

AGENDA
September 29, 2020
Special Meeting Time: 6:00 p.m.

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 6:00 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 08, 2020.

Pursuant to the requirements of R.S. 10:4-10, adequate notice of the change in time of tonight's virtual meeting was provided to the press on September 24, 2020, a copy of which was posted on the Borough website, including the front and side entrance of Borough Hall.

ROLL CALL

Mayor Thaddeus J. Kobylarz
Council President Jocelyn Mathiasen
Council Member Robert A. Weber, Sr.
Council Member Carolyn Dempsey
Council Member Karen Koronkiewicz
Council Member Irene Treloar
Council Member Leonard Resto
Stephen W. Williams, Borough Administrator
Tamar Lawful, Borough Clerk
James L. Lott, Jr., Borough Attorney

RECUSALS

Recusals or abstentions submitted for the record.

DISCUSSION ITEMS

1. American Red Cross: Johan Reyes
-

MAYOR'S REPORT I

MEETING OPEN TO THE PUBLIC

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID:841-7620-3885) or obtain online access of the meeting using the following URL: <https://us02web.zoom.us/j/84176203885> .

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 or are not matters scheduled for Public Hearing tonight. In light of the emergency, discussions and actions by the Chatham Borough Mayor and Council related to discretionary municipal actions and/or other non-emergent matters including redevelopment planning will be deferred until further notice. Accordingly, I would respectfully request that the public try to limit its comments to matters primarily related to the COVID-19 response and/or the continued operations of the Borough government during the emergency. While the Chatham Borough Mayor and Council welcome public participation and comment on any topic, 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'S REPORT II

ADMINISTRATOR'S REPORT

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 #20-221 through Resolution #20-228 have been placed on the Consent Agenda.

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

RESOLUTION #20-

CONTRACTS

RESOLUTION #20-221

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROCESS PROFESSIONAL SERVICES CONTRACT TO PLOSLIA COHEN LLC AS SPECIAL LABOR COUNSEL FOR THE BOROUGH OF CHATHAM FOR THE YEAR 2020

WHEREAS, there exists a need to enter into a non-fair and open contract for a special labor counsel for the remainder of the year 2020; and

WHEREAS, the Borough Council finds that it would be in the best interests of the Borough to enter into a professional services agreement with Plosia Cohen, LLC, 385 Route 24, Suite 3G, Chester, New Jersey, 07930 based upon the firm's expertise and experience in labor law; and

WHEREAS, such services constitute a professional service as defined by the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) and N.J.S.A. 19:44A-20.5, which may be awarded without advertisement for bids and the required services must be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, of the performance of which requires knowledge of an advanced and specialized type; and

WHEREAS, the Chief Financial Officer has certified that funds are currently available for the purpose of awarding this contract in an amount not to exceed \$10,000.00 from Current Fund Account 0-01-20-155-201 for the year 2020.

BE IT RESOLVED, by the Council of the Borough of Chatham that a non-fair and open professional services contract is hereby awarded to Plosia Cohen LLC for legal labor services for the Borough of Chatham and that the Mayor is hereby authorized to execute a professional services contract with same on behalf of the Borough.

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 #20-222

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 # 20-223

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the mortgage company and the property owner both paid the second quarter of the property payment for the herein referenced property resulting in an overpayment of property taxes; and

WHEREAS, the Tax Collector has further advised that a refund for the property tax overpayment is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
18/12	Robert & Jennifer Marshall 108 Washington Avenue Chatham, New Jersey 07928	\$3,825.07	2020/2 nd Qtr.

***Please make check payable and mail to:**

Robert & Jennifer Marshall
108 Washington Avenue
Chatham, NJ 07928

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund for the overpayment of property taxes as herein referenced.

RESOLUTION # 20-224

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the New Jersey Tax Court imposed a judgment for a refund of overpayment for property taxes for the years 2015 and 2016 for the herein referenced property; and

WHEREAS, the Tax Collector has further advised that a refund per the New Jersey Tax Court Judgement # 000292-2015 and # 000292-2016 is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
129/04	Chatham Main Properties LLC 39 Main Street Chatham, New Jersey 07928	\$7,424.70	2015/2016

***Please make check payable and mail to:**

Brach Eichler LLC and Chatham Main Properties, LLC
101 Eisenhower Parkway
Roseland, NJ 07068

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund of property taxes as herein referenced.

RESOLUTION # 20-225

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the New Jersey Tax Court imposed a judgment for a refund of overpayment for property taxes for the year 2019 for the herein referenced property; and

WHEREAS, the Tax Collector has further advised that a refund per the New Jersey Tax Court Judgement # 00586-2019 is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
97/08	Michael & Patricia Hart 178 Fairmount Avenue Chatham, New Jersey 07928	\$6,808.54	2019

***Please make check payable and mail to:**

Michael A. Vespasiano, Attorney Trust Account
331 Main Street
Chatham, NJ 07928

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund of property taxes as herein referenced.

LAW AND PUBLIC SAFETY

RESOLUTION #20-226

RESOLUTION ACCEPTING THE RESIGNATION OF MATTHEW BELCASTRO AS A POLICE OFFICER FOR THE BOROUGH OF CHATHAM POLICE DEPARTMENT

WHEREAS, Matthew Belcastro has tendered his resignation as a Police Officer for the Borough of Chatham Police Department, effective October 2, 2020; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby accept the resignation of Matthew Belcastro from the Borough of Chatham Police Department, with the effective date of October 2, 2020 and wish him well in his future endeavors; 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.

OTHER

RESOLUTION #20-227

RESOLUTION AUTHORIZING RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY JOINT INSURANCE FUND

WHEREAS, the Morris County Joint Insurance Fund is a duly chartered Municipal Insurance Fund as authorized by N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Borough of Chatham is a member of the Morris County Joint Insurance Fund (hereinafter the Fund); and

WHEREAS, the Borough's membership in the Fund terminates as of December 31, 2020 unless earlier renewed by agreement between the Borough and the Fund; and

WHEREAS, the Governing Body desires to renew the Borough's membership in the Fund.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the renewal of membership in the Morris County Joint Insurance Fund, subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the fund; and

BE IT FURTHER RESOLVED, the Mayor and Council authorize Mayor, Thaddeus J. Kobylarz to execute the renewal agreement between the Borough and the Fund and to deliver same to the Morris County Municipal Joint Insurance Fund.

RESOLUTION # 20-228

RESOLUTION TEMPORARILY SUSPENDING THE GARAGE SALE PERMIT FEE IN CHATHAM BOROUGH

WHEREAS, the Borough of Chatham would like to participate in a Borough-wide garage sale event with the Borough of Madison on October 3, 2020; and

WHEREAS, Resolution # 20-66 adopted by the Mayor and Council on January 6, 2020 set forth a schedule of fees for permits, fees, applications, and miscellaneous services of the Borough for calendar year 2020; and

WHEREAS, The Environmental Commission is asking that the Borough waive the garage sale permit fee in support of the garage sale event; and

WHEREAS, the Mayor and Council supports this Borough-wide event and wish to grant the request to temporarily suspend the fees associated with a garage sale permit for those wishing to participate.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham waive the garage sale permit fee for any resident wishing to participate in the Borough-wide garage sale event on October 3, 2020.

BE IT FURTHER RESOLVED, that any resident wishing to participate in the Borough-wide garage sale event on October 3, 2020 must secure a permit with the Borough Clerk's Office.

BE IT FURTHER RESOLVED, that the fee suspension shall not be used for any other dates unless authorized by the Mayor and Council. Regular permit fees recommence on October 4, 2020.

CONSENT AGENDA VOTE:

Mayor Kobylarz asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #20-221 through #20-228.

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]

ADJOURNMENT

RESOLUTION #20-229

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:

1. Contract Negotiations: Stanley Building Donation – Mr. James Lott and Mr. Vince DeNave

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.