

AGENDA

May 13, 2019

**Regular Meeting
Mayor and Borough Council**

**Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928**

CALL MEETING TO ORDER

The meeting will be called to order at 7:30 p.m.

SALUTE TO FLAG

MOMENT OF SILENCE

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 official bulletin board on the main floor of Borough Hall, emailed to the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and TAPinto Chatham and was filed with the Borough Clerk, all on January 17, 2019.

ROLL CALL

Mayor Bruce A. Harris
Council President James J. Collander
Council Member Victoria Fife
Council Member Robert A. Weber, Sr.
Council Member Thaddeus J. Kobylarz
Council Member Carolyn Dempsey
Council Member Jocelyn Mathiasen
Stephen W. Williams, Borough Administrator and Acting Borough Clerk
James L. Lott, Jr., Borough Attorney

PROCLAMATION

RESOLUTION #19-185

PARENTS WHO HOST, LOSE THE MOST DON'T BE A PARTY TO TEENAGE DRINKING CAMPAIGN

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being; and

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems; and

WHEREAS, it is illegal to give or allow your teen's friends under 21 to drink alcohol in your home, even with their parents' permission, and anyone found guilty of providing alcohol to a youth can face up to a \$1,000 fine and six months in jail in addition to any civil action that can be brought as a result of damages or injury related to the offense; and

WHEREAS, adults have the authority and responsibility to provide our youth with alternative opportunities by creating alcohol free activities; and

WHEREAS, the Drug-Free Action Alliance, through the "Parents Who Host, Lose the Most: Don't be a Party to Teenage Drinking" campaign provides the educational materials to raise community awareness regarding this illegal and unhealthy practice; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby proclaim the month of June 2019 to be the "Parents Who Host, Lose the Most: Don't be a Party to Teenage Drinking" Month in the Borough of Chatham; and

BE IT FURTHER RESOLVED, that Borough officials not only discourage the use of alcohol by those below the legal age of consumption, but also urge all Borough citizens to refuse to provide alcoholic beverages to underage youths and to continue to take the necessary steps to discourage this illegal and unhealthy activity.

RESOLUTION #19-186

DESIGNATING THE WEEK OF MAY 19-25, 2019 AS NATIONAL EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, Emergency Medical Services are a vital public service, providing lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, the Emergency Medical Services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, Emergency Medical Services are now firmly established as a key component of the medical care continuum and EMS practitioners serve a vital role in saving lives from sudden cardiac arrest and trauma; in getting people to the hospitals best equipped to treat heart attacks and strokes; and in showing caring and compassion to their patients in their most difficult moments; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the all-volunteer Chatham Emergency Squad has primary responsibility for responding to medical emergencies in the Chatham and provides CPR training and First Aid training to residents of the Chatham to improve preparedness for medical emergencies; and

WHEREAS, our community is fortunate to be served by such dedicated volunteers who give their time in service of the Chatham Emergency Squad and engage in hundreds of hours of specialized training to enhance lifesaving knowledge and skills; and

WHEREAS, National Emergency Medical Services Week brings together local communities and medical personnel to publicize safety and honor the dedication of those who provide the day-to-day lifesaving services of medicine's "front line."

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they do hereby proclaim the week of May 19-25, 2019 as Emergency Medical Services Week in the Borough of Chatham and give a heartfelt thanks to the dedicated volunteers of the Chatham Emergency Squad; and

BE IT FURTHER RESOLVED that residents are encouraged to join the Chatham Emergency Squad and become part of an organization, which has proudly served the Chathams since 1936.

RESOLUTION #19-187

RESOLUTION RECOGNIZING MAY 2019 AS MENTAL HEALTH AWARENESS MONTH

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, behavioral health disorders, including major depression, bi-polar disorder, schizophrenia, panic disorders, post-traumatic stress disorder and obsessive-compulsive disorders affect many children and youth every year, regardless of age, gender, race, ethnicity, religion or economic status; and

WHEREAS, a focus on prevention and early intervention efforts could greatly reduce the number of children and adults experiencing serious mental health conditions; and

WHEREAS, children, and adults can recover from mental illness and lead full, productive lives in the community; and

WHEREAS, since 1949, May has officially been recognized as Mental Health Month; and

WHEREAS, the Borough of Chatham, as a Stigma Free community which aims to eradicate the stigma associated with mental illness and substance use disorders and is dedicated to raising awareness of these illnesses by creating an environment where affected individuals are supported in their efforts to achieve wellness and recovery; and

WHEREAS, each elected official, business, government agency, health-care provider, organization and citizen share the burden of mental health issues and has a responsibility to promote mental wellness and support prevention efforts.

BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Chatham, hereby declares May 2019 as Mental Health Month and thereby requests that each resident, citizen and business recommit our community to increasing awareness and understanding of mental health, the steps our children, youth and adults can take to protect their mental health, and the need for appropriate and accessible services for all people, especially children and youth with mental health conditions.

RESOLUTION #19-188

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:

April 22, 2019

RECUSALS

Recusals or abstentions submitted for the record.

DISCUSSION ITEMS

1. Washington Avenue Mural – Public Arts Council (Mrs. Kaplan)
 2. Senior Advisory Committee – John Crouthamel
 3. Food Truck Festival – Cultural Committee of the Chathams (Mrs. O’Connell)
 4. Review of River Road Redevelopment Plan edits – Topology (Ms. Hindenlang)
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MEETING OPEN TO THE PUBLIC

NOTICE OF PUBLIC COMMENT TIME LIMIT

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

REPORTS

COUNCIL COMMITTEES

Budget and Finance

Long Range Traffic and Pedestrian Safety Planning

Public Safety and Emergency Services

Personnel

Public Works Planning/Community Services

Shared Service & 3rd Party Agreements

Council Member Thaddeus Kobylarz

Council President James J. Collander

Council President James J. Collander

Council Member Robert A. Weber, Sr.

Council Member Victoria Fife

Council Member Jocelyn Mathiasen

MAYOR’S REPORT

ADMINISTRATOR’S REPORT

ORDINANCE FOR FIRST READING

ORDINANCE #19-11

INTRODUCTION OF ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE RIVER ROAD REDEVELOPMENT AREA BLOCK 135, LOTS 9 THROUGH 11 BOROUGH OF CHATHAM, NEW JERSEY

Council Member Kobylarz explains the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Kobylarz reads:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on May 13, 2019.

BE IT RESOLVED, that at the Council meeting to be held on June 10, 2019 at 7:30 p.m. prevailing time, at 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 Acting Borough 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 public.

Council Member Kobylarz: I offer Ordinance #19-11 and move its adoption on first reading.

Council Member _____ seconds the motion.

Mayor Harris asks the Acting Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Fife						
Weber						
Kobylarz						
Dempsey						
Mathiasen						

CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Resolution #19- through Resolution #19- have been placed on the Consent Agenda.

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

RESOLUTION #19-

CONTRACTS

RESOLUTION #19-189

RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BY AND BETWEEN THE BOROUGH OF CHATHAM AND CHATHAM BORO DPW ASSOCIATION, INC.

WHEREAS, negotiations were entered into between the Borough of Chatham and Chatham Boro DPW Association, Inc. for purposes of collective bargaining with respect to rates of pay, hours of employment and other terms and conditions of employment for all full-time employees who are members of the Chatham Boro DPW Association, Inc; and

WHEREAS, as a result of these negotiations an agreement was reached by the parties.

BE IT RESOLVED by the Council of the Borough of Chatham that the agreement between the Borough of Chatham Boro DPW Association, Inc for the period January 1, 2019 through December 31, 2021 is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the collective bargaining agreement with Chatham Boro DPW Association, Inc 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.

RESOLUTION #19-190

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO U.S. TANK PAINTING FOR THE PAINTING OF BOROUGH STANDPIPE #3

WHEREAS, the Director of Public Works solicited proposals from qualified contractors for the painting of Standpipe #3; and

WHEREAS, the following two (2) quotations were received:

<u>VENDOR</u>	<u>TOTAL CONTRACT AMOUNT</u>
U.S. Tank Painting	\$ 22,500.00
Alpine Painting & Sand Blast	\$ 96,600.00

And,

WHEREAS, the value of this contract will exceed 15% of the bid threshold, but will be less than the bid threshold of \$40,000.00 and, therefore, may be awarded by soliciting competitive quotes without advertising for bids under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Qualified Purchasing Agent has reviewed and approved the quotation specifications and has reviewed all quotes that were received; and

WHEREAS, the Director of Public Works recommends that an award of the contract be made to U.S. Tank Painting, 900 Rike Drive, Millstone Township, NJ 08535 in the amount of \$22,500.00 subject to the review and approval by the Qualified Purchasing Agent; and

WHEREAS, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$22,500.00 and that funds are currently available for the purpose of awarding this contract from Capital Accounts #W-06-55-916-503;

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the Mayor to execute the contract with U.S. Tank Painting in the amount of \$22,500.00, in accordance with the specifications upon which quotations were received; 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 #19-191

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 #19-192

RESOLUTION APPROVING TAX APPEAL SETTLEMENT WITH BRADLEY D. & SANDRA RHOADS FOR PROPERTY LOCATED AT 25 OAK DRIVE (BLOCK 11, LOT 18) DOCKET NOS. 004841-2016; 003832-2017 and 004796-2018

WHEREAS, appeals of the real property tax assessments for tax years 2016 through 2018 for the property located at Block 11, Lot 18 on the Official Tax Map of the Borough of Chatham have been filed by the taxpayer, Bradley D. & Sandra Rhoads and are pending in the Tax Court of New Jersey bearing Docket Nos. 004841-2016, 003832-2017 and 004796-2018; and

WHEREAS, a settlement has been negotiated with the taxpayer resolving the tax appeals; and

WHEREAS, as a result of the proposed settlement, the appeal bearing Docket No. 004841-2016 is withdrawn and the assessments for 2017 and 2018 are reduced as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2017	\$1,444,000.00	\$1,185,000.00
2018	\$1,444,000.00	\$1,161,700.00

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Appraisal Consultant; and

WHEREAS, upon the recommendation of the Borough Tax Assessor and Borough Appraisal Consultant, the Borough Council believes that this settlement is in the best interest of the Borough and secures fairness and uniformity in the assessment process.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Chatham that the Borough Council hereby approves of the above settlement with Bradley D. & Sandra Rhoads of 25 Oak Drive of the real property tax appeals bearing Docket Nos. 004841-2016, 003832-2017 and 004796-2018.

BE IT FURTHER RESOLVED, by the Borough Council that the Borough Tax Counsel is hereby authorized and directed to enter into the Stipulation of Settlement, which is attached and made a part of this Resolution, and to file the Stipulation and such other documents as required to implement this settlement with the Tax Court of New Jersey.

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

PUBLIC ARTS

RESOLUTION #19-193

RESOLUTION TO AUTHORIZE THE PUBLIC ARTS COUNCIL TO INSTALL MURALS ON THE NEW JERSEY TRANSIT PROPERTY ON WASHINGTON AVENUE

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Public Arts Council's murals are hereby approved to be installed on New Jersey Transit property on Washington

Avenue, with their approval.

PERSONNEL

RESOLUTION #19-194

RESOLUTION APPOINTING SUMMER MEMORIAL PARK POOL STAFF FOR THE 2019 SEASON

WHEREAS, the Chatham Borough Recreation Program has a need to hire summer pool staff for the 2019 season; and

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

Name	Hourly Rate	Position
Bohensky, Larisa	\$10.00	Substitute
Byrd, Connor	\$10.00	Substitute
Byrd, Jack	\$10.00	Substitute
Cheng, Michele	\$10.20	Staff
Cohn, Jared	\$10.20	Staff
Crimmins, Jordan	\$10.20	Staff
Crimmins, Kathryn	\$10.00	Staff
Christie, Aiden	\$10.00	Substitute
Dubee, Jack	\$10.00	Staff
Dziemian, Meryn	\$10.00	Substitute
Hamilton, Maura	\$10.00	Staff
LeMon, Tristan	\$10.00	Substitute
Mascolo, Nick	\$10.80	Staff
McKenna, Grace	\$10.20	Staff
McKenna, Julianna	\$13.90	Staff - Assistant Manager
McKenna, Mary	\$10.20	Staff
Nauta, Amy	\$22.40	Staff - Manager
Nauta, Janet	\$10.00	Substitute
O'Malley, Geoffrey	\$10.00	Staff
O'Reilly, Brendan	\$10.00	Substitute
Schwarz, Ryan	\$10.00	Staff
Voight, Lucas	\$11.40	Staff - Head Guard
In the absence of the above Manager, Assistant Manager or Head Guard see range below.		
Acting Manager	Range \$14.50 - \$20.00	
Acting Assistant Manager	Range \$12.00 - \$13.90	
Acting Head Guard	\$11.40	

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 summer pool staff for the 2019 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

RESOLUTION #19-195

RESOLUTION TO HIRE BRIAN AGNEW AS A TEMPORARY SPRING/SUMMER SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works has a need to hire temporary spring/summer seasonal help; and

WHEREAS, the Director of Public Works received applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works recommends that Brian Agnew be hired for the temporary spring/summer seasonal position in the Department of Public Works at the rate of \$15.00 per hour and with an effective starting date of May 20, 2019.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Director of Public Works and hereby approve the hiring of Brian Agnew as a temporary spring/summer seasonal employee in the Department of Public Works at the rate of \$15.00 per hour and with the effective starting date of May 20, 2019.

RESOLUTION #19-196

RESOLUTION TO HIRE REILLY HERBERT AS A TEMPORARY SPRING/SUMMER SEASONAL EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works has a need to hire temporary spring/summer seasonal help; and

WHEREAS, the Director of Public Works received applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works recommends that Reilly Herbert be hired for the temporary spring/summer seasonal position in the Department of Public Works at the rate of \$15.00 per hour and with an effective starting date of May 16, 2019.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Director of Public Works and hereby approve the hiring of Reilly Herbert as a temporary spring/summer seasonal employee in the Department of Public Works at the rate of \$15.00 per hour and with the effective starting date of May 16, 2019.

SHARED SERVICES

RESOLUTION #19-197

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE SCHOOL DISTRICT OF THE CHATHAMS FOR SPECIAL LAW ENFORCEMENT OFFICER CLASS III.

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 (the “Act”) et seq., provides that a local unit, as that term is defined in the Act, may enter into an agreement to provide or receive any services that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the School District of the Chathams Board of Education (the “Board”) has requested that the Borough of Chatham provide one (1) SLEO Class III Officer for the 2019/2020 School Year in accordance with N.J.S.A. 40A:14-146.8 et seq. and pursuant to the attached shared services agreement and (2) the Borough of Chatham has agreed to do so; and

WHEREAS, the Mayor and Borough Council of the Borough of Chatham have adopted an ordinance authorizing the appointment of one (1) Class III Special Law Enforcement Officer (SLEO III) in accordance with N.J.S.A. 40A:14-146.8 et seq;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Chatham, County of Morris, State of New Jersey that the Mayor and Acting Borough Clerk of the Borough of Chatham are hereby authorized to execute a shared service agreement between the Borough and the Board to provide one (1) SLEO III to the School District. The form of agreement shall be approved by the Borough Attorney and substantially similar to the shared services agreement attached hereto and made a part hereof this Resolution.

BE IF FURTHER RESOLVED, that the Borough Administrator and Borough Attorney be and hereby are authorized and directed to further negotiate non-substantive revisions to the shared services agreement with the Board as appropriate.

BE IF FURTHER RESOLVED, that all 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 #19-198

RESOLUTION APPROVING A SOCIAL AFFAIRS PERMIT FOR THE CHATHAM EMERGENCY SQUAD TO DISPENSE AND SERVE ALCOHOLIC BEVERAGES AT ITS ANNUAL PICNIC TO BE HELD AT SHEPARD KOLLOCK PARK

WHEREAS, the Chatham Emergency Squad will be holding its annual picnic at Shepard Kollock Park on May 19, 2019 (rain date June 9, 2019); and

WHEREAS, the Chatham Emergency Squad desires to submit an Application for a Social Affairs Permit to the Division of Alcoholic Beverage Control to dispense and serve alcoholic beverages for consumption at its picnic pursuant to N.J.S.A. 33:1-74 and N.J.A.C. 13:2-5.1; and

WHEREAS, the Chatham Emergency Squad has submitted a completed *Reservation of Borough Facilities Application* for use of Shepard Kollock Park to the Department of Community Services.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Chatham Emergency Squad is hereby granted permission to dispense and serve alcoholic beverages for consumption at its annual picnic at Shepard Kollock Park on May 19, 2019 (rain date June 9, 2019) contingent upon (i) approval of a Social Affairs Permit issued by the Division of Alcoholic Beverage Control, and (ii) issuance of a Reservation of Borough Facilities Permit signed by the Borough Administrator and Recreation Coordinator; 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:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #19-189 through #19-198.

Council Member _____: I would like to make a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Council.

Seconded by Council Member: _____.

ADD-ON RESOLUTION[S]

RESOLUTION #19-

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:

Contracts: 1. Designation of Post Office Plaza Redeveloper – Mr. DeNave and Ms. Hindenlang

Attorney Client Privileged: 1. Affordable Housing Rent Increases – Mr. Lott

Real Property: 1. Proposed Acquisition of Real Property – Mayor Harris

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

ADJOURNMENT