

Regular Council meeting Minutes  
January 27, 2014

**REGULAR COUNCIL MEETING**  
**January 27, 2014 7:30 p.m.**

The Regular Council Meeting of the Borough of Chatham was held on Monday January 27, 2014 beginning at 7:30 p.m. in the Council Chambers, in the Municipal Building.

The meeting was called to order at 7:30 p.m.; Mayor Bruce A. Harris presiding.

The Mayor and Borough Council saluted the flag.

Mayor Harris asked for a moment of silence for those people who have given their life for this country.

Susan Caljean, Municipal Clerk read the statement regarding Adequate Notice of Meeting:

Pursuant to the requirements of R.S. 10:4-10, 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 the Municipal Building, e-mailed to the Independent Press, the Morris County Daily Record, the Star Ledger, and Chatham Courier, the Chatham Patch, and Alternative Press and filed with the Borough Clerk, all on January 2, 2014.

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 Member John Holman  
Council President Victoria Fife  
Council Member Gerald J. Helfrich  
Council Member Alida Kass\*  
Robert J. Falzarano, Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Susan Caljean, Municipal Clerk

\*absent

Council President Fife read the following Proclamation.

**PROCLAMATION**  
**Relay for Life**

**WHEREAS**, an estimated **50,650 NJ residents** are diagnosed with cancer each year, and **16,650** will not survive; and

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**WHEREAS**, this Borough is joining over 5,200 other communities worldwide to host the American Cancer Society's Relay For Life, an event to celebrate cancer survivors and remember those who are no longer with us; and

**WHEREAS**, Relay For Life raises funds to help the American Cancer Society create a world with less cancer and more birthdays by helping people stay well, get well, find cures, and fight back.

**BE IT RESOLVED**, that I, **Bruce Harris** Mayor of the Borough of Chatham by virtue of the authority vested in me, do hereby proclaim **May 31, 2014** as

The American Cancer Society's  
Relay For Life Day

In doing so, I urge citizens to celebrate cancer survivorship, remember loved ones lost to the disease, honor caregivers and join **Chatham's** fight against cancer. Only together will we find a cure.

Relay for Life Chairs Cory Willis and Maggy Atkins accepted a copy of the Proclamation. The kick off meeting will be held February 26<sup>th</sup> at 7:00 p.m. at the Library.

**RESOLUTION #14-97**  
**RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the minutes from the following meeting are approved as typed and filed in the Borough Clerk's office:

Reorganization Meeting, January 6, 2014

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Executive Session minutes be adopted herein as approved and redacted by the Borough Attorney:

Executive Session, December 9, 2013

Council President Fife moved to approve Resolution #14-97, seconded by Council Member Collander. A vote was taken and Resolution #14-97 was approved unanimously.

**DISCUSSION ITEMS**

Main Street Banners- Tony Britt of 1 Colonial Way representing the Chatham Downtown Alliance explained the Alliance would like the Borough to install banners promoting shopping

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downtown on the existing brackets used for the Farmers' Market banners. The cost would be under \$900.00.

A resolution will be placed on the next agenda approving the cost of the banners.

Mr. Britt also asked for the Council for permission to hold an event on February 14<sup>th</sup> at the gazebo at Reasoner Park. Approximately 40 people will hold a rally for the organization One Billion Rising for Justice Campaign.

Strategic Financial Management- Mr. Lonergan explained the budget process and the expense items that must be considered when preparing the budget. Mr. Lonergan reviewed some of the recommendations for keeping the budget under control.

Post Office Plaza & Other Capital Projects- Mr. DeNave explained the improvements to Post Office Plaza which will cost approximately \$100,000.00. He is working with JCP&L to increase the lighting; there would be a small charge each month. The parking lot would be repaved along with the Bowers Lane lot. The sidewalk in front of Cottage Deli would be repaired using existing funds from the Curb and Sidewalk account. There will be decorative planters, benches and walkways installed. Mr. DeNave reviewed some of the capital projects scheduled for this year.

Train Station Smart Card Fee & Time Limit Parking- Mr. Lonergan stated Borough residents daily parking, using the smart card will be increased from \$4.00 to \$5.00 a day. Mr. Collander stated the daily and permit parking hours will change to 5 a.m. to 4 p.m. Motorist may park free of charge from 4 p.m. until 5 a.m.

Pedestrian Safety – Chief Crosson stated the Police Officers have received comments and complaints about pedestrian violations. They are starting an education program for pedestrians. They will hand out flyers containing information to pedestrians about safety.

**MEETING OPEN TO THE PUBLIC**  
**NOTICE OF PUBLIC COMMENT**

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.

Maria Collins of 19 North Hillside Avenue has concerns about losing more green space in the Borough by paving part of Memorial Park to add parking spaces. She has concerns about drainage.

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## **COUNCIL COMMITTEE REPORTS**

### **Budget and Finance**

James Lonergan had nothing more to report.

### **Public Works Planning**

John Holman commended the DPW for the snow plowing in recent weeks; they have done a great job.

### **Personnel**

Victoria Fife had nothing new to report.

### **Public Safety & Emergency Services**

James J. Collander reported a street light has been approved for Walnut Street. Calls were made before the last snow storm to residents who have basketball hoops by the road, requesting that they be moved. It made snow plowing much easier. The Standard Operating Procedures for the fire department are being reviewed.

### **Shared Services & 3<sup>rd</sup> Party Agreements**

Gerald Helfrich stated the Committee has not met.

### **Long Range Traffic & Pedestrian Safety Planning**

James J. Collander reported they would like to replace the gateway signs on Main Street. The Police Officer downtown has been a great success. The height sign on the Fairmount Avenue and Watchung Avenue bridges have been replaced. The pedestrian flashers will be installed on Fairmount Avenue soon.

### **Madison/Chatham Joint Meeting**

John Holman had nothing new to report the last meeting was cancelled due to snow.

## **MAYOR'S REPORT**

Mayor Bruce A. Harris announced that Pete Atkinson, Angello Campos and Don Urenovich all received the Ironman Award for using no sick time in 2013. Joe Zbesko was named Most Outstanding Employee. Saul Ewing Law Firm has donated \$500.00 to the Train Station Centennial Celebration. Mayor Harris met with the bee keepers on Sunday and they have scheduled a meeting for February 20<sup>th</sup>. Mayor Harris stated the review of the Washington Avenue School parking lot plans by the Planning Board has been rescheduled for February 5<sup>th</sup> due to the storm.

## **ADMINISTRATOR'S REPORT**

Robert J. Falzarano stated he has sent a letter to PSE&G requesting permission to pave the Division Avenue parking lot. He has not received a response. CPS has moved into the old

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Construction Office. The Parkmobile application started on January 2<sup>nd</sup> it has been working very well.

### **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 #14-98 through Resolution #14-104 have been placed on the Consent Agenda.

### **RESOLUTIONS REMOVED FROM THE CONSENT AGENDA**

None.

### **APPOINTMENT**

#### **RESOLUTION #14-98**

#### **RESOLUTION TO APPOINT NANCY GAYER TO THE PUBLIC ARTS COUNCIL**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Nancy Gayer be appointed to the Public Arts Council with a term to expire on December 31, 2014.

### **FINANCE**

#### **RESOLUTION #14-99**

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

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

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Director of Finance.

#### **RESOLUTION #14-100**

#### **RESOLUTION TO INCREASE THE DAILY PARKING FEE FOR BOROUGH RESIDENTS**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham in the County of Morris, State of New Jersey that the following fee shall apply:

In parking lots or areas designated fee parking, a Smart Card fee of \$5.50 Dollars (\$5.50) for Non-Borough residents and a Five Dollar (\$5.00) fee for Borough

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residents shall be paid for the eleven (11) hour period or fraction thereof between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays. The Daily Permit fee for cash or credit card customers is Five Dollars and fifty cents (\$5.50) for users with an effective date of January 28, 2014.

**RESOLUTION #14-101**  
**RESOLUTION TO TRANSFER MONIES IN THE APPROPRIATION BUDGET 2014**  
**CURRENT FUND**

**WHEREAS**, N.J.S.A. 40A: 4-59 provides that during the first three months of any fiscal year, when the amount of the prior fiscal year's budget is insufficient to pay the claims authorized or incurred during said prior year which were chargeable to said appropriation.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham in the County of Morris and state of New Jersey that the Director of Finance is hereby authorized to make the following Line-item transfers in the 2013 Current Fund Reserve Budget with an effective date of January 27, 2014:

**From:**

<b><u>Departments</u></b>	<b><u>Account #</u></b>	
Parking S/W	25-245-010	\$ 5,000.00
Board of Health	27-330-010	\$12,000.00
Police S/W	25-240-010	<u>\$ 8,000.00</u>
<b>TOTAL</b>		<b><u>\$ 25,000.00</u></b>

**To:**

<b><u>Departments</u></b>	<b><u>Account #</u></b>	
Administration O.E.	20-100-205	\$ 4,000.00
Financial O.E.	20-130-203	\$ 1,000.00
Assessment O.E.	20-150-223	\$ 1,000.00
Public Works	26-290-242	\$10,000.00
Buildings & Grounds O.E.	26-310-225	\$ 3,000.00
Gasoline O.E.	31-460-200	<u>\$ 6,000.00</u>
<b>TOTAL</b>		<b><u>\$ 25,000.00</u></b>

**PERSONNEL**

**RESOLUTION #14-102**  
**RESOLUTION TO EMPLOY CARMELA COOKE AS A CROSSING GUARD FOR**  
**THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE JANUARY 27,**  
**2014 WITH AN HOURLY RATE OF \$20.43**

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**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Carmela Cooke be employed as a Crossing Guard for the Borough of Chatham Police Department effective January 27, 2014, with an hourly rate of \$20.43.

**RESOLUTION #14-103**

**RESOLUTION TO EMPLOY JUDITH H. WHITESIDE AS A CROSSING GUARD FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT EFFECTIVE JANUARY 27, 2014 WITH AN HOURLY RATE OF \$20.43**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Judith H. Whiteside be employed as a Crossing Guard for the Borough of Chatham Police Department effective January 27, 2014, with an hourly rate of \$20.43.

**RESOLUTION #14-104**

**SECTION 125 FLEXIBLE BENEFITS PLAN AUTHORIZING IMPLEMENTATION OF A SECTION 125 FLEXIBLE BENEFITS PLAN FOR THE PURPOSE OF OFFERING PRE-TAX EMPLOYEE PREMIUM CONTRIBUTIONS AND FLEXIBLE SPENDING ACCOUNTS AT NO FINAL COST TO THE MUNICIPALITY OF THE BOROUGH OF CHATHAM.**

**WHEREAS**, the Borough of Chatham has employees rendering valuable services; and

**WHEREAS**, providing an opportunity for employees to have employer sponsored benefit plan premium contributions, as well as, voluntary plan premiums, deducted pre-tax through payroll thereby saving immediate Federal and FICA taxes; and

**WHEREAS**, providing an opportunity for employees to elect to participate in Flexible Spending Accounts for Medical Expense Reimbursement and Dependent Care Expense Reimbursement and have their contributions deducted pre-tax through payroll thereby saving immediate Federal and FICA taxes; and

**WHEREAS**, Aflac Benefit Services provides a discounted fee schedule for Section 125 Premium Only Plan and Flexible Spending Account services at no final employer cost after employer matching FICA payroll tax savings with sufficient employee participation as a value

added benefit to offering Aflac supplemental insurance benefits and education services to employees on a voluntary basis at no employer cost; and

**WHEREAS**, providing an opportunity for the Borough of Chatham to save matching FICA payroll taxes on all employee elective pre-tax plan contributions, premiums and premium contributions which are payroll deducted on a pre-tax basis through the Section 125 Flexible

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Benefits Plan hereby saving the Borough of Chatham 7.65% of all pre-taxed plan contributions, premiums and premium contributions for F.I.C.A. eligible employees.

**BE IT RESOLVED**, that the municipality of the Borough of Chatham hereby recognizes and authorizes Aflac to provide a Section 125 Flexible Benefits Plan for its employees with employee voluntary contributory Flexible Spending Accounts with the following specifications:

- Medical Expense Reimbursement: \$2,500.00 Annual Maximum.
- Dependent Care Expense Reimbursement: \$5,000.00 Annual Maximum.

**BE IT FURTHER RESOLVED**, that the Borough of Chatham hereby recognizes and authorizes payment of discounted administrative fees to Aflac in the following amounts: 1) Initial Account Setup Fee – Waived 2) Annual Renewal Fee – Waived; and

**BE IT FURTHER RESOLVED**, that the Borough of Chatham hereby recognizes and authorizes Aflac to enroll its employees in their pre-tax elections; and

**BE IT FURTHER RESOLVED**, that the Section 125 Plan shall be effective on January 1, 2014 until such time the Borough terminates the plan; and

**BE IT FURTHER RESOLVED**, that such payroll deductions for participation in the Section 125 pre-tax premiums shall take effect with the first payroll period after January 1, 2014.

**CONSENT AGENDA VOTE:**

Mayor Harris asked Council Member Holman to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-98 through #14-104.

Council Member Holman moved to allow the resolutions on this evening's agenda to be approved by consent of the Council.

Seconded by Council Member Collander, a vote was taken and the Resolutions on the Consent Agenda were approved unanimously.

**FIRST READING ORDINANCE PROCEDURE**

Mayor Harris asked Council Member Lonergan to introduce Ordinance #14-01

Council Member Lonergan introduced Ordinance #14-01 by title as follows:



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**ORDINANCE #14-01**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 267, ENTITLED "WATER" OF THE REVISED GENERAL CODE OF THE BOROUGH OF CHATHAM**

Council Member Lonergan explained the purpose of the Ordinance and moved for introduction of the First Reading.

Council Member Lonergan read:

**WHEREAS**, the above Ordinance was introduced, read by title at this Council meeting held on January 27, 2014.

**BE IT RESOLVED**, that at the Council meeting to be held on February 10, 2014 at 7:30 p.m. prevailing time, at the Borough Hall in said Borough, this Council will further consider this Ordinance for a second reading and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk of this Borough 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.

Seconded by Council Member Collander.

Mayor Harris asked the Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander		x	x			
Lonergan	x		x			
Holman			x			
Fife			x			
Helfrich			x			
Kass						x

**RESOLUTION #14-106**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE ONE BILLION RISING FOR JUSTICE CAMPAIGN TO BE HELD IN REASONER PARK AND THE IMMEDIATE SURROUNDING AREA FROM THE HOURS OF 12:30 TO 1:30 P.M. ON FRIDAY, FEBRUARY 14, 2014**

**WHEREAS**, Chatham Borough received a request for the use of Reasoner Park to support the global campaign for "One Billion Rising for Justice"; and

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**WHEREAS**, the “One Billion Rising for Justice Campaign” calls men, women and youth around the world to gather safely on February 14, 2014 to rise up against violence towards women.

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Chatham, County of Morris, State of New Jersey authorizing “One Billion Rising for Justice Campaign” to be held in Reasoner Park from the hours of 12:30 p.m. to 1:30 p.m. on Friday, February 14, 2014.

**BE IT FURTHER RESOLVED**, that the facilities use request forms and required documentation be prepared and submitted to the Borough Administrator for approval.

Council Member Holman moved Resolution #14-106, seconded by Council Member Collander. A vote was taken and Resolution #14-106 was approved unanimously.

**RESOLUTION #14-105**  
**RESOLUTION TO RECESS INTO CLOSED SESSION**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it 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:

LITIGATION: 1. Tricare update-Mr. Lott/Mr. Falzarano

CONTRACTS: 1. Rotundi Easement- Mr. DeNave  
2. Joint Meeting Contract-Mr. Lott/Mr. Falzarano

ATTORNEY CLIENT PRIVILEGE: 1. Code Enforcement & Trespass-  
River Road/Commerce Street

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.

Council Member Helfrich moved Resolution #14-105, seconded by Council President Fife. A vote was taken and Resolution #14-105 was approved unanimously.

Adjourn 9:13 p.m.

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Respectfully Submitted:

Susan Caljean, RMC, CMC