



# **Borough of Chatham**

**BOROUGH HALL**

**54 FAIRMOUNT AVENUE**

**CHATHAM, NEW JERSEY 07928**

**Tel: 973-635-0674**

## **BOROUGH OF CHATHAM PLANNING BOARD**

### **REORGANIZATION VIRTUAL MEETING**

**Wednesday, January 06, 2021 at 7:30 p.m.**

#### **STATEMENT OF ADEQUATE NOTICE**

Pursuant to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., adequate notice of this meeting has been provided and published in the Chatham Courier on January 8, 2020 and posted on the Municipal Bulletin Board on the main floor of the Municipal Building and filed with the Commission Secretary and the Borough Clerk also on January 8, 2020.

Please follow the link below to join the webinar:

<https://us02web.zoom.us/j/81401028053>

Or iPhone one-tap :

US: +13126266799,,81401028053# or +19292056099,,81401028053#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 814 0102 8053

International numbers available: <https://us02web.zoom.us/j/81401028053>

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#### **ADMINISTRATION OF THE OATHS OF OFFICE**

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#### **ROLL CALL**

Thaddaeus Kobylarz

Stephen Williams

Irene Treloar

H.H. Montague

Matthew Wagner

Curt Dawson

Susan W. Favate

William Heap

Torri Van Wie

Joseph Mickulewicz, 1<sup>st</sup> Alternate

Gregory Xikes, 2<sup>nd</sup> Alternate

**PUBLIC COMMENT**

**NOTICE OF PUBLIC COMMENT TIME LIMIT**

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

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**RESOLUTION #PB 2020-01**

**RESOLUTION OF THE BOROUGH OF CHATHAM PLANNING BOARD ADOPTING MEETING MINUTES**

**BE IT RESOLVED** by the Borough of Chatham Planning Board that the minutes from the October 7, 2020, October 21, 2020, November 4, 2020, and December 2, 2020 meetings are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office.

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**ANNUAL REORGANIZATION**

- a. Vote and election of Chairperson
- b. Vote and election of Vice Chairperson
- c. Vote and Election of Secretary
- d. Appointment of Sign Committee

**ANNUAL RESOLUTIONS**

**RESOLUTION PB #2021-02**

**RESOLUTION TO APPOINT THE BOROUGH OF CHATHAM PLANNING BOARD OFFICERS FOR 2021**

**WHEREAS**, the New Jersey Municipal Land Use Law, *N.J.S.A. 40:55D*, requires that the Planning Board elect a Chairperson, a Vice Chairperson and a Secretary for the year 2021; and

**WHEREAS**, at its Reorganization Meeting on January 6, 2021, the Borough of Chatham Planning Board did hold an election for Board officers; and

**WHEREAS**, the elected members did agree to accept and hold such offices.

**THEREFORE, BE IT RESOLVED** by the Planning Board, that as the result of the elections, the following offices will be held by the indicated members of the Planning Board during the year 2021, and until replaced by a subsequent election:

Chairperson: \_\_\_\_\_  
Vice Chairperson: \_\_\_\_\_  
Board Secretary: \_\_\_\_\_

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**RESOLUTION PB #2021-03**

**RESOLUTION SETTING THE MEETING DATES FOR THE BOROUGH OF CHATHAM PLANNING BOARD FOR CALENDAR YEAR 2021**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., requires that public bodies provide adequate notice of meetings.

**THEREFORE, BE IT RESOLVED**, by the Borough of Chatham Planning Board that during the calendar year 2021, meetings shall be held by the Borough of Chatham Planning Board to discuss or act upon official business at 7:30 p.m. prevailing time, in the Council Chambers, in Borough Hall as follows:

1. Regular Meetings of the Borough of Chatham Planning Board for the year 2021 will be held on the first and third Wednesday of each month, at 7:30 p.m. prevailing time, in the Council Chambers, in Borough Hall on the following dates:
2.

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February 3	February 17
March 3	March 17
April 7	April 21
May 5	May 19
June 2	June 16
July 7	July 21
August 4	August 18
September 1	October 6
October 20	November 3
December 1	
3. The Reorganization Meeting and first Regular Meeting for 2022 will be held on Wednesday, January 5, 2022.
4. Notice is hereby given that an executive (closed) session may be convened at any of the herein referenced Board meetings
5. Certified copies of this resolution shall be e-mailed to the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and the Alternative Press and posted on the bulletin board outside the office of the Borough Clerk and filed in the Office of the Administrator.
6. A copy of this resolution shall be sent to any interested person who has requested that they be sent copies of notices of the Borough Planning Board meetings pursuant to N.J.S.A. 10:4-19, and who has paid the required fee.

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**RESOLUTION PB #2021-04**

**RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS FOR THE PUBLICATION OF ADVERTISEMENTS AND ALL NOTICES REQUIRED BY LAW TO BE PUBLISHED BY THE BOROUGH OF CHATHAM PLANNING BOARD FOR THE YEAR 2021**

**WHEREAS**, the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D, provides that certain notices required by its terms are to be published in the official newspaper of the municipality; and

**WHEREAS**, the Open Public Meetings Act, *N.J.S.A. 10:4-6 et seq.*, requires that notification be given of meetings of public bodies as therein defined and, in the manner, therein set forth; and

**WHEREAS**, the Borough of Chatham has by resolution selected the official newspapers of the Borough for publication of legal notices.

**THEREFORE, BE IT RESOLVED**, by the Borough of Chatham Planning Board that pursuant to N.J.S.A. 40:53-1, the *Daily Record* is hereby designated as the official newspaper for all advertisements and all notices required by law to be published by this municipality and the *Chatham Courier* is hereby designated as an alternate official newspaper; and

**BE IT FURTHER RESOLVED**, that all notices required to be published shall be placed upon the bulletin board on the main level of Borough Hall, outside the office of the Borough Clerk; and

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 10:4-19, a copy of this resolution shall be provided to any person who requests a copy of the regular meeting schedule, special or rescheduled meetings of this public body, and upon prepayment by such person of a reasonable sum, if any has been fixed by resolution to cover the costs of providing such notice; and

**BE IT FURTHER RESOLVED**, that in accordance with N.J.S.A. 10:4-14, minutes of the meetings of the Borough of Chatham Planning Board will be made available for public viewing in the Administration office and on the Borough website. Paper copies of the minutes will be provided to individuals who request same in accordance with the Open Public Records Act, N.J.S.A. 47:1A-1 et. seq.

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#### **RESOLUTION PB #2021-05**

#### **RESOLUTION APPOINTING THE BOARD ATTORNEY AND APPROVING CONTRACT FOR LEGAL SERVICES FOR 2021**

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, requires that a resolution be adopted and publicly advertised to authorize the award of contracts for Professional Services without competitive bidding; and

**WHEREAS**, there exists a need for legal services for the Borough of Chatham Planning Board; and

**WHEREAS**, the Board has considered the services rendered by Vincent K. Loughlin, Esq. during the year 2020.

**THEREFORE, BE IT RESOLVED**, that Vincent K. Loughlin, Esq., 1838 East Second Street, Scotch Plains, New Jersey 07076, is hereby appointed Legal Counsel for the Borough of Chatham Planning Board for the year 2021 at rates to be set forth in a contract with the Board; and

**BE IT FURTHER RESOLVED**, that the Planning Board Chairman is authorized to execute the necessary agreement with the appointed attorney on behalf of the Board.

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#### **RESOLUTION PB #2021-06**

#### **RESOLUTION APPOINTING THE BOARD PLANNER AND APPROVING CONTRACT FOR PLANNING SERVICES FOR 2021**

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* requires that a resolution be adopted and publicly advertised to authorize the award of contracts for “Professional Services”; and

**WHEREAS**, the Board has determined that the services of a professional planner are necessary for the Board; and

**WHEREAS**, the Board has considered the services rendered by Kendra Lelie, P.P, AICP, ASLA, of the firm KMA Associates during the year 2020; and

**WHEREAS**, the Board Attorney will review and revise the contract for services as necessary.

**THEREFORE, BE IT RESOLVED**, as follows:

1. Kendra Lelie, P.P, AICP, ASLA, of the firm T & M Associates is hereby appointed as Planner to the Borough of Chatham Planning Board effective from January 1, 2021 through December 31, 2021;
2. Kendra Lelie shall render services based upon an hourly rate and a rate fixed for public meeting attendance;
3. The Board Attorney is directed to provide a professional services contract in accordance with this Resolution to Kendra Lelie of the firm T & M Associates for signature;
4. Upon recommendation of the final contract by the Board Attorney, the Planning Board Chairman is authorized to execute the contract on behalf of the Board, and the Chairman's signature shall be duly witnessed by the Secretary to the Board;
5. Kendra Lelie, P.P, AICP, ASLA, and the firm T & M Associates is directed to comply with all appropriate document requests of the Borough Clerk with respect to this contract, including financial disclosures and Pay-to-Play requirements.

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#### **RESOLUTION PB #2021-07**

#### **RESOLUTION APPOINTING CONSULTING ENGINEER AND APPROVING CONTRACT FOR ENGINEERING SERVICES FOR 2021**

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* requires that a resolution be adopted and publicly advertised to authorize the award of contracts for "Professional Services"; and

**WHEREAS**, the Board has determined that the services of a professional engineer are necessary for the Board; and

**WHEREAS**, the Board has considered the services rendered by Robert C. Brightly, P.E. during the year 2020; and

**WHEREAS**, Board Attorney will review and revise the contract for services as necessary.

**THEREFORE, BE IT RESOLVED**, as follows:

1. Robert C Brightly of the firm of Ferriero Engineering, is hereby appointed as Consulting Engineer to the Borough of Chatham Planning Board effective from January 1, 2021 through December 31, 2021;
2. Mr. Brightly shall render services on a piecemeal basis as assigned by the Board, at a fixed hourly rate to be billed on a monthly basis. A fee schedule is attached to this Resolution;
3. The Board Attorney is directed to provide a professional services contract in accordance with this Resolution to Mr. Brightly for signature;

4. Upon recommendation of the final contract by the Board Attorney, the Planning Board Chairman is authorized to execute the contract on behalf of the Board, and the Chairman's signature shall be duly witnessed by the Secretary to the Board;
5. Robert Brightly and the firm of Ferriero Engineering are directed to comply with all appropriate document requests of the Borough Clerk with respect to this contract, including financial disclosures and Pay-to-Play requirements.

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**RESOLUTION PB #2021-08****RESOLUTION APPOINTING CONSULTING ENGINEER AND APPROVING CONTRACT FOR ENGINEERING SERVICES FOR 2021**

**WHEREAS**, the Board has determined that the services of a professional engineer are necessary for the Board; and

**WHEREAS**, the Board has considered the services by Vincent J. DeNave, P.E. during the year 2020.

**THEREFORE, BE IT RESOLVED**, as follows:

1. Vincent J. DeNave of the Borough of Chatham is hereby appointed as Engineer to the Borough of Chatham Planning Board effective from January 1, 2021 through December 31, 2021;
2. Mr. DeNave shall render services as customary, necessary, and as assigned by the Board. The services of the Board Engineer shall be subject to a separate agreement between the Engineer and the Borough of Chatham.

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**RESOLUTION PB #2021-09****RESOLUTION RE-ADOPTING RULES AND REGULATIONS FOR OPERATION OF THE PLANNING BOARD**

**WHEREAS**, the Municipal Land Use Law, *N.J.S.A. 40:55D-8*, provides that Rules and Regulations shall be adopted by the Planning Board; and

**WHEREAS**, the Board has previously adopted the Rules and Regulations and Amendment #1 and Amendment #2 of the Rules and Regulations.

**THEREFORE, BE IT RESOLVED**, that the Planning Board does hereby re-adopt the document entitled "Rules and Regulations of the Planning Board of the Borough of Chatham", consisting of the Introduction and Articles I through VII, and all Amendments thereto; and

**BE IT FURTHER RESOLVED**, that the Board Rules and Regulations shall be available upon request upon payment of fees as required by the Borough.

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**RESOLUTION PB #2021-10****RESOLUTION TO APPOINT MEMBERS OF THE SIGN COMMITTEE FOR 2021**

**WHEREAS**, the duly adopted and amended Rules and Regulations of the Borough of Chatham Planning Board provide for the appointment of the members of the Borough Sign Committee, which shall serve as a sub-committee of the Planning Board; and

**WHEREAS**, at its Reorganization Meeting on January 6, 2021, the Planning Board did appoint the members of the Sign Committee; and

**THEREFORE, BE IT RESOLVED**, by the Planning Board that the following persons are hereby appointed to the Borough of Chatham Sign Committee:

Susan Favate	Planning Board
Susan F. Kessel	Regular Member
Carolyn Cherry	Chamber of Commerce
H.H. Montague	ZBA and Planning Board
Vincent DeNave	Zoning Enforcement Officer
James J. Greener	Historic Preservation Commission
Frances Boardman	Administrative Secretary

**BE IT FURTHER RESOLVED**, that each member shall serve at the will of the Planning Board, for a term of one year from January 6, 2021; and

**BE IT FURTHER RESOLVED**, that the Board Administrative Secretary is directed to advise each appointee of the appointment and determine that each has accepted the appointment and his or her duty to serve on the Sign Committee with objectivity and fairness.

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**APPLICATION RESOLUTIONS**

a.

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**DISCUSSION ITEMS**

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**NEW AND RETURNING APPLICATIONS**

a.

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**NEW AND PENDING BUSINESS**

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**CLOSED SESSION**

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**ADJOURNMENT**