

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

**June 27, 2022 MINUTES**

Mayor Thaddeus J. Kobylarz called the Regular Meeting of the Borough of Chatham's Borough Council to order on Monday, June 27, 2022, at 7:30 P.M. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey as well as virtually

**SALUTE TO FLAG**

Mayor Kobylarz led those attending in the Pledge of Allegiance and asked for a moment of silence to honor those who have given their lives for our country, the healthcare professionals working during the pandemic, and the victims of Covid-19.

**STATEMENT OF ADEQUATE NOTICE**

Stephen Williams, Acting 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 04, 2022.

**ROLL CALL**

On a call of the roll, the following officials were present:

|                                   |                    |
|-----------------------------------|--------------------|
| Mayor Thaddeus J. Kobylarz        |                    |
| Council President Irene Treloar   |                    |
| Council Member Carolyn Dempsey    |                    |
| Council Member Jocelyn Mathiasen  | Attended Virtually |
| Council Member Karen Koronkiewicz |                    |
| Council Member Leonard Resto      |                    |
| Council Member Frank Truilo       |                    |

Also present were:

|   |
|---|
| Stephen W. Williams, Borough Administrator/Acting Borough Clerk |
| Steve Kleinman, Borough Attorney                                |

**PROCLAMATIONS**

Mayor Kobylarz recognized Colleen Truppo to proceed with the Shade Tree Commission Poster Contest winner.

Colleen outlined the program, recognized the winner, and presented her with several prizes.

Mayor Kobylarz moved Resolution #22-211 to be considered next.

## **NON-ROUTINE NON-CONSENT RESOLUTION**

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Resolution #22-211.

### **RESOLUTION #22-211**

#### **RESOLUTION TO ACCEPT THE RETIREMENT OF TRAFFIC SAFETY OFFICER ROY E. GEORGE II**

**WHEREAS**, by letter dated January 4, 2022, Officer Roy E. George II has advised Police Chief Brian K. Gibbons he is retiring from the Chatham Borough Police Department, effective July 1st, 2022; and

**WHEREAS**, in 1996 - 2001 Officer George served the communities of Westfield and Clark as a Police Dispatcher; and

**WHEREAS**, Officer George became a volunteer Firefighter in Westfield from 1998 - 2001 and Clark from 2001 - present; and

**WHEREAS**, in 2001 Officer George was hired by the Bridgewater Township Police Department as a full-time police officer; and

**WHEREAS**, in 2001 Officer George was hired by the Chatham Borough Police Department, bringing with him dispatching, firefighting and law enforcement experience; and

**WHEREAS**, during his twenty-one years of service with the Department, his assignments have included Patrol, Field Training Officer, Firearms instructor, ESU Team Leader, Traffic Safety Officer, and Patrol Supervisor; and

**WHEREAS**, in 2005 Officer George agreed to deploy to New Orleans as part of a Morris County Strike Team, where he was sworn in as a Deputy State Trooper for the Louisiana State Police, in support of disaster relief following the aftermath of Hurricane Katrina; and

**WHEREAS**, Officer George has received numerous commendations, citations, and awards throughout his twenty-five years of dedicated service; and

**WHEREAS**, when Officer George has been asked to go above and beyond the call of duty he has immediately responded without hesitation; and

**WHEREAS**, Officer George has continually demonstrated a genuine concern for all the people he has touched over his career, spanning twenty-five years.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Officer George's retirement is hereby accepted with an effective date of July 1, 2022; and

**BE IT FURTHER RESOLVED** that the Mayor and Council thank Officer Roy George II for his 25 years of dedicated service to this profession and wish him well with his future endeavors.

###

Council Member Koronkiewicz moved to adopt Resolution #22-211, seconded by Council Member Resto. By a unanimous voice vote, Resolution #22-211 was adopted.

Chatham Borough Police Chief Brian Gibbons gave some brief remarks regarding Roy George's career.

Council Member Resto praised Mr. George and congratulated him on his retirement.

Mayor Kobylarz also congratulated Mr. George and wished him well.

## **PROCLAMATIONS**

Mayor Kobylarz proceeded with Resolution #22-207:

### **RESOLUTION #22-207**

#### **RESOLUTION COMMEMORATING FLAG DAY IN CHATHAM BOROUGH, JUNE 14, 2022**

**WHEREAS**, two hundred and forty-six years ago, a small band of patriots declared independence from Great Britain, proclaiming with a single voice that the American people are free to determine their own destiny and pursue the solemn and sacred task of self-governance; and

**WHEREAS**, On June 14, 1777, the Second Continental Congress paused from its crafting of the Articles of Confederation to approve a resolution stating that “the flag of the United States be thirteen stripes, alternate red and white ... and the union be thirteen stars, white in a blue field, representing a new constellation”; and

**WHEREAS**, A string of thirteen colonies, drawing inspiration from these “Stars and Stripes”, later expanded to become a constitutional democracy composed of a united fifty states; and

**WHEREAS**, For the duration of this nation’s history, the flag of the United States has steadfastly served as an emblem of our great experiment in democracy, and an abiding source of strength and inspiration to all who cherish the ideals for which it stands; and

**WHEREAS**, “Old Glory” persists as a powerful representation of freedom and opportunity, waving high above capitol buildings and courthouses, military bases, and embassies across the globe, and even on the distant surface of the moon, summoning each of us to honor our obligations to the republic for which it stands, and to carry forward the unwavering optimism that defines us as a nation; and

**WHEREAS**, America endures because of the courage of its countless servicemen and women who serve under this standard, as well as that of our veterans who are forever draped in the red, white and blue when they are laid to rest, thus proclaiming before the entire world that Americans bravely and with conviction rise and fall together, as one nation and one people; and

**WHEREAS**, the “Star Spangled Banner” invokes pride in our citizens and hope in the vast numbers who come to our shores in search of a brighter tomorrow; and

**WHEREAS**, to commemorate this magnificent banner, Bernard Cigrand, a small-town Wisconsin teacher, originated the idea in 1885 of an annual “Flag Day” to be celebrated across the country, and continued to promote this concept throughout his life; and

**WHEREAS**, in 1949 the United States Congress, heeding Mr. Cigrand’s call, by joint resolution designated June 14 of each year as Flag Day, and requested that the President issue an annual proclamation calling for its observance and for the display of the American flag on all Federal Government buildings; and

**WHEREAS**, today, Flag Day is increasingly observed in municipalities throughout this country by such means as a ceremonial raising of the flag, recitation of the Pledge of Allegiance, singing of the National Anthem, shared accounts of what the flag “means” to each other, public recognition of active and retired servicemen and women, playing of Taps, and the like; and

**WHEREAS**, The Mayor and the Council of the Borough of Chatham wish to similarly commemorate this cherished symbol of so much that our residents hold dear about this nation;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and the Council of the Borough of Chatham that June 14, 2022 shall be declared “Flag Day” and marked by a ceremony to be held in front of Borough Hall, at the hour of 10:00 am, for the benefit of our residents and all others who wish to commemorate, and indeed celebrate, the ideals, aspirations, and values for which the Stars and Stripes have come to stand.

# # #

Council Member Resto moved to adopt Resolution #22-207, seconded by Council President Treloar. By a unanimous voice vote, Resolution #22-207 was adopted.

Mayor Kobylarz said a few words regarding Borough resident and veteran Herb Ramo, the path to the Borough recognizing Flag Day as a holiday, and the meaning behind Flag Day.

Mayor Kobylarz recognized the next Resolution and gave some context. The Mayor and Council took turns reading Resolution #22-208 together:

#### **RESOLUTION #22-208**

##### **RESOLUTION AFFIRMING THE RIGHT OF ALL WOMEN TO AUTONOMY OVER THEIR REPRODUCTIVE HEALTH DECISIONS**

**WHEREAS**, the Borough Council of the Borough of Chatham believes human rights to be inalienable and fundamental rights inherent to all human beings; and

**WHEREAS**, these human rights include the right to autonomy over personal health care decisions without interference by the government; and

**WHEREAS**, in the landmark case Roe v Wade, the Supreme Court established a constitutional right to abortion prior to the point of pregnancy viability; and

**WHEREAS**, the rights established under Roe v Wade have been considered settled law in America for nearly 50 years; and

**WHEREAS**, the US Supreme Court has now in Dobbs v. Jackson Women’s Health Organization reversed Roe v Wade despite public testimony by some in the majority having under oath described this precedent as “the law of the land”; and

**WHEREAS**, abortion will now be automatically outlawed in 13 states with many others certain or likely to ban abortion within weeks or months; and

**WHEREAS**, proposed legislation in some states includes bans on abortion at any point after conception, even in the case of ectopic pregnancy, and could also outlaw fertility treatments and highly effective forms of birth control (which reduce the demand for abortion); and

**WHEREAS**, the author of the majority opinion in Dobbs v. Jackson Women’s Health Organization has indicated a desire to similarly examine and potentially reverse established precedents associated with birth control and gay and lesbian rights; and

**WHEREAS**, human rights experts have denounced the harm extreme abortion bans will cause to pregnant women and in particular women from marginalized communities, women with low incomes, women living in rural areas, and women from racial and ethnic minorities, and have called on the U.S. Government to prevent retrogression in access to abortion and instead enact positive measures to ensure access to safe and legal abortion; and

**WHEREAS**, health experts have repeatedly and explicitly recognized the connection between unsafe illegal abortion and high maternal mortality rates; and

**WHEREAS**, 50 percent of women and girls experience an unplanned pregnancy during the course of their lives and many more experience a pregnancy that threatens their life, or where the pregnancy is not viable, or where the fetus has no chance of survival; and

**WHEREAS**, the Borough Council of the Borough of Chatham believes that a pregnant individual, in consultation with her doctors, supportive friends and family, and her spiritual beliefs, should be entitled to decide how best to proceed with an unplanned, unexpected, or medically complex pregnancy.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council condemns the Supreme Court majority decision in Dobbs v. Jackson Women’s Health Organization and urges the Federal Government and the Government of the State of New Jersey to implement all feasible legal protections to ensure that women continue to have autonomy over their healthcare decisions, including those related to birth control and pregnancy.

# # #

Council Member Koronkiewicz moved to adopt Resolution #22-208, seconded by Council President Treloar. By a unanimous voice vote, Resolution #22-208 was adopted.

## **RECUSALS**

There were none.

## **ADOPTION OF COUNCIL MEETING MINUTES**

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #22-209.

Council Member Resto read Resolution #22-209:

### **RESOLUTION #22-209**

#### **RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

**BE IT RESOLVED**, by the Council of the Borough of Chatham that the minutes from the following meetings are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

March 14, 2022

# # #

Council Member Resto moved to adopt Resolution #22-209, seconded by Council Member Truilo. By a unanimous voice vote, Resolution #22-209 was adopted.

### **DISCUSSION ITEMS**

Mayor Kobylarz recognized the following people to discuss the Historic Preservation Commission Presentation on Official Release of Historic District Design Guidelines:

Council Member Truilo, Council Member Dempsey and James Greener, Chairperson of the HPC

Mr. Greener and the Council Members gave an overview of the previous guidelines, the impetus for the project, and the current design guidelines.

### **MAYOR'S REPORT I:**

Mayor Kobylarz gave a report on the latest Covid-19 statistics. The Mayor spoke about the Fourth of July parade and fireworks display.

### **MEETING OPEN TO THE PUBLIC**

Mayor Kobylarz read the following statement:

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.

Seeing no one wished to be heard, Mayor Kobylarz closed this public section.

### **RESOLUTIONS NON-ROUTINE/NON-CONSENT**

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #22-210.

Council Member Koronkiewicz read Resolution #22-210:

### **RESOLUTION #22-210**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF  
CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPOINTING VANESSA  
NIENHOUSE AS THE CHATHAM BOROUGH CLERK**

**WHEREAS**, there currently exists a vacancy in the office of the Borough Clerk; and

**WHEREAS**, the Borough Administrator publicly advertised and solicited resumes from candidates who expressed an interest in appointment as the Borough Clerk; and

**WHEREAS**, the Borough Council Personnel Committee and the Borough Administrator conducted interviews of interested and qualified candidates; and

**WHEREAS**, the Borough Council Personnel Committee and the Borough Administrator, after considering all interested and qualified candidates, finds that Mrs. Vanessa Nienhouse, RMC is the best qualified candidate for appointment as Borough Clerk; and

**WHEREAS**, the Borough Council Personnel Committee and the Borough Administrator recommends to the Mayor and Council of the Borough of Chatham in the County of Morris, New Jersey, the appointment of Mrs. Vanessa Nienhouse, RMC to the office of the Borough Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, that Mrs. Vanessa Nienhouse, RMC is appointed as Chatham Borough Clerk effective June 27, 2022 for a three year term in accordance with N.J.S.A. 40A: 9-133; and

**BE IT FURTHER RESOLVED**, that Mrs. Vanessa Nienhouse's salary as Chatham Borough Clerk shall be fixed at ninety-five thousand, three hundred sixteen dollars (\$95,316.00) per year which shall be pro-rated over the remainder of calendar year 2022 and thereafter paid in such amounts and at such times as set forth in the Borough of Chatham salary ordinance; and

**BE IT FURTHER RESOLVED**, that the other terms and conditions of Mrs. Vanessa Nienhouse's appointment as Chatham Borough Clerk are contained in a letter from the Borough Administrator, which is available for public inspection in the office of the Chatham Borough Clerk.

# # #

Council Member Resto moved to adopt Resolution #22-210, seconded by Council Member Koronkiewicz. By a unanimous voice vote, Resolution #22-210 was adopted.

Borough Administrator Williams indicated a change was needed, for Resolution #22-210, that Vanessa Nienhouse's hire was effective June 27, 2022, not June 13, 2022. This change is reflected above.

Stephen W. Williams swore in Vanessa L. Nienhouse as Municipal Clerk of the Borough of Chatham.

**ORDINANCES FOR SECOND READING**

Mayor Kobylarz asked Council Member Mathiasen to proceed with Ordinance #22-05 for second reading.

Council Member Mathiasen read Ordinance #22-05 by title and the following statement:

**ORDINANCE #22-05**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,327,500 TO PAY THE COST THEREOF, TO APPROPRIATE FEDERAL FUNDS RECEIVED BY THE BOROUGH UNDER THE AMERICAN RESCUE PLAN ACT OF 2021, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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BE IT ORDAINED by the Borough Council of the Borough of Chatham, in the County of Morris, State of New Jersey, as follows:

Section 1. The Borough of Chatham, in the County of Morris, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment and a new automotive vehicle, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the Federal funds received by the Borough under the American Rescue Plan Act of 2021 (the "Federal Rescue Plan Funding") and the down payment appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the Federal Rescue Plan Funding hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the following improvements: (i) undertaking the 2022 Curb and Sidewalk Replacement Program at various locations, (ii) undertaking the 2022 Road Micro-surfacing Program at various locations and (iii) undertaking the 2022 Road Resurfacing Program at various locations, as set forth on a list on file with the Borough Clerk's office and hereby approved and incorporated herein by this reference thereto. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council,



there may be additions to or deletions from the list referred to in clause (iii) of the preceding sentence. It is hereby determined and stated that the roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

|  |            |
|--|------------|
| Appropriation and Estimated Cost         | \$ 682,000 |
| Federal Rescue Plan Funding Appropriated | \$ 200,000 |
| Down Payment Appropriated                | \$ 66,000  |
| Bonds and Notes Authorized               | \$ 416,000 |
| Period of Usefulness                     | 10 years   |

B. Undertaking of stormwater drainage improvements at various locations.

|                                  |           |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 86,000 |
| Down Payment Appropriated        | \$ 4,300  |
| Bonds and Notes Authorized       | \$ 81,700 |
| Period of Usefulness             | 40 years  |

C. Undertaking of the 2022 Stormwater Infiltration and Inflow Reduction Program at various locations.

|                                  |           |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 75,000 |
| Down Payment Appropriated        | \$ 3,750  |
| Bonds and Notes Authorized       | \$ 71,250 |
| Period of Usefulness             | 40 years  |

D. Undertaking of the following improvements to public buildings and property: (i) various improvements to the Stanley Building, (ii) lighting upgrades at various public buildings, (iii) roofing and leader drains replacement at Borough Hall, (iv) exhaust ventilation system replacement and garage bay upgrades at the Department of Public Works ("DPW") Garage and (v) various improvements to parks. It is hereby determined and stated that said public buildings being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

|                                  |            |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 231,000 |
| Down Payment Appropriated        | \$ 17,250  |
| Bonds and Notes Authorized       | \$ 213,750 |
| Period of Usefulness             | 15 years   |

E. (i) Installation of a security system at Borough Hall and (ii) acquisition of new additional or replacement equipment and machinery and new communication and signal systems equipment for the use of the Police Department consisting of (a) an in-vehicle camera system, (b) a pedestrian crosswalk flashing beacon, (c) solar radar speed signs and (d) street signs.

|                                  |            |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 138,000 |
| Down Payment Appropriated        | \$ 6,900   |
| Bonds and Notes Authorized       | \$ 131,100 |
| Period of Usefulness             | 10 years   |

F. Acquisition of new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, for the use of various Borough departments:

Fire Department

self-contained breathing apparatus equipment  
emergency key box rapid access system  
fire hose  
personal alert safety system equipment  
lift bags

DPW

mason dump truck with plow

Environmental Commission

electric vehicle charging station

|                                  |            |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 115,500 |
| Down Payment Appropriated        | \$ 25,250  |
| Bonds and Notes Authorized       | \$ 90,250  |
| Period of Usefulness             | 5 years    |

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|  |             |
|--|-------------|
| Aggregate Appropriation and Estimated Cost     | \$1,327,500 |
| Federal Rescue Plan Funding Appropriated       | \$ 200,000  |
| Aggregate Down Payment Appropriated            | \$ 123,450  |
| Aggregate Amount of Bonds and Notes Authorized | \$1,004,050 |

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$108,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$200,000 received or to be received from Federal Rescue Plan Funding is hereby appropriated to the payment of the cost of the 2022 Road Resurfacing Program authorized in Section 4.A(iii) hereof.

Section 7. It is hereby determined and stated that moneys exceeding \$123,450, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$123,450 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,004,050 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 9. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,004,050 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued

shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 15.18 years computed from the date of said bonds.

Section 12. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,004,050 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the Federal Rescue Plan Funding hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 15. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 16. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct,

unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

###

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 23, 2022.

Mayor Kobylarz asked the Acting Borough Clerk to give a summary of the legal notice.

Acting Borough Clerk Stephen Williams stated: A legal notice was published indicating that Ordinance #22-05 was introduced and passed on first reading at the May 23, 2022, meeting. A publication in the Daily Record on June 16 indicated the second reading and public hearing would be held at 7:30 pm on June 27, 2022, for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Kobylarz opened the meeting for public hearing on the Ordinance.

Mayor Kobylarz closed the public hearing when no one wished to be heard.

Council Member Mathiasen moved to adopt Ordinance #22-05, seconded by Council Member Resto. By a unanimous Roll Call Vote, Ordinance #22-05 was adopted on second reading.

Mayor Kobylarz asked Council Member Mathiasen to proceed with Ordinance #22-06 for second reading.

Council Member Mathiasen read Ordinance #22-06 by title and the following statement:

**ORDINANCE #22-06**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$243,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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BE IT ORDAINED by the Borough Council of the Borough of Chatham, in the County of Morris, State of New Jersey, as follows:

Section 1. The Borough of Chatham, in the County of Morris, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, in, by and for the Water Utility of said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. (i) Undertaking of the following Water Utility improvements: (a) various distribution system improvements and (b) replacement of Well No. 2 check valve and (ii) acquisition of new additional or replacement equipment and machinery for the use of the Water Utility consisting of (a) fire hydrants and valves and (b) water meters with transmitters.

|                                  |           |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$193,500 |
| Down Payment Appropriated        | \$ 9,675  |
| Bonds and Notes Authorized       | \$183,825 |
| Period of Usefulness             | 15 years  |

B. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of a pickup truck with plow for the use of the Water Utility.

|                                  |           |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 50,000 |
| Down Payment Appropriated        | \$ 2,500  |
| Bonds and Notes Authorized       | \$ 47,500 |
| Period of Usefulness             | 5 years   |

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|  |           |
|--|-----------|
| Aggregate Appropriation and Estimated Cost     | \$243,500 |
| Aggregate Down Payment Appropriated            | \$ 12,175 |
| Aggregate Amount of Bonds and Notes Authorized | \$231,325 |

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$5,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local

Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 6. It is hereby determined and stated that moneys exceeding \$12,175, appropriated for down payments on capital improvements or for the capital improvement fund in Water Utility budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$12,175 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$231,325 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$231,325 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 12.94 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$231,325 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

###

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 23, 2022.

Mayor Kobylarz asked the Acting Borough Clerk to give a summary of the legal notice.

Acting Borough Clerk Stephen Williams stated: A legal notice was published indicating that Ordinance #22-06 was introduced and passed on first reading at the May 23, 2022, meeting. A publication in the Daily Record on June 16 indicated the second reading and public hearing would be held at 7:30 pm on June 27, 2022, for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Kobylarz opened the meeting for public hearing on the Ordinance.

Mayor Kobylarz closed the public hearing when no one wished to be heard.

Council Member Mathiasen moved to adopt Ordinance #22-06, seconded by Council Member Resto. By a unanimous Roll Call Vote, Ordinance #22-06 was adopted on second reading.

## **COUNCIL MEMBER REPORTS**

**Council President Treloar** – Council President Treloar gave an update on the Diversity, Equity, and Inclusion Advisory Committee.

**Council Member Dempsey** – Council Member Dempsey gave an update on the following:

- Summer Concert Series
- Board of Education and Senior Graduation
- School District of the Chathams Mental Health Initiatives
- Increase in SLEOs at Chatham Schools
- Summer Sports and Fall Sports Registration
- Request by Chatham Township to terminate Joint Recreation Shared Services Agreement
- Memorial Pool's increase in membership
- Garden Park Basketball Court resurfacing

**Council Member Mathiasen** – Council Member Mathiasen reported on a solar panel installation meeting with Madison Borough, announced the Sustainability Faire date and a Sustainable Jersey Fellow looking at energy efficiency of Borough buildings.

**Council Member Koronkiewicz** – Council Member Koronkiewicz reported on the Shade Tree Commission and the Traffic and Pedestrian Safety Advisory Committee.

**Council Member Resto** – Council Member Resto reported on the following topics:

- DPW's work with the Memorial Park next to the library
- Board of Health's summer schedule and actions on commercial dumpsters
- Economic Development Advisory Committee's Local Business Questionnaire program progress
- Senior Citizen Advisory Committee's recent discussion items and concerns
- Personnel Committee's hiring of Vanessa Nienhouse as Borough Clerk
- Undergrounding Committee's JCP&L study on undergrounding wires.
- Project Community Pride survey results
- Selena Mahr as chair of the Municipal Alliance Committee of the Chathams
- Food Distribution increase in Senior Citizens patronage

**Council Member Truilo** – reported on a new Historic Preservation Commission application for expansion.

## **MAYOR 'S REPORT II**

Mayor Kobylarz had nothing further to report.

## **ADMINISTRATOR'S REPORT**

Borough Administrator Steve Williams echoed Council Member Resto's praise for Borough Clerk Nienhouse, reported on the Department of Public Works road resurfacing plans, and thanked the Assistant to the Clerk for his work.



## 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.

Resolutions #22-212 through Resolution #22-224 have been placed on the Consent Agenda.

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

There were none.

# # #

### RESOLUTION #22-212

#### 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 #22-213

#### RESOLUTION AMENDING 2022 BUDGET INSERTION OF SPECIAL ITEM OF REVENUE FOR "2022 CLEAN COMMUNITIES GRANT"

**WHEREAS**, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the 2022 budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount; and

**WHEREAS**, the Borough has received funds from the State of New Jersey – 2022 Clean Communities Grant in the amount of \$16,793.84 and wishes to amend its 2022 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Chatham, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$16,793.84 which is now available as revenue from:

Miscellaneous Revenues: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-set with Appropriations: State of New Jersey – 2022 Clean Communities Grant - \$16,793.84

**BE IT FURTHER RESOLVED** that like sum of \$16,793.84 and the same is hereby appropriated under the caption of:

General Appropriations: Operations Excluded from “CAPS”

Public and Private Programs Off-set by Revenues: State of New Jersey – 2022 Clean Communities Grant - \$16,793.84

**RESOLUTION #22-214**

**RESOLUTION AMENDING THE 2022 BUDGET WITH THE INSERTION OF SPECIAL ITEM OF REVENUE FOR MUNICIPAL ALLIANCE COMMITTEE OF THE CHATHAMS DMHAS YOUTH LEADERSHIP GRANT**

**WHEREAS**, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the 2022 budget: and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount; and

**WHEREAS**, the Borough has received funds from the New Jersey Department of Human Services/Division, in coordination with GCADA, for Youth Leadership Grant in the amount of \$3,900 and wishes to amend its 2022 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Chatham, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$3,900 which is now available as revenue from:

Miscellaneous Revenues: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-set with Appropriations: New Jersey Department of Human Services/Division, in coordination with GCADA, for Youth Leadership Grant in the amount of \$3,900.

**BE IT FURTHER RESOLVED** that like sum of \$3,900 and the same is hereby appropriated under the caption of:

General Appropriations: Operations Excluded from “CAPS”

Public and Private Programs Off-set by Revenues: New Jersey Department of Human Services/Division, in coordination with GCADA, for Youth Leadership Grant in the amount of \$3,900.

**RESOLUTION #22-215**

**RESOLUTION EXTENDING THE PAYMENT OF THE THIRD QUARTER PROPERTY TAX BILLS FROM AUGUST 1, 2022 TO SEPTEMBER 2, 2022**

**WHEREAS**, N.J.S.A. 54:4-64 requires municipal property tax bills to be mailed at least 25 days prior to August 1st of each year; and

**WHEREAS**, the state Division of Local Government Services is experiencing a backlog in reviewing and approving municipal budgets, causing a delay in the certification of the Borough’s tax rate by the Morris County Board of Taxation and the delay in the mailing of the 2022 tax bills by the Chatham Borough Tax Collector; and

**WHEREAS**, N.J.S.A. 54:4-64 further mandates that property taxpayers shall be given adequate notice of the date when taxes are due before interest is charged on delinquent tax payments; and

**WHEREAS**, by law, taxpayers have 25 days from the date of mailing of the tax bill to pay property taxes due without interest or penalty; and

**WHEREAS**, the taxpayer would have less than the required 25-day period from the date of mailing the tax bill to the third quarter August 1, 2022 due date to pay property taxes without interest or penalty; and

**WHEREAS**, the Tax Collector has recommended that payments for the third quarter property taxes should be extended from August 1, 2022, to September 2, 2022.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby concur with the Tax Collector's recommendation and authorize to extend the payment of the third quarter property taxes from August 1, 2022 to September 2, 2022; and

**BE IT FURTHER RESOLVED**, that the payment of property taxes shall be considered delinquent after September 2, 2022, after which date interest will be charged from August 1, 2022 to the date of payment.

#### **RESOLUTION #22-216**

#### **RESOLUTION APPROVING CHANGE ORDER NUMBER 1 FOR THE RESURFACING OF HILLSIDE AVENUE FROM MAPLE STREET TO WATCHUNG AVENUE**

**WHEREAS**, the Borough of Chatham previously approved a contract on February 10, 2020 via Resolution 20-101 to Carroccia Company, Inc of Greenbrook, N.J. in the amount of \$242,118.75 for the resurfacing of Hillside Avenue from Maple Street to Watchung Avenue; and

**WHEREAS**, the quantities for several line items in the original bid changed and frames and grates necessary to complete the project were not included in the original bid; and

**WHEREAS**, the Borough Engineer has confirmed the quantities used to complete the project and recommends the approval of Change Order Number 1; and

**WHEREAS**, the cost of this additional work resulted in an increase of \$31,919.05 to bring the new total adjusted contract amount to \$274,037.80, which amounts to a 13% increase in the original contract amount.

**WHEREAS**, Borough of Chatham's Chief Financial Officer has certified that there are funds available in the Current Fund's Appropriation Reserves 1-01-26-290-201.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Chatham that it hereby accepts the recommendation of the Borough Engineer and hereby approves Change Order Number 1 resulting in total adjusted contract amount of \$274,037.80.

#### **RESOLUTION #22-217**

#### **RESOLUTION AUTHORIZING THE MAYOR TO SIGN A DEVELOPER'S AGREEMENT WITH STERLING/SUN AT CHATHAM, LLC.**

**WHEREAS**, the Planning Board passed a resolution approving the Preliminary and Final Site Plans with incidental variance relief for Sterling/Sun at Chatham, LLC, Block 98 Lot 2 on July 7, 2021; and

**WHEREAS**, permits may not be issued in conjunction with this project prior to the approval of a Developer's Agreement; and

**WHEREAS**, said Developer's Agreement includes a requirement for an affordable housing unit with related requirements; and

**WHEREAS**, said Developer's Agreement has been reviewed and approved by the Borough's Planning Board attorney, the Borough's Affordable Housing Special counsel, Borough attorney, and Fair Share Housing Center.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Chatham authorize Mayor Thaddeus Kobylarz and Acting Borough Clerk Stephen Williams to sign the Developer's Agreement.

#### **RESOLUTION #22-218**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND  
AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FOR THE VAN DOREN AVENUE IMPROVEMENTS  
PROJECT**

**WHEREAS**, the governing body wishes to participate in the 2023 Municipal Aid Grant Program sponsored by the New Jersey Department of Transportation (NJDOT) to further the public interest in applying for an NJDOT grant for the Van Doren Avenue Road Improvement Project; and

**WHEREAS**, the Van Doren Avenue Improvement Project will consist of improving the condition of the roadway infrastructure which included roadway milling and paving, curb and sidewalk repair, and/or replacement, crosswalks, and line stripping.

**NOW, THEREFORE, BE IT RESOLVED** that Council of Borough of Chatham formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as MA-2023-Van Doren Avenue Improvements-00436 to the New Jersey Department of Transportation on behalf of Borough of Chatham; and

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Chatham and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement

**RESOLUTION #22-219**

**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.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the agreement between the Borough of Chatham and the Chatham Boro DPW Association, Inc. for the period of January 1, 2022 through December 31, 2024 is hereby approved; 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 Agreement and Resolution.

**RESOLUTION #22-220**

**RESOLUTION APPOINTING SALENA MAHR AS CHAIRPERSON OF THE MUNICIPAL  
ALLIANCE COMMITTEE OF THE CHATHAMS**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby appoint Salena Mahr as Chairperson of the Municipal Alliance Committee of the Chathams.

**RESOLUTION #22-221**

**RESOLUTION APPOINTING SUMMER POOL STAFF AT  
MEMORIAL PARK POOL FOR THE 2022 SEASON**

**WHEREAS**, the Chatham Borough Recreation Program has a need to hire summer pool staff for the 2022 season; and

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

|                  |         |           |             |
|------------------|---------|-----------|-------------|
| Chang, Atticus   | \$12.95 | Lifeguard | Second year |
| Carles, Nicholas | \$11.90 | Lifeguard | First year  |
| Ulrich, Julia    | \$11.90 | Lifeguard | First year  |

**NOW, THEREFORE, 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 all individuals referenced above as summer pool staff for the 2022 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 #22-222**

#### **RESOLUTION APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2022-2023 LICENSING TERM**

**WHEREAS**, annual renewal applications have been filed by holders of liquor licenses in the Borough of Chatham for the 2022-2023 licensing term; and

**WHEREAS**, inspections were conducted at each of the licensee's premises in accordance with N.J.S.A. 33:1-24 and the Borough of Chatham Board of Health regulations; and

**WHEREAS**, the Chatham Borough Police Department prepared an annual investigation report, which reported no items of concern; and

**WHEREAS**, the Borough Clerk reported no objections were filed, either written or in person, with respect to the renewal of any liquor license in the Borough; and

**WHEREAS**, the Borough Clerk confirmed that all liquor license renewal applications have been completed in all respects and all required fees have been paid, and that Tax Clearance Certificates have been issued by the New Jersey Division of Taxation for each of the following licensees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they are hereby satisfied that all requirements have been met and approve the renewal of the following liquor licenses for the 2022-2023 licensing term:

#### **PLENARY RETAIL CONSUMPTION LICENSES**

1404-33-008-002 Charley's Aunt Inc. t/a Charley's Aunt

1404-33-002-007 Chatham Towne Tavern, Inc. t/a River Grille

1404-33-006-009 Jamnan, Inc. t/a Restaurant Serenade

1404-33-007-004 Jesus Saves, Inc. t/a Scalini Fedeli

#### **PLENARY RETAIL DISTRIBUTION LICENSES**

1404-44-001-007 Stolar Vert Chatham Hospitality LLC t/a Chatham Cottage Deli

1404-44-003-009 Chatham Bottle King, Inc. t/a Chatham Bottle King

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Chatham that they are hereby satisfied that all requirements for the renewal of said liquor licenses have been met and approve the renewal of the herein referenced liquor licenses for the 2022-2023 licensing term; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby directed to file a certified copy of this Resolution with the Director of the Division of Alcoholic Beverage Control with respect to each of the herein referenced liquor licenses and is further authorized to issue liquor licenses for the 2022-2023 licensing term on the form and certificate approved by the Alcoholic Beverage Control Commission in the State of New Jersey for each of the herein-referenced licenses.

#### **RESOLUTION #22-223**

##### **RESOLUTION URGING THE SWIFT PASSAGE OF S-330 WHICH RESTORES ENERGY TAX RECEIPTS**

**WHEREAS**, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

**WHEREAS**, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

**WHEREAS**, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

**WHEREAS**, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

**WHEREAS**, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

**WHEREAS**, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

**WHEREAS**, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

**WHEREAS**, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Chatham in the county of Morris urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution is forwarded to Assemblywoman Matsikoudis, Assemblywoman Munoz, Senator Jon Bramnick, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

#### **RESOLUTION #22-224**

##### **RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE STATEMENTS OF CONSENT ON BEHALF OF THE BOROUGH OF CHATHAM**

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Chatham in the County of Morris that Stephen W. Williams, Borough Administrator, is hereby designated as the authorized representative to

execute Statements of Consent for TWA-1 and WQM-003 Forms for the State of New Jersey Department of Environmental Protection on behalf of the Borough of Chatham

# # #

**CONSENT AGENDA VOTE:**

Mayor Kobylarz asked Council President Treloar to proceed with the Consent Agenda.

Council President Treloar moved to adopt the Consent Agenda by consent of the Council, seconded by Council Member Resto. By a unanimous voice vote, the resolutions were adopted.

**ADJOURNMENT**

Having no other business to conduct, Mayor Kobylarz asked Council Member Truilo to proceed with Adjournment. Council Member Truilo moved to adjourn, seconded by Council Member Resto. By a unanimous voice vote, the meeting was adjourned at 8:58 P.M.

Respectfully submitted on August 8, 2022, by  
Stephen W. Williams, Acting Borough Clerk.