

REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL

October 26, 2020 MINUTES

Mayor Thaddeus J. Kobylarz called the Regular Council Meeting of the Borough of Chatham to order on Monday, October 26, 2020 at 6:07 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

Note: The start time of this meeting was moved from 7:30 p.m. to 6:00 p.m. to accommodate the emergency measures in place due to the coronavirus pandemic.

SALUTE TO FLAG

Mayor Kobylarz and the Borough Council led the assembled in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Kobylarz asked for a moment of silence for those who have given their lives for our country. He also gave recognition to those protecting our lives during the current health pandemic caused by coronavirus, COVID-19. Finally, he acknowledged the passing of all nine (9) Chatham Borough residents who died during the current pandemic.

STATEMENT OF ADEQUATE NOTICE

Tamar Lawful, Borough 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 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 October 19, 2020, a copy of which was posted on the Borough website, including the front and side entrances of Borough Hall.

ROLL CALL

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

Also, in attendance: Brian Gibbons, Chief of Police, Karen Fornaro, Appointed CFO
(Both *Attended Virtually*)

RECUSALS

Recusals or abstentions submitted for the record.

There were none.

Mayor Kobylarz proceeded with Resolution # 20-236.

RESOLUTION # 20-236

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:

September 29, 2020

Council Member Weber moved to approve Resolution # 20-236, seconded by Council Member Resto. By a unanimous voice vote, Resolution # 20-236 was approved.

DISCUSSION ITEMS

Granicus (Meeting Management System):

Michael Kelly gave an overview of the new agenda management system to be implemented for the Mayor and Council meetings. During his presentation, he provided a synopsis of the agenda approval process from start to finish. The meeting management system will allow the Governing Body and the public to access specific items, view attachments and watch specific clips of what transpired during a meeting. However, he focused his attention on educating the Governing Body on the various tools available through the online portal, iLegislate. During the meeting, the Governing Body can take electronic notes, and save the information for future reference. It was clarified that any information stored in the system is subject to the Open Public Records Act (OPRA). Mayor Kobylarz noted that the system provides instantaneous filing, archival and searching tools for every public meeting. Council President Mathiasen added that the system provides easy ways to scroll and to reference previous meetings.

Best Practice Questionnaire:

Borough Administrator Mr. Stephen Williams and Financial Consultant of Phoenix Consulting Group, LLC Mr. Jon Reinhardt presented on the 2020 Best Practice Questionnaire. It was announced that the Borough of Chatham scored a perfect 25.5. A less than perfect score on the Best Practice Questionnaire can impede a municipality from obtaining state aid. Mr. Reinhardt reviewed and explained a few questions on the questionnaire. In concluding, he informed the Governing Body to continue its good work as he does not recommend any changes.

MAYOR'S REPORT I:

Mayor Kobylarz delivered a portion of his Mayor's Report as follows:

Statistical Update on the Coronavirus:

Mayor Kobylarz reported that 102 residents of the Borough have contracted the coronavirus (COVID-19) since March of 2020. The number of cases in the Borough are steadily increasing. Four weeks ago, there were 93 reported cases, followed by 99 cases two weeks later. Recently, the number of daily new cases statewide has been approaching 2,000. The transmission rate above 1.0 is concerning and indicative that the outbreak is expanding. Currently, the Morris County transmission rate is the third highest in the State of New Jersey at 1.33. Hudson County is the second highest with 1.36 and Essex County is ranked the highest with 1.37.

With the expeditious spread of the coronavirus (COVID-19), we must redouble our efforts to protect ourselves and love ones. We will begin to witness a dangerous surge in infectious cases if we fail to adhere to the protective measures of washing hands, maintaining social distancing, wearing masks, cooperating with contact tracing, and refraining from indoor gatherings.

Health Department Flu Shot Campaign:

Mayor Kobylarz informed residents of the importance of receiving a flu shot this year. With the existential health pandemic, contracting the flu in conjunction with the coronavirus (COVID-19) could be devastating. The Borough of Chatham Health Department urged residents to obtain their flu shot before Halloween. Information on obtaining a flu shot is available on the Borough website.

COVID-19 Ambassador Program:

Mayor Kobylarz introduced Police Chief Gibbons to provide an update on the COVID-19 Ambassador Program. Chief Gibbons reported that supplies for the Ambassador Program arrived today and he anticipates having people in the field by the end of this week. However, more volunteers are needed. Of the 20 vests ordered and received, only a half dozen are accounted for. Residents were encouraged to volunteer by contacting the Chatham Borough Police Department.

Tri-Town Cares - Community Action Week:

Council Member Resto stated the current pandemic has wreaked havoc upon the lives of many. From financial concerns, food insecurity, adapting to working from home, and experiencing conflicts at home all creates anxiety and stress. Since the pandemic, there has been an increase in suicide rates, as well as separations, and divorces in families. He recommended the public help others by making donations when possible and to take a ride to admire the changing colors of the leaves during the Autumn season. These efforts can help us cope with the current challenges in our lives.

Council Member Dempsey explained that Tri-Town Cares [which was formulated by the Township of Chatham, Madison Borough, Chatham Borough, and various organizations including religious groups] provides resources to those in need to help residents in the community. There is a list of events in which the public can safely participate to address life stresses that have compounded during the pandemic.

Lights for Unity Campaign:

Mayor Kobylarz introduced Council Member Dempsey to report on the Lights for Unity Campaign. Council Member Dempsey explained that the Lights for Unity Campaign celebrates our democracy while benefiting the weekly Chatham Community Food Distribution program. She reminded the community that there is more that unites us than what divides us. Donors will be given two luminaries

which will be distributed on November 1, 2020 from 11:00 a.m. to 2:00 p.m. behind the Chatham United Methodist Church. Donations of any amount benefits our community and remind us that we are in this together.

New Chief Financial Officer:

Mayor Kobylarz welcomed Karen Fornaro to the Borough of Chatham. He explained that Mrs. Fornaro comes highly recommended, qualified, experienced, with an exceptional resume.

Mrs. Fornaro acknowledged the Mayor and Council with brief words of gratitude.

Mayor Kobylarz proceeded to open the meeting to public comment and read the Notice of Public Comment Time Limit.

MEETING OPEN TO THE PUBLIC

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 873 1964 9572) or obtain online access of the meeting using the following URL:

<https://us02web.zoom.us/j/87319649572?pwd=bm9PT2tpRW5PQXBec2JDMVAzaDZhQT09>

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.

There were no public comments.

Seeing no one wishing to be heard, Mayor Kobylarz closed the meeting to the public.

MAYOR'S REPORT II

Mayor Kobylarz had nothing further to report.

ADMINISTRATOR'S REPORT

As Halloween closely approaches, the Chatham Borough Health Department requests residents to implement an early plan and to identify safe alternatives for trick-or-treating. Households that are sick, symptomatic, or diagnosed with COVID-19 should not participate in trick-or-treating this year. However, those who wish to participate are encouraged to wear facial masks to mitigate the risk of exposure and further proliferation of the virus. Mr. Williams proposed safe recommendations for social

distancing, such as limiting the number of houses per route, limiting interaction with trick-or-treaters, leaving treats outside in containers where they are easily accessible, or arranging grab-and-go treats.

PES&G will begin roadway restoration this month. There are 22 roads to be milled and paved. The milling process will begin on November 9, 2020 and will continue through November 17, 2020. Paving of roads will begin on November 16, 2020 until November 20, 2020. Residents can review the road restoration schedule on the Borough's website.

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 #20-237 through Resolution #20-242 have been placed on the Consent Agenda.

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

Resolution # 20-242 was requested to be removed from the Consent Agenda by Council Member Resto.

The Consent Agenda proceeded with Resolution # 20-237 through Resolution # 20-241.

APPOINTMENTS

RESOLUTION #20-237

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING KAREN FORNARO AS THE BOROUGH OF CHATHAM CHIEF FINANCIAL OFFICER (CFO) AND QUALIFIED PURCHASING AGENT (QPA)

WHEREAS, there currently exists a vacancy in the office of the Chief Financial Officer and Qualified Purchasing Agent; and

WHEREAS, after considering this candidate the Borough Administrator and the Mayor and Borough Council finds Karen Fornaro to be the best qualified candidate for appointment as the Chief Financial Officer and Qualified Purchasing Agent for the Borough of Chatham.

NOW THEREFORE BE IT RESOLVED, that Ms. Karen Fornaro is appointed as the Chief Financial Officer and Qualified Purchasing Agent for the Borough of Chatham effective October 27, 2020; and

BE IT FURTHER RESOLVED, the salary for Karen Fornaro as the Chief Financial Officer and Qualified Purchasing Agent shall be fixed at one hundred and twenty-five thousand dollars (\$125,000.00) per year which shall be pro-rated over the remainder of the calendar year 2020 and thereafter paid in such amounts and at such times as set forth in the Borough of Chatham Policy and Procedures; and

BE IT 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.

FINANCE

RESOLUTION #20-238

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 #20-239

RESOLUTION ESTABLISHING PARKING FEES TO BE EFFECTIVE AS OF JANUARY 1, 2021 AND ESTABLISHING RULES AND REGULATIONS REGARDING THE SALE OF PARKING PERMITS REQUIRED FOR PARKING LOTS OR AREAS DESIGNATED “FEE PARKING” PURSUANT TO CHAPTER 139, SECTIONS 61 AND 62 OF THE CODE OF THE BOROUGH OF CHATHAM

WHEREAS, Chapter 139, Section 61 of the Code of the Borough of Chatham entitled “Fee parking spaces” specifies that the governing body shall establish by resolution the parking fees required to be paid in parking lots or other areas designated “fee parking” as well as rules and regulations governing the sale of parking permits; and

WHEREAS, Chapter 139, Section 62 of the Code of the Borough of Chatham entitled “Parking by permit” specifies that the governing body shall establish by resolution the rules and regulations governing the issuance and management of parking permits.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following parking fees shall become effective on January 1, 2021:

1. In parking lots or areas designated as “fee parking,” the Daily Permit fee for cash or credit card customers shall be Five Dollars and Seventy-five cents (\$5.75) between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays.
In parking lots or areas designated as “fee parking for motorcycles and scooters,” the Daily Permit fee for cash or credit card customers shall be Two Dollars and Seventy-five cents (\$2.75) between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays
2. In parking lots or areas designated as “parking by permit,” the following annual permit fees shall be established:
 - a. LOTS #1 & 2-RAILROAD NORTH & SOUTH
Borough Residents Only \$480.00
 - b. LOT #3-CENTER STREET-EAST –
Borough Resident \$265.00
Borough Business Owner/Borough Business Employee \$240.00
 - c. LOT #4-CENTER STREET-WEST
Borough Resident \$265.00
Borough Business Owner/Borough Business Employee \$240.00

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| d. LOT #5–BOWERS LANE LOT | |
| Borough Resident | \$265.00 |
| Borough Business Owner/Borough Business Employee | \$240.00 |
| e. LOT #6-DIVISION AVENUE LOT | |
| Borough Resident | \$265.00 |
| Borough Business Owner/Borough Business Employee | \$240.00 |
| f. ON STREET PERMIT PARKING-SOUTH PASSAIC AVENUE | |
| Borough Resident | \$300.00 |

And;

BE IT FURTHER RESOLVED, that the Borough of Chatham Parking Permits Rules and Regulations established and authorized by Resolution #13-129 shall remain in full force for calendar year 2021.

OTHER

RESOLUTION #20-240

RESOLUTION OF THE BOROUGH OF CHATHAM AUTHORIZING THE ADOPTION OF THE 2020 MORRIS COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE

WHEREAS, all jurisdictions within Morris County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Morris County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Morris County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Chatham:

- 1) Adopts in its entirety, the 2020 Morris County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.

- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

RESOLUTION #20-241

RESOLUTION CERTIFYING RECEIPT AND REVIEW OF THE ANNUAL AUDIT REPORT FOR THE YEAR 2019

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, N.J.S.A. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, at a minimum, the sections of the annual audit entitled “Comments and Recommendations;” and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by the Borough’s Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6 and copies have been distributed and received by each member of the governing body; and

WHEREAS, the members of the governing body have personally reviewed the Annual Report of Audit, and specifically, as a minimum, the sections of the Annual Audit entitled “Comments and Recommendations,” as evidenced by the group affidavit form of the governing body attached hereto and made part of this Resolution; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they have complied with N.J.S.A. 40A:5-4 and N.J.A.C. 5:30-6.5 and do hereby direct the Borough Clerk to submit a certified copy of this Resolution and the required affidavit, attached hereto and made a part of this Resolution, to the Local Finance Board to show evidence of said compliance.

CONSENT AGENDA VOTE:

Council Member Treloar made a motion to approve Resolutions #20-237 through #20-241 on the Consent Agenda. The motion was seconded by Council Member Resto. By a unanimous voice vote, Resolutions aforementioned were approved.

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

Council Member Resto mentioned a typo in the title of Resolution # 20-242. He further questioned the funding source for the white lights decorations for the year. According to Mr. Resto, it is his

understanding that the program is funded through donations. Residents are perplexed by the donation envelope received with their tax bills and the GoFundMe page to raise \$25,000.00 for white lights.

Mr. Williams clarified the confusion. He explained that the GoFundMe page is raising funds for white lights, winter decorations (e.g. wreaths for the streetlamps), spring decorations and summer plantings for the downtown area. The \$25,000 goal encompasses the entire project, including the \$11,000 for the installation of white lights for the year. He further clarified that the Borough is a recipient to the donation. The idea and effort to establish a GoFundMe page derived from residents and business owners, not the Borough.

RESOLUTION #20-242

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CHRISTMAS DÉCOR BY EBBY’S FOR THE INSTALLATION AND REMOVAL OF HOLIDAY LIGHTS FOR THE 2020 HOLIDAY SEASON

WHEREAS, the Borough of Chatham enjoys the festive tradition of decorating its Main Street and public properties with holiday lights during the holiday season; and

WHEREAS, the Mayor and Council of the Borough of Chatham wish to continue this tradition for the 2020 holiday season; and

WHEREAS, because the anticipated contract amount is less than the Borough’s bid threshold of \$40,000.00, but 15% or more of that amount, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires the Borough to solicit at least two competitive quotations for said work; and

WHEREAS, the Borough solicited quotations from the following vendors:

1. Christmas Décor by Ebby’s, P.O. Box 2287, Woodland Park, NJ, 10303
2. Christmas Kings, 50 Benjamin Court, Staten Island, NY 10303;
3. Grandview Outdoor Landscaping and Masonry, 66 Maple Avenue, Morristown, NJ 07960;

And,

WHEREAS, the Director of the Department of Community Services recommends that a contract be awarded to Christmas Décor of Woodland Park, New Jersey in the amount of \$11,133.52 for the installation of holiday lights along Main Street, Borough Hall and Reasoner Park, on or about November 15, 2020 and to be taken down and removed on or before January 15, 2021; and

WHEREAS, the Chief Financial Officer has provided a certification of availability of funds in the amount not to exceed \$11,133.52 to be appropriated from the following accounts as follows:

<u>Account Description</u>	<u>Account Number</u>	<u>Amount</u>
Operating (Current) Account	0-01-30-420-201	\$6,000.00
My Chatham Trust Account	T-17-56-000-211	\$5,133.52

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it hereby authorizes the Mayor to execute a contract with Christmas Décor for the installation and removal of holiday lights in the aggregate contract amount not to exceed \$11,133.52; and

BE IT FURTHER RESOLVED, 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.

Council Member Resto made a motion to approve Resolutions #20-242 on the Consent Agenda. The motion was seconded by Council Member Weber. By a unanimous voice vote, Resolution # 20-242 was

approved.

ADD-ON RESOLUTION[S]

There were none.

ADJOURNMENT

Having no other business to be conducted in public session, Council Member Resto motioned to adjourn the regular public meeting at 7:52 p.m. seconded by Council Member Weber. All voted in favor.

Respectfully Submitted on November 23, 2020 by:

Tamar Lawful, RMC
Borough Clerk
BOROUGH OF CHATHAM