treatment that may be needed over the next 10-15 years for both communities. She mentioned that the analysis presented in the report is only for sewer capacity decision-making purposes.

Sewer demand projections were based on regional population and housing projections, GIS data obtained from Morris County for the Borough, trends in recent development approvals, and historic construction permit data. Five potential growth areas were identified: Gateway Area, B-5 Zone along Main Street, Post Office Plaza, Train Station Area, and the Garden Apartments.

The results of the sewer demand projection indicate an estimated need of 217,725 gallons per day (GPD) of sewer capacity, or approximately a 14% increase. This sewer capacity percentage, which includes a contingency factor, is the capacity that would likely be needed to accommodate new residential and commercial development that may take place over the next 10-15 years.

Dr. Blickstein reported that the buildout analysis for Madison Borough would be presented to the Madison Borough governing body in the near future.

**Capital Projects Update** – Mr. Vince DeNave, Borough Engineer, provide an update on the following 2017 capital projects:

1. The Weston Road Improvement Project, along with several roadway resurfacing projects, are scheduled to begin at the end of the school year.
2. The award of a contract for the 2017 Curb and Sidewalk Program is listed on the agenda for Council approval. Curbs and sidewalks in Zone 5, as well as the installation of a new sidewalk for the east side of North Passaic Avenue to the bridge at the Florham Park municipal boundary are included in this year's program. There are no planned street tree removals for the scheduled curb and sidewalk locations.
3. Improvements to Kelley's Pond, including bank stabilization, tree trimming, and the rehabilitation of the footbridge have been completed. A new electrical system will be installed and the installation of bubblers in the pond to improve aquatic conditions will also be completed. Mr. DeNave reported that the Chatham Fire Department Association made a generous donation for the improvements to Kelley's Pond and the Department of Public Works has performed all of the work with exception of the installation of the new electrical system. Additionally, grant funding from Sustainable Jersey will be used to plant milkweed to attract monarch butterflies and other improvements.
4. Several improvements to Sheppard Kollock Park, including the installation of new backstops and fencing at the ball fields and repairs to the park pavilion have been completed. Phase I of the Historic Riverside Trail will begin soon and the Borough will be applying for new grant funding for Phase II. A resolution authorizing Mayor Harris to execute a letter of intent for submission of a Morris County Trail Construction Grant is on the agenda for Council approval.
5. Drainage projects along Clark Street and North Summit Avenue have been completed by the Department of Public Works. Mr. DeNave reported that the Borough is able to complete many drainage projects at substantial cost-savings by performing the work in-house.
6. Improvements to Liberty Park, including bank stabilization, fencing, and paver walkways and landscaping have been completed. Installation of park benches and a widening of the sidewalk near the crosswalk to accommodate students walking to and from school are scheduled.
7. Mr. DeNave reported capital improvements to Well #2 have been completed. Well #3 and the water tank are scheduled for repairs.

Mr. DeNave further reported that the summer intern program has begun. Intern projects include using GIS to update the Borough's tree inventory and to report and track road conditions for all Borough roadways.

The Council inquired about the status of new lighting at the Center Avenue East parking lot and the status of NJ Transit's repairs to the bridge abutments on Fairmount Avenue and Hillside Avenue. Mr. DeNave responded that new lighting for the Center Avenue East parking lot is currently being investigated. He had nothing new to report on the status of repairs to be made to the two bridge abutments by NJ Transit.

## **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.

Diane Conlan, 22 Garden Avenue, voiced her concern that many mature trees are being taken down on residential lots for new construction and urged Borough officials to help take action to prevent indiscriminate removal of trees.

Council Member Collander responded that the Shade Tree Commission is scheduled to make a presentation to the Mayor and Council on June 12<sup>th</sup> and invited Mrs. Conlan to attend that meeting.

Mayor Harris assured Mrs. Conlan and the public that the Planning Board actively reviews and questions all site plan applications.

Mr. DeNave further stated that a Continued Certificate of Occupancy is not issued until the site plan, including drainage and landscaping matters have been satisfied.

Fran Drew, 32 Inwood Road, reported on the number of trees that had been taken down in the Borough over the past 4 years based on her review of tree removal permits that had been issued. She presented photographs of take downs of significant sized trees and urged Borough officials to stop the needless removal of mature trees.

Jack Drew, 32 Inwood Road, commented that the Borough should regulate trees on private property since trees and a mature tree canopy significantly affects the character of a community. Mr. Drew also inquired about Resolution #17-188.

Mayor Harris responded that the adoption of Resolution #17-188 would designate certain properties in and around Post Office Plaza as a non-condemnation Area in Need of Redevelopment and further informed that the planning study report presented at the May 8<sup>th</sup> Mayor and Council meeting is available on the website.

Mayor Harris informed Mr. Drew and the public that a community-visioning forum is scheduled for June 15<sup>th</sup> at 7:00 p.m. at the Chatham Middle School and encouraged residents to attend.

Stewart Carr, resident of Chatham Township, questioned whether the School District of the Chathams presented a formal agenda to the Mayor and Council for the expansion of the Washington Avenue School parking lot and inquired if potential impacts to the school district's student enrollment were available regarding the build out of the proposed Post Office Plaza redevelopment.

Mayor Harris informed Mr. Carr that the school district presented a site plan application to the Planning Board and had many discussions with the Council's Long Range Traffic & Pedestrian Safety Planning Committee.

The Council further informed Mr. Carr that the limited on-street parking in the residential area, coupled with increased parking needs for train station commuters, were key factors in the Borough working with the school district to expand the Washington Avenue School parking lot.

Rozella Clyde, 33 Carmine Street, questioned if the Borough will publicize the new trails along the Passaic River for public enjoyment once completed.

Joe Marts, 14 W. Coleman Avenue and former Mayor, inquired if developers will be required to improve water and sewer infrastructure as part of a developer's agreement.

Mayor Harris responded that the Borough would have discussions with its special redevelopment council to address needed infrastructure improvements as part of the redevelopment project.

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 the 2018 budget process is on track.

Council Member Lonergan announced that a Community Forum is scheduled for May 30<sup>th</sup> at 7:00 p.m. at the Chatham High School Auditorium to discuss the crisis of opioid and heroin addiction among teens and young adults. A panel of speakers will engage parents with information on current trends, signs and symptoms, and life-saving resources. Council Member Lonergan encouraged the public to attend.

**Long Range Traffic & Pedestrian Safety Planning** - Council Member Collander reported the next meeting is scheduled for Thursday, June 1<sup>st</sup> and had nothing new to report.

**Public Safety & Emergency Services** - Council Member Collander reported the next meeting is scheduled for Thursday, May 25<sup>th</sup> and had nothing new to report.

**Personnel** - Council Member Resto reported that personnel matters have been scheduled for closed session discussion.

Council Member Resto announced that the Chatham Memorial Day Commemoration would be held at the memorials in front of the Library of the Chathams on Monday, May 29<sup>th</sup>. The program will begin at 8:00am with many veterans having confirmed their attendance.

**Public Works Planning/Community Services** - Council President Fife reported that Fishawack is scheduled for June 10<sup>th</sup>. The Jaycee's Fishawack Race begins at 9:00 a.m. followed by a full day of events, activities, and a Movie under the Stars at 8:00 p.m. There will also be a rededication of a tree and plaque memorializing those in Chatham who gave their lives in service to their Country during World War I. The event will take place during Fishawack, at noon at Borough Hall, Saturday, June 10<sup>th</sup>.

**Shared Services & 3<sup>rd</sup> Party Agreements** - Council Member Helfrich had nothing new to report.

### **MAYOR'S REPORT**

Mayor Harris announced that a community-visioning forum to discuss the proposed Post Office Plaza redevelopment project is scheduled for June 15<sup>th</sup> at 7:00 p.m. at the Chatham Middle School. He encouraged residents to attend and to provide their input. Mayor Harris also reported that the Borough nominated "Monty" and Barbara Montague for the "Cissy Laureys" Award, an award established by Morris County Clerk, Ann Grossi, to recognize seniors for their outstanding community service. Each year, one deserving county citizen is recognized for his/her outstanding community service. "Monty" and Barbara Montague and were recognized by Morris County for their years of volunteer service.

### **ADMINISTRATOR'S REPORT**

Mr. Falzarano had nothing to report.

Mayor Harris expressed his well wishes to Mr. Falzarano who will be leaving at the end of the month to pursue a new job opportunity.

Mayor Harris asked Council President Fife to proceed with Resolution #17-188.

Council President Fife read Resolution #17-188.

## **RESOLUTION REQUIRING SEPARATE ACTION**

### **RESOLUTION #17-188**

#### **RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, DESIGNATING AN AREA OF THE BOROUGH AS MORE PARTICULARLY DESCRIBED HEREIN AS “AN AREA IN NEED OF REDEVELOPMENT” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW**

**WHEREAS**, on March 13, 2017, the Mayor and Council adopted Resolution No. 17-093, requesting and authorizing the Planning Board to undertake a preliminary investigation to determine whether the properties identified as Block 121, Lots 10, 11, 12, 13, 14 and 17, and Block 122, Lots 1, 2, 13, 14, 15, 16, 17 and 18, as identified on the Official Tax Map of the Borough of Chatham (collectively, the “Study Area”) to determine if such properties qualify as a “non-condemnation” area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1*, et seq. (the “Redevelopment Law”); and

**WHEREAS**, Resolution No. 17-093 provides in part that the powers of eminent domain may not be applied to the Study Area; and

**WHEREAS**, the Planning Board retained the services of Topology NJ, LLC, a professional planning firm (“Topology”) to assist in conducting the necessary investigations and analysis to determine whether the Study Area does or does not qualify as an area in need of redevelopment under the criteria set forth in the Redevelopment Law; and

**WHEREAS**, Topology conducted such investigations and prepared a report of its investigations entitled “*Preliminary Investigation Post Office Plaza Chatham New Jersey*” dated March 22, 2017 (the “Redevelopment Investigation Report”); and

**WHEREAS**, the Redevelopment Investigation Report concludes that the Study Area, with the exception of Block 121, Lot 14, exhibit conditions which conform with various redevelopment criterion under Section 5 of the Redevelopment Law, *N.J.S.A. 40A:12A-5*, as more specifically set forth in the Redevelopment Investigation Report; and

**WHEREAS**, on April 5, 2017, the Planning Board conducted a duly-noticed public hearing, pursuant to *N.J.S.A. 40A:12A-6*, at which time it heard a presentation of the Redevelopment Investigation Report by Philip A. Abramson and Leigh Anne Hindenlang, the primary authors of the Redevelopment Investigation Report, as well as comments from members of the public in attendance; and

**WHEREAS**, Mr. Abramson and Ms. Hindenlang responded to questions from the Planning Board members and members of the public; and

**WHEREAS**, based upon the Redevelopment Investigation Report, Mr. Abramson’s and Ms. Hindenlang’s testimony concerning the Redevelopment Investigation Report, and the comments from the public, on April 19, 2017, the Planning Board adopted a Memorializing Resolution accepting the findings of the Redevelopment Investigation Report, concluding that Block 121, Lots 10, 11, 12, 13 and 17, and Block 122, Lots 1, 2, 13, 14, 15, 16, 17 and 18 (the “Revised Study Area”) meet the criteria for designation as a non-condemnation area in need of redevelopment under the Redevelopment Law, and recommending that the Mayor and Council designate the Revised Study Area as a non-condemnation area in need of redevelopment, pursuant to the Redevelopment Law; and

**WHEREAS**, the Mayor and Council accept the conclusions of the Redevelopment Investigation Report and the Planning Board's recommendation and wish to designate the Revised Study Area as a non-condemnation area in need of redevelopment.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham that the Revised Study Area described herein be and hereby is designated as a Non-Condensation Redevelopment Area, pursuant to *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6*.

Council President Fife made a motion to approve Resolution #17-188. Council Member Lonergan seconded the motion. A vote was taken and Resolution #17-188 was approved unanimously.

### **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 #17-189 through Resolution #17-198 have been placed on the Consent Agenda.

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

None.

### **APPOINTMENTS**

#### **RESOLUTION #17-189**

#### **RESOLUTION APPOINTING LICENSED INDIVIDUALS WITH WM. A. BRADLEY & SON FUNERAL HOME IN CHATHAM AS SUBREGISTRARS PURSUANT TO N.J.S.A. 26:8-18**

**WHEREAS**, there is a need for the appointment of Subregistrars of Vital Statistics for the Borough of Chatham to issue burial, removal and transit permits in cases of emergency; and

**WHEREAS**, in accordance with N.J.S.A. 26:8-18, the Local Registrar may, with the approval of the State Registrar, appoint one or more suitable persons to act as Subregistrars; and

**WHEREAS**, Anne Mandal, Chatham Borough's Local Registrar recommends that the following licensed individuals with Wm. A. Bradley & Son Funeral Home in Chatham be appointed to serve as Subregistrars of Vital Statistics for the Borough of Chatham for the issuance of burial or removal permits and transit permits in cases of emergency for a three-year term, with such term effective May 27, 2017 to May 26, 2020:

Scott W. Bradley, President, New Jersey License No. 3894  
John E. Caffrey, Manager, New Jersey License No. 4398  
Christopher J. Lisewski, New Jersey License No. 4057  
Daniel Vander Ploeg, New Jersey License No. 4225

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Local Registrar and hereby appoint the herein referenced licensed individuals of the Wm. A. Bradley & Son Funeral Home in Chatham be appointed to serve as subregistrars of Vital Statistics for the Borough of Chatham for the issuance of burial or removal permits and transit permits in cases of emergency for a three-year term, with such term effective May 27, 2017 to May 26, 2020 in accordance to state law.

**CONTRACTS**

**RESOLUTION #17-190**

**RESOLUTION AWARDING THE 2017 SIDEWALK AND CURB PROGRAM CONTRACT TO M. SKY CONSTRUCTION CORPORATION OF LAKE HOPATCONG, NJ**

**WHEREAS**, the Borough of Chatham has the annual need to bid out services for curb and sidewalk improvements; and

**WHEREAS**, the Borough of Chatham has received seven (7) bids for the 2017 Sidewalk and Curb Improvement Program; and

**WHEREAS**, the bid submitted by M. Sky Construction Corporation, Lake Hopatcong, New Jersey, in the amount of \$139,040.00 was the lowest responsible bidder; and

**WHEREAS**, the Borough Engineer and the Borough Attorney have reviewed all bids and find the lowest bidder qualified and the bid documents to be acceptable; and

**WHEREAS**, the maximum contract amount shall not exceed \$139,040.00; and

**WHEREAS**, the Chief Financial Officer has confirmed that sufficient funds are available in General Capital Fund Account #C-04-55-917-002 for the award of this contract.

**BE IT RESOLVED**, by the Council of the Borough of Chatham hereby authorizes the award of contract to M. Sky Construction Corporation in the amount not to exceed \$139,040.00; and

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized and directed to execute a contract with M. Sky Construction Corporation for the 2017 Curb and Sidewalk Improvement Program; 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 #17-191**

**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 #17-192**

**RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF WATER AND SEWER UTILITY FEES**

**WHEREAS**, the Chief Financial Officer for the Borough of Chatham has advised that a written request has been made for the refund of the overpayment of water and sewer utility fees in the amount of \$149.72 for property located at 48 Woodland Road; and

**WHEREAS**, the Borough's Utility Clerk has further advised that a refund for the overpayment is to be made as follows:

**NAME/ADDRESS**  
James Lam/Maria Jang  
550 West 54<sup>th</sup> Street  
Apt. 24L  
New York, NY 10019

**REFUND AMOUNT**  
\$149.72

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the request to refund the overpayment of water and sewer utility fees as herein referenced is hereby approved and the Borough's Utility Clerk is authorized to process a refund; 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.

**RECREATION**

**RESOLUTION #17-193**

**RESOLUTION APPOINTING SUMMER POOL STAFF FOR THE 2017 SEASON**

**WHEREAS**, the Chatham Borough Recreation Program has a need to hire summer pool staff for the 2017 season; and

**WHEREAS**, the Recreation Coordinator recommends hiring the following individuals pending completion of all paperwork requirements prior to any employment:

Bohensky, Lorisa	\$8.38	Substitute
Puglisi, Grace	\$8.38	Substitute
Ashton, Henry	\$8.38	Substitute

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Recreation Coordinator and hereby approve the hiring of the individuals referenced herein as pool staff for the 2017 season at the respective positions and rates of pay, contingent upon the Recreation Coordinator verifying that all paperwork requirements have been completed prior to employment; and

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

**OTHER**

**RESOLUTION #17-194**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ACCESS PERMIT AGREEMENT WITH NEW JERSEY TRANSIT FOR USE OF THE CHATHAM TRAIN STATION RESTROOMS FOR THE 2017 FARMERS' MARKET SEASON**

**WHEREAS**, the Chatham Farmers' Market desires to use the Chatham Train Station restrooms for its 2017 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 2017 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 2017 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 #17-195**

**RESOLUTION APPROVING THE APRIL 17, 2017 MINUTES OF THE MADISON-CHATHAM JOINT MEETING**

**WHEREAS**, the approval of the minutes for the April 17, 2017 Regular Meeting of the Madison-Chatham Joint Meeting was listed on the May 15, 2017 agenda of the Madison-Chatham Joint Meeting; and

**WHEREAS**, the Borough of Chatham did not have a quorum present at the May 15, 2017 meeting of the Madison-Chatham Joint Meeting; and

**WHEREAS**, it is necessary for the Borough of Chatham to approve the April 17, 2017 Regular Meeting minutes of the Madison-Chatham Joint Meeting.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham that the minutes of the April 17, 2017 Regular Meeting of the Madison-Chatham Joint Meeting are hereby approved.

**RESOLUTION #17-196**

**RESOLUTION APPROVING THE MAY 15, 2017 CHECK REGISTER AND PURCHASE ORDERS RENDERED BY THE MADISON-CHATHAM JOINT MEETING**

**WHEREAS**, the approval of the May 2017 Check Register and Purchase Orders Rendered were presented on the May 15, 2017 agenda of the Madison-Chatham Joint Meeting for approval; and

**WHEREAS**, the Borough of Chatham did not have a quorum present at the May 15, 2017 Regular meeting of the Madison-Chatham Joint Meeting; and

**WHEREAS**, it is necessary for the Borough of Chatham to approve the May 2017 Check Register and Purchase Orders Rendered for the Madison-Chatham Joint Meeting in the amount totaling \$63,927.95.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham that the May 2017 Check Register and Purchase Orders Rendered for the Madison-Chatham Joint Meeting in the amount totaling \$63,927.95 are hereby approved.

**RESOLUTION #17-197**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF INTENT FOR THE SUBMISSION OF A MORRIS COUNTY TRAIL CONSTRUCTION GRANT PROGRAM APPLICATION FOR THE CONSTRUCTION OF PHASE II OF THE CHATHAM-SUMMIT LOOP TRAIL, ALSO KNOWN AS THE HISTORIC RIVERSIDE TRAIL PROJECT**

**WHEREAS**, the Borough of Chatham is desirous of submitting a Morris County Trail Construction Grant Program application for the construction of Phase II of the Chatham-Summit Loop Trail, also known as the Historic Riverside Trail Project; and

**WHEREAS**, applicants are required to submit a completed Letter of Intent to the Morris County Park Commission on or before June 1, 2017, which verifies property ownership, estimates project costs, and approves the municipality’s pursuit and future submission of a Morris County Trail Construction Grant Program Application; and

**WHEREAS**, the Director of the Department of Community Services and the Borough Engineer have prepared the Letter of Intent in accordance with the grant program requirements, which has been approved by the Borough Administrator.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that they hereby approve the Borough’s pursuit and future submission of a Morris County Trail Construction Grant Program Application for the construction of Phase II of the Chatham-Summit Loop Trail, also known as the Historic Riverside Trail Project, and authorize the Mayor to execute the Letter of Intent; 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 #17-198**

**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](http://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:

<u>ITEM</u>	<u>MINIMUM BID</u>
2010 Ford Crown Victoria 4.6L, VIN#2FABP7BV3AX142258, 104,345 miles	\$1,500.00
2004 Dodge Durango 4.7L VIN#1D4HB38N94F199313, 60,414 miles	\$1,000.00
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24952	\$100.00 Reserve
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24918	\$100.00 Reserve

One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24910	\$100.00 Reserve
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24936	\$100.00 Reserve
One (1) Panasonic Toughbook Model CF-30CCQAABM, Serial 7DKYA24940	\$100.00 Reserve
One (1) Panasonic Toughbook Model CF-30KAPAQ2M, Serial 9BKYA31715	\$100.00 Reserve
One (1) Panasonic Toughbook Model 30KAPAQ2M, Serial 9BKYA31528	\$100.00 Reserve
20 Tex Shoemaker basket weave holsters for SW4566	\$100.00 for lot of 20
17 Safariland 6360-4302 holsters for SW 4566	\$100.00 for lot of 17
20 Tex Shoemaker basket weave dual mag pouches for SW4566	\$100.00 for lot of 20
Motorola MSF VHF Base Station Radio	\$25.00
Motorola GM300 UHF Mobile Radio w/power supply	\$25.00
Motorola Quantar VHF Base Station Radio (FIRE)	\$25.00
Motorola Quantar VHF Base Station Radio (DPW)	\$25.00
Decibel VHF Duplexer	\$10.00
Netgear MR 314 wireless modem	\$10.00
Linksys-G wireless access point	\$10.00
Tru-Spec black parka 3XL	\$10.00
2 computer monitors	\$10.00 for both
Baby Jogger	\$5.00
Blackberry (no battery)	\$1.00
Bible	\$1.00

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.

#### CONSENT AGENDA VOTE

Council Member Lonergan moved to approve Resolution #17-189 through Resolution #17-198. Council Member Collander seconded the motion. A vote was taken and Resolutions #17-189 through Resolution #17-198 were unanimously approved.

**ADD-ON RESOLUTIONS**

None.

**ORDINANCES FOR FIRST READING**

Mayor Harris asked Council Member Resto to introduce Ordinance #17-06.

Council Member Resto introduced Ordinance #17-06 by title as follows:

**ORDINANCE #17-06**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
ADOPTING AN ADMINISTRATIVE CODE**

Council Member Resto explained that the purpose of this Ordinance is to provide in the Borough Code a chapter that describes how the Borough government operates and sets forth the correct method of appointment for certain Borough officials and employees so that appointments are consistent with state statute.

Council Member Resto moved for introduction on First Reading.

Council Member Resto read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on May 22, 2017.

**BE IT RESOLVED**, that at the Council meeting to be held on June 12, 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 Resto offered Ordinance #17-06 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			
Helfrich			X			
Resto	X		X			
Hoffman			X			

Mayor Harris asked Council Member Resto to introduce Ordinance #17-07.

Council Member Resto introduced Ordinance #17-07 by title as follows:

**ORDINANCE #17-07**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 3 OF THE  
BOROUGH CODE ENTITLED “APPOINTED POSITIONS REGISTRY”**

Council Member Resto explained that the purpose of the Ordinance is to amend Chapter 3 of the Borough Code entitled “Appointed Positions Registry” so that it is consistent with the Citizen Service Act, which requires the Borough Clerk to maintain a directory of appointed municipal positions.

Council Member Resto moved for introduction on First Reading.

Council Member Resto read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on May 22, 2017.

**BE IT RESOLVED**, that at the Council meeting to be held on June 12, 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 Resto offered Ordinance #17-07 and moved its adoption on first reading.

Council Member Collander seconded the motion.

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

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

Mayor Harris asked Council Member Helfrich to proceed with Resolution #17-199.

Council Member Helfrich read Resolution #17-199.

**RESOLUTION #17-199**

**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. Personnel Matters – Mayor Harris/Mr. Resto

**BE IT FURTHER RESOLVED**, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Borough Council will not return to public session after this closed session.

**ADJOURNMENT**

Having no other business to be conducted, Council Member Helfrich made a motion for adjournment. Council Collander seconded the motion, with all in favor. Mayor Harris adjourned the public meeting.

Meeting adjourned at 9:25 p.m.

Respectfully Submitted:

*Robin R. Kline*

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