

**AGENDA**  
**Monday, September 12, 2022**  
**7:30 PM**

**Mayor & Council Regular Meeting**  
**Mayor & Borough Council**

**Borough of Chatham**  
**54 Fairmount Avenue**  
**Chatham, NJ 07928**

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**CALL MEETING TO ORDER**

The meeting will be called to order at 7:30 p.m.

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**SALUTE TO FLAG**

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**MOMENT OF SILENCE**

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**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 4th, 2022.

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**ROLL CALL**

Mayor Thaddeus J. Kobylarz  
Council President Irene Treloar  
Council Member Carolyn Dempsey  
Council Member Jocelyn Mathiasen  
Council Member Karen Koronkiewicz  
Council Member Leonard Resto  
Council Member Frank Truilo  
Stephen W. Williams, Borough Administrator  
Vanessa L. Nienhouse, Borough Clerk  
Steven Kleinman, Borough Attorney

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**PROCLAMATIONS**

Mayor Kobylarz asks Council Member Resto to read the proclamation promoting the Out of the Darkness Walk and Declaring September as Suicide Awareness month.

Council Member Resto reads Resolution # 22-248.

[\*\*RESOLUTION #22-248 PROCLAMATION PROMOTING THE OUT OF THE DARKNESS WALK\*\*](#)

[AND DECLARING SUICIDE PREVENTION MONTH.doc](#)

Mayor Kobylarz asks Council Member Koronkiewicz to read the proclamation Declaring Fire Prevention Week.

Council Member Koronkiewicz reads Resolution # 22-249.

[RESOLUTION #22-249 DECLARATION OF FIRE PREVENTION WEEK.doc](#)

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**APPOINTMENT/ PROMOTION**

Council Member Koronkiewicz reads Resolution #22-250.

Mayor Kobylarz swears in the new police captain.

[RESOLUTION #22-250 PROMOTION OF RALPH COLATRELLA TO POLICE CAPTAIN.docx](#)

[Oath of Office.docx](#)

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**RECUSALS**

Recusals or abstentions submitted for the record.

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**ADOPTION OF COUNCIL MEETING MINUTES**

Mayor Kobylarz asks Council Member Resto to proceed with Resolution #22-251.

Council Member Resto reads Resolution #22-251.

**RESOLUTION #22-251**

**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:

April 11, 2022

April 18, 2022

Council Member Resto moves to adopt Resolution #22-251.

Council Member \_\_\_\_\_ seconds the motion

[RESOLUTION #22-251 ADOPTION OF MINUTES.docx](#)

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**DISCUSSION ITEMS**

Long Range Financial Plan and Audit – Council Member Karen Koronkiewicz and Karen Fornaro, Borough CFO

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## MAYOR'S REPORT I

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### MEETING OPEN TO THE PUBLIC

#### NOTICE OF PUBLIC COMMENT TIME LIMIT

*Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 836 0628 4843) or obtain online access of the meeting using the following URL:*

<https://us02web.zoom.us/j/83606284843>

Or One tap mobile :

US: +13126266799,,83606284843# or +16469313860,,83606284843#

Or Telephone:

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

US: +1 312 626 6799

Webinar ID: 836 0628 4843

International numbers available: <https://us02web.zoom.us/j/83606284843>

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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### RESOLUTIONS NON-ROUTINE NON-CONSENT

Mayor Kobylarz asks Council Member Koronkiewicz to proceed with Resolution # 22-252 by reading it by title.

#### RESOLUTION #22-252

#### RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, APPOINTING WILLIAM MANGO AS A CLASS III SPECIAL LAW ENFORCEMENT OFFICER

Council Member Koronkiewicz moves to adopt Resolution #22-252.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Kobylarz asks the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Treloar						
Dempsey						

Mathiasen						
Koronkiewicz						
Resto						
Truilo						

[RESOLUTION #22-252 HIRING OF WILLIAM MANGO AS CLASS III SLEO.docx](#)

Mayor Kobylarz asks Council Member Koronkiewicz to proceed with Resolution # 22-253 by reading it by title.

### **RESOLUTION #22-253**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, APPOINTING BRIAN STANTON AS A CLASS II SPECIAL LAW ENFORCEMENT OFFICER.**

Council Member Koronkiewicz moves to adopt Resolution #22-253.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Kobylarz asks the Borough Clerk for a Roll Call Vote:

<b>Name</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Treloar						
Dempsey						
Mathiasen						
Koronkiewicz						
Resto						
Truilo						

[RESOLUTION\\_\\_22-253\\_HIRING\\_OF\\_BRIAN\\_STANTON\\_AS\\_CLASS\\_II\\_SLEO\\_V2.pdf](#)

### **ORDINANCES FOR SECOND READING**

Mayor Kobylarz asks Council Member Koronkiewicz to proceed with Ordinance #22-08 for second reading.

**Council Member Koronkiewicz reads Ordinance #22-08 by title:**

### **ORDINANCE NO. 22-08**

**AN ORDINANCE OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF A PORTION OF RAYMOND STREET EAST OF**

## PIHLMAN PLACE

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

Borough Clerk Vanessa L. Nienhouse states: A legal notice was published indicating that Ordinance #22-08 was introduced and passed on first reading at the August 8, 2022 meeting and indicated the second reading and public hearing would be held at 7:30 pm on September 12, 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 opens the meeting for public hearing on the Ordinance.

Mayor Kobylarz closes the public hearing when no one else wishes to be heard.

Council Member Koronkiewicz moves to adopt Ordinance #22-08 and reads the following statement:

**BE IT RESOLVED**, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Kobylarz asks the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Treloar						
Dempsey						
Mathiasen						
Koronkiewicz						
Resto						
Truilo						

[ORDINANCE 22-08 RAYMOND STREET VACATION.docx](#)

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## COUNCIL MEMBERS REPORTS

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## MAYOR'S REPORT II

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## ADMINISTRATOR'S REPORT

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## **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 #22-254 through Resolution #22-266 have been placed on the Consent Agenda.

### **FINANCE**

[RESOLUTION #22-254 APPROVING THE CORRECTIVE ACTION PLAN FOR THE ANNUAL AUDIT REPORT FOR THE YEAR ENDING 2021.doc](#)

[RESOLUTION #22-255 AMENDING 2022 BUDGET INSERTION OF SPECIAL ITEM OF REVENUE FOR RECYCLING TONNAGE GRANT.doc](#)

[Resolution #22-256 Bills List.docx](#)

[RESOLUTION #22-257 MEMORIAL PARK POOL MEMBERSHIP REFUND.docx](#)

### **CONTRACTS**

[RESOLUTION #22-258 AWARD OF NON FAIR AND OPEN CONTRACT FOR INTERIOR PAINTING OF THE STANLEY CENTER.docx](#)

[RESOLUTION #22-259 AWARDED TILCON NEW YORK INC. "ROAD RESURFACING.docx](#)

[RESOLUTION #22-260 TO PURCHASE AVS SECURITY SYSTEM FOR BOROUGH HALL.docx](#)

### **BOARDS, COMMISSIONS, AND COMMITTEES**

[RESOLUTION #22-261 APPOINTING SUSAN ROBERTSON TO THE PLANNING BOARD.doc](#)

### **PERSONNEL**

[RESOLUTION #22-262 APPOINTING SUMMER POOL STAFF.doc](#)

[RESOLUTION #22-263 HIRING AND APPOINTING SCHOOL CROSSING GUARDS.doc](#)

### **OTHER**

[RESOLUTION #22-264 OPPOSITION TO THE NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL'S SPECIAL CONDITIONS ON LIMITED BREWERY LICENSES.docx](#)

[RESOLUTION #22-265 PROCLAMATION DECLARING OCTOBER AS DOMESTIC VIOLENCE MONTH.doc](#)

[RESOLUTION #22-266 Fee Schedule Addendum for Stanley Center.docx](#)

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

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### **CONSENT AGENDA VOTE**

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

Council President Treloar moves to adopt the resolutions placed on this evening's Consent Agenda by consent of the Council.

Council Member \_\_\_\_\_ seconds the motion.

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### **ORDINANCES FOR FIRST READING**

Mayor Kobylarz asks Council Member Koronkiewicz to introduce Ordinance #22-09.

Council Member Koronkiewicz introduces Ordinance #22-09 by title and reads the introduction statement:

### **ORDINANCE NO. 22-09**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 48 OF THE BOROUGH CODE REGARDING THE PERMISSIBLE HOURS OF WORK OF SPECIAL LAW ENFORCEMENT OFFICERS (SLEOS) ALONG WITH THE NUMBER OF AUTHORIZED CLASS III SLEOS**

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on September 12, 2022.

**BE IT RESOLVED**, that at the Council meeting to be held on October 11, 2022, at 7:30 p.m. prevailing time, at Borough Hall and online, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall, and make copies available to members of the general public.

Council Member Koronkiewicz moves Ordinance #22-09 for adoption on First Reading.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Kobylarz asks the Borough Clerk for a Roll Call Vote:

<b>Name</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Treloar</b>						
<b>Dempsey</b>						

<b>Mathiasen</b>						
<b>Koronkiewicz</b>						
<b>Resto</b>						
<b>Truilo</b>						

[Ordinance #22-09 Amending Chapter 48, Special Police Officers, in the Borough Code](#)

Mayor Kobylarz asks Council Member Koronkiewicz to introduce Ordinance #22-10.

Council Member Koronkiewicz introduces Ordinance #22-10 by title and reads the introduction statement:

**ORDINANCE NO. 22-10**

**ORDINANCE ADOPTING AN AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE POST OFFICE PLAZA REDEVELOPMENT AREA**

**BLOCK 121, LOTS 10 AND 17, BOROUGH OF CHATHAM, NEW JERSEY**

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on September 12, 2022.

**BE IT RESOLVED**, that at the Council meeting to be held on October 11, 2022, at 7:30 p.m. prevailing time, at Borough Hall and online, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall, and make copies available to members of the general public.

Council Member Koronkiewicz moves Ordinance #22-10 for adoption on First Reading.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Kobylarz asks the Borough Clerk for a Roll Call Vote:

<b>Name</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Treloar</b>						
<b>Dempsey</b>						
<b>Mathiasen</b>						
<b>Koronkiewicz</b>						



<b>Resto</b>						
<b>Truilo</b>						

[Ordinance 22-10 Adopting-Amended-Restated-Redevelopment-Plan-redlined.docx](#)

Mayor Kobylarz asks Council Member Koronkiewicz to introduce Ordinance #22-11.

Council Member Koronkiewicz introduces Ordinance #22-11 by title and reads the introduction statement:

**ORDINANCE NO. 22-11**

**ORDINANCE REINSTATNG PRIOR ZONING FOR PORTIONS OF THE**

**POST OFFICE PLAZA REDEVELOPMENT AREA, AS AN AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OF**

**THE BOROUGH OF CHATHAM, NEW JERSEY**

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on September 12, 2022.

**BE IT RESOLVED**, that at the Council meeting to be held on October 11, 2022, at 7:30 p.m. prevailing time, at Borough Hall and online, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall, and make copies available to members of the general public.

Council Member Koronkiewicz moves Ordinance #22-11 for adoption on First Reading.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Kobylarz asks the Borough Clerk for a Roll Call Vote:

<b>Name</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Treloar</b>						
<b>Dempsey</b>						
<b>Mathiasen</b>						
<b>Koronkiewicz</b>						

<b>Resto</b>						
<b>Truilo</b>						

[2022-09-09-Restated Post Office Plaza Redevelopment Plan.pdf](#)  
[Ordinance 22-11 Reinstating Prior Zoning Final.DOCX](#)

Mayor Kobylarz asks Council Member Koronkiewicz to introduce Ordinance #22-12.

Council Member Koronkiewicz introduces Ordinance #22-12 by title and reads the introduction statement:

### **ORDINANCE #22-12**

BOND ORDINANCE TO AUTHORIZE THE MAKING OF A GRANT FOR THE DEVELOPMENT AND CONSTRUCTION OF AFFORDABLE HOUSING IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, TO APPROPRIATE THE SUM OF \$6,000,000 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.

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on September 12, 2022.

**BE IT RESOLVED**, that at the Council meeting to be held on October 11, 2022, at 7:30 p.m. prevailing time, at Borough Hall and online, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing, and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall, and make copies available to members of the general public.

Council Member Koronkiewicz moves Ordinance #22-12 for adoption on First Reading.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Kobylarz asks the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Treloar						
Dempsey						
Mathiasen						
Koronkiewicz						
Resto						
Truilo						

[Ordinance 22-12 Bond-Ordinance - Final draft.docx](#)

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## **ADD-ON RESOLUTION[S]**

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### **EXECUTIVE SESSION**

### **RESOLUTION TO ADJOURN INTO CLOSED SESSION**

Mayor Kobylarz asks Council Member Truilo to proceed with Resolution #22-267.

Council Member Truilo reads Resolution #22-267.

### **RESOLUTION #22-267**

### **RESOLUTION TO ADJOURN INTO CLOSED SESSION**

**BE IT RESOLVED** by the Borough Council of the Borough of Chatham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-6:

- Solid Waste Contract negotiations and Attorney Client privileged advice – Steven Kleinman and Karen Fornaro

**BE IT FURTHER RESOLVED**, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided

such disclosures will not violate Federal, State, or local statutes and does not fall within the attorney-client privilege. The Mayor and Borough Council will not return to public session after Closed Session.

Council Member Truilo moves to adopt Resolution #22-267.

Council Member \_\_\_\_\_ seconds the motion.

[Resolution #22-267 Closed Session.docx](#)

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**ADJOURNMENT**



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION # 22-248

### SUPPORT FOR THE 7TH ANNUAL “OUT OF THE DARKNESS” AND SUICIDE PREVENTION MONTH

**WHEREAS**, the Borough of Chatham is committed to increasing awareness of suicide prevention and wishes to recognize the importance of suicide awareness in our community; and

**WHEREAS**, a suicide attempt is made every minute of every day, resulting in over one million attempts made annually, with an increasing number of teens and pre-teens, members of the military and the protective services of Police, Fire and Emergency Management Technicians being most at risk; and

**WHEREAS**, the scourge and stigma of mental illness causes many to keep suicide and attempted suicides unspoken of in the community, even in Chatham; and

**WHEREAS**, the American Foundation for Suicide Prevention is a multi-faceted organization made up of esteemed scientists, dedicated survivors of suicide loss, people with mental disorders and their families, those who wish to bring suicide and mental illness out of the shadows, and an expansive network of business and community leaders that advocates and supports policies that contribute to reducing and preventing suicides nationwide and encourages individuals who may be in crisis to call the National Suicide Prevention Lifeline at 1-800-273-TALK (8255); and

**WHEREAS**, the Borough of Chatham supports the American Foundation for Suicide Prevention to host “Talk Saves Lives” community-based presentations on suicide prevention, and the “Out of the Darkness” walk to raise funds for same; and

**WHEREAS**, the seventh annual “Out of the Darkness” walk will take place on Saturday, September 17, 2022 at 5:00 p.m. at Cougar Field in Chatham Township to increase awareness of suicide prevention and raise funds for the American Foundation for Suicide Prevention, an endeavor which the Borough of Chatham fully supports.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham encourages as many of our residents to show support for this important cause by raising funds or by participating in the “Out of the Darkness” event to be held on Saturday, September 17, 2022 at Cougar Field in Chatham Township.

**BE IT FURTHER RESOLVED**, that the Mayor hereby proclaims the month of September in the Borough of Chatham as “Suicide Prevention Month.”

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa L. Nienhouse, RMC  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

#### CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-249

**WHEREAS**, on the 40<sup>th</sup> anniversary of the Great Chicago Fire of October 8-10, 1871, the Fire Marshals Association of North America determined that the anniversary should henceforth be observed in ways to keep the public informed about the importance of fire prevention; and

**WHEREAS**, Fire Prevention Week is today the longest running public health and safety observance on record, and is held annually during the week in which October 9<sup>th</sup> falls; and

**WHEREAS**, the Borough of Chatham is dedicated to reducing the occurrence of home fires by offering fire-prevention education and protection; and

**WHEREAS**, fires are a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

**WHEREAS**, home fires killed more than 2,770 people in the United States in 2019, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded that year to approximately 339,500 home fires; and

**WHEREAS**, smoke alarms detect smoke well before human beings can, alerting them to danger in the event of a fire where they may have as little as 2 minutes to escape safely; and

**WHEREAS**, functioning smoke alarms cut the risk of death in home fires fully in half; and

**WHEREAS**, Chatham Borough residents are advised to ensure that every member of their household recognizes the sounds of the alarms and understands properly how to respond; and

**WHEREAS**, Chatham Borough residents who have planned and practiced a home fire escape plan are more prepared, and will therefore be more likely, to survive a fire; and

**WHEREAS**, Chatham Borough first responders are dedicated to reducing the occurrence of home fires and home-fire injuries through prevention and protection education; and

**WHEREAS**, the 2022 Fire Prevention Week theme, “**Fire Won’t Wait. Plan Your Escape™**” effectively serves as a reminder that it is vitally important to learn the different sounds of smoke and carbon monoxide alarms and ensure that they are properly functioning with working batteries.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Thaddeus J. Kobylarz, Mayor of the Borough of Chatham, do hereby proclaim October 9-15, 2022 as Fire Prevention Week throughout our Borough, and I urge all residents of Chatham Borough to attend the Fire Department’s Open House on October 15, and to support the many public safety activities and efforts of our courageous and highly-dedicated Chatham Borough Volunteer Fire Department.

This the 12th Day of September 2022

BOROUGH OF CHATHAM

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Thaddeus J. Kobylarz, Mayor



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-250

### RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, APPOINTING LIEUTENANT RALPH M. COLATRELLA TO THE POSITION OF POLICE CAPTAIN

**WHEREAS**, pursuant to §48-1 of the Borough Code, the Borough of Chatham has established the position of Police Captain; and

**WHEREAS**, upon the recommendation of the Chief of Police, the Mayor, and Borough Council wish to fill the position of Police Captain; and

**WHEREAS**, the Chief of Police recommends that Lieutenant Ralph M. Colatrella be appointed as Police Captain; and

**WHEREAS**, the Mayor and Borough Council wish to appoint Lieutenant Colatrella as Police Captain effective September 12, 2022.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey as follows:

1. Lieutenant Ralph M. Colatrella be and hereby is appointed to the position of Police Captain effective September 12, 2022.
2. Lieutenant Colatrella shall receive the annual salary of \$167,027.74 as Police Captain prorated for 2022.
3. All Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

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Vanessa L. Nienhouse  
Borough Clerk

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Thaddeus J. Kobylarz  
Mayor

## CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

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Vanessa L. Nienhouse, Borough Clerk

**Borough of Chatham**  
**Official Oath of Public Officer**

Chap. 217, P.L. 1971. N.J.S.A. 41:1-1 and 41:1-3

STATE OF NEW JERSEY :  
: SS  
COUNTY OF MORRIS :

I, **Ralph M. Colatrella**, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same, and to the Governments established in the United States and in this State, under the Authority of the People; and

I do further solemnly swear (or affirm) that I will faithfully, impartially, and justly perform all the duties as Police Captain within the Borough of Chatham according to the best of my ability and that I will not use my office to grant preferential treatment, nor to seek personal gain, favor, or advantage not available to the public. (So, help me God.)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

Sworn and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_ 2022

\_\_\_\_\_  
Officiant or Notary





# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-251

### 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:

April 11, 2022

April 18, 2022

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

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Vanessa L. Nienhouse  
Borough Clerk

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Thaddeus J. Kobylarz  
Mayor

### CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

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Vanessa L. Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-252

### **RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, APPOINTING WILLIAM MANGO AS A CLASS III SPECIAL LAW ENFORCEMENT OFFICER**

**WHEREAS**, on November 30, 2016, Governor Chris Christie signed into law P.L. 2016, c. 68 which established Class III Special Law Enforcement Officers (SLEO's) for retired law enforcement officers under 65 years of age to provide security in public and nonpublic schools and county colleges; and

**WHEREAS**, the School District of the Chathams and Borough of Chatham wishes to hire William Mango as a Class III SLEO for the 2022/2023 school year; and

**WHEREAS**, upon the recommendation of the Chief of Police, the Mayor and Borough Council desire to formally appoint William Mango as a SLEO III, subject to approval by the Police Training Commission, in order to assign him to the school district for security; and

**WHEREAS**, the Department will assign a SLEO III to provide security to the School District of the Chathams in accordance with the agreement between the Borough and the School District of the Chathams Board of Education; and

**WHEREAS**, the Chief of Police has recommended that William Mango be employed as Class III SLEO for the Borough of Chatham Police Department, at a salary of \$37.50 per hour effective September 13, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Chatham, in the County of Morris and the State of New Jersey that William Mango is hereby appointed as a Class III Special Law Enforcement Officer (SLEO III), without any limitation of hours in accordance with N.J.S.A. 40A:14-146.16a.(5), subject to approval by the Police Training Commission, and in accordance with the terms and conditions of this Resolution; 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.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa Nienhouse  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

#### CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa Nienhouse, Borough Clerk



Incorporated 1897

# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE ■ CHATHAM ■ NEW JERSEY 07928

## RESOLUTION #22-253

### **RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, APPOINTING BRIAN STANTON AS A CLASS II SPECIAL LAW ENFORCEMENT OFFICER**

**WHEREAS**, the School District of the Chatham's and Borough of Chatham wishes to hire Brian Stanton as a Special Law Enforcement Officer (SLEO) Class II for the 2022/2023 school year; and

**WHEREAS**, upon the recommendation of the Chief of Police, the Mayor and Borough Council desire to formally appoint Brian Stanton as a SLEO II, subject to approval by the Police Training Commission, in order to assign to him to the school district for security and augment available manpower in the Department during times of need; and

**WHEREAS**, the Department will assign a SLEO II to provide security for the School District of the Chathams in accordance with the agreement between the Borough and the School District of the Chathams Board of Education; and

**WHEREAS**, in addition, in accordance with N.J.S.A. 40A:14-146.16c, the Borough may designate one SLEO II to whom the limitation on hours a SLEO may work does not apply; and

**WHEREAS**, the Mayor and Borough Council wish to designate Brian Stanton, in the position of SLEO II, as the SLEO to whom the limitation on hours does not apply in accordance with N.J.S.A. 40A:14-146.16c; and

**WHEREAS**, the Chief of Police has recommended that Brian Stanton be employed as Class II SLEO for the Borough of Chatham Police Department, at a salary of \$37.50 per hour effective September 13, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Chatham, in the County of Morris and the State of New Jersey that Brian Stanton is hereby appointed as a Class II Special Law Enforcement Officer (SLEO II), without any limitation of hours in accordance with N.J.S.A. 40A:14-146.16c, subject to approval by the Police Training Commission, and in accordance with terms and conditions of this Resolution; 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.

Adopted: September 12, 2022

[Signature and Certification on following page]

Attest:

BOROUGH OF CHATHAM

---

Vanessa Nienhouse, RMC  
Borough Clerk

---

Thaddeus J. Kobylarz  
Mayor

CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

---

Vanessa Nienhouse, Borough Clerk



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# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## **BOROUGH OF CHATHAM ORDINANCE NO. 22-08**

### **AN ORDINANCE OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF A PORTION OF RAYMOND STREET EAST OF PIHLMAN PLACE**

**WHEREAS**, N.J.S.A. 40:67-1 et seq. empowers the governing body of a municipality to make, amend, repeal, and enforce ordinances to vacate any public street, including the vacation of any portion of any public street; and,

**WHEREAS**, there exists in the Borough of Chatham (“Borough”) a street known as Raymond Street; and,

**WHEREAS**, there further exists a portion of Raymond Street East of Pihlman Place, consisting of 5,419 square feet or approximately 1.34 acres, which is bordered by 27 Pihlman Place (Block 113, Lot 1 on the Borough’s Tax Map) and 3 Bridge Street/16 Raymond Street (Block 112, Lot 13 on the Borough’s Tax Map); and,

**WHEREAS**, the aforementioned portion of Raymond Street is more particularly described in Schedule A to this Ordinance, “Survey of Property/Proposed Road Vacation” and the accompanying written description, as prepared by Professional Land Surveyors Marc Cifone and Jeffrey Grunn of Lakeland Surveying on June 30, 2022; and,

**WHEREAS**, there has been a request to vacate the aforementioned portion of Raymond Street by the owners of the properties at 27 Pihlman Place and 3 Bridge Street/16 Raymond Street and the appropriate escrow fee has been submitted to the Borough to cover the costs attendant thereto; and,

**WHEREAS**, the aforementioned portion of Raymond Street only services the two properties referenced above and can never serve as a thoroughfare or serve any other substantial municipal purpose due to the presence of a New Jersey Transit railway line immediately East of the terminus of Raymond Street; and,

**WHEREAS**, the aforementioned portion of Raymond Street provides no particular benefit to the residents of the Borough of Chatham, and the Borough Council therefore has determined that the portion of Raymond Street as set forth in the vacation map and survey attached as Schedule A to this Ordinance is not needed by the Borough for public purposes, and the public is better served by releasing the dedicated land to the adjacent property owners to be added to the municipality’s tax rolls; and,

**WHEREAS**, the Borough Council of the Borough of Chatham has considered the matter and has concluded that the portion of Raymond Street to be vacated is not needed by the general public as a public thoroughfare and lends itself to higher and better use than as and for a public thoroughfare and for use by the general public, and the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Borough may have in and to the aforementioned portion of Raymond Street; and,

**WHEREAS**, the public right-of-way to be vacated shall revert to the corresponding property owners of the properties identified as Block 112, Lot 13 and Block 113, Lot 1, in accordance with law.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM**, as follows:

**Section 1:**

Subject to the conditions set forth herein, the rights of the public and the Borough of Chatham in and to the portion of the street known as Raymond Street, as described in the vacation map and survey attached as Schedule A to this Ordinance, are hereby extinguished.

**Section 2:**

As required by N.J.S.A. 40:67-1(b), expressly reserved and excepted from the portion of this Ordinance relating to the vacation of the portion of Raymond Street as described in Schedule A to this Ordinance are all rights and privileges heretofore possessed by public utilities as defined in N.J.S.A. 48:2-13, and any cable television company as defined in the "Cable Television Act," N.J.S.A. 48:5A-1, et seq., to maintain or repair their existing facilities adjacent to, over and under the street to be vacated. A perpetual easement, if the same is required, is reserved for the benefit of public utility companies for the purpose of ingress and egress over and upon the same in order to maintain, repair or replace existing utility facilities, if any, including water lines, gas lines and telephone, electric and cable television wires and poles that may be located beneath the surface of the foregoing premises or above the same.

**Section 3:**

Upon the vacation of the portion of Raymond Street as described in Exhibit A to this Ordinance, in accordance with New Jersey law, said property shall revert to the ownership of the adjacent property owners. Said conveyance shall be in a strictly "as is" condition.

**Section 4:**

At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy hereof, together with a notice of the introduction thereof, and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Borough Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

**Section 5:**

The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the municipality to be a true copy thereof, together with a proof of publication thereof, in the office of the Clerk of the County of Morris in accordance with the provisions of N.J.S.A. 40:67-21.

**Section 6:**

*Repeal of Inconsistent Provisions.* All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**Section 7:**

The Mayor, Borough Administrator, Borough Clerk and/or Borough Attorney be and hereby are authorized to prepare and execute such documents and take such further action as may be reasonably required to affect the intent and purpose of this Ordinance.

**Section 8:**

This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law.

Name	Motion	Second	Yes	No	Abstain	Absent
Treloar						
Mathiasen						
Dempsey						
Koronkiewicz						
Resto						
Truilo						

Introduced: 8/8/22

Adopted: 9/12/22

ATTEST:

**BOROUGH OF CHATHAM**

By: \_\_\_\_\_  
Vanessa L. Nienhouse, RMC  
Borough Clerk

By: \_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor



Incorporated 1897

# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-254

### RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE ANNUAL AUDIT REPORT FOR THE YEAR ENDING 2021

**WHEREAS**, the New Jersey Budget and Fiscal Affairs laws require all local governments to prepare and submit a Corrective Action Plan as part of their annual audit process; and

**WHEREAS**, the Corrective Action Plan, which outlines actions the Borough of Chatham will take to correct the findings listed in the Comments and Recommendations section of the 2021 Audit report, prepared by the Chief Financial Officer and placed on file with the Borough Clerk within 60 days from the date the audit report was received by the Governing Body; and

**WHEREAS**, the Governing Body is required to review and approve the Corrective Action Plan.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby approve the Corrective Action Plan prepared by the Chief Financial Officer in response to the 2021 Audit Report; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk shall file a certified copy of this Resolution with the Director of the Division of Local Government Services.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa Nienhouse  
Borough Clerk

\_\_\_\_\_  
Thaddeus Kobylarz  
Mayor

## CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa Nienhouse, Borough Clerk





Incorporated 1897

# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## CORRECTIVE ACTION PLAN – 2021 AUDIT

**Finding 2021-1:** Description: The Borough's accounting records agree to all underlying analyses for tax overpayments.

**Analysis:** During the auditor's review of the tax collector's records, it was noted that many unclaimed tax overpayments did not appear in the Borough's accounting records.

**Corrective Action:** The CFO will work with the Tax Collector to resolve the unclaimed tax overpayments.

**Implementation Date:** 8/8/22

**Finding 2021-2:** Description: That the purchase orders are authorized and follow the proper procedure before making a purchase.

**Analysis:** During the review of purchase orders, several instances were noted where the purchases were made prior to the preparation and approval of purchase orders. It is recommended that the purchase orders are authorized and follow the proper procedure before making a purchase.

**Corrective Action/Implementation Date:** In 2022, purchasing training sessions have been administered to all departments. An updated purchasing manual has also been distributed which outlines the Borough's purchasing policies and procedures.

**Implementation Date:** 8/8/22

**Finding 2021-3:** Description: An analysis of balance for the payroll agency account be maintained.

**Analysis:** During the review of payroll, it was noted that an analysis of balance for payroll agency account was not maintained.

**Corrective Action/Implementation Date:** The Finance Department will maintain a detailed log of the receipts and disbursements for the payroll agency account.

**Implementation Date:** 8/8/22



Incorporated 1897

# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-255

### AMENDING 2022 BUDGET INSERTION OF SPECIAL ITEM OF REVENUE FOR RECYCLING TONNAGE GRANT

**WHEREAS**, N.J.S.A. 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 Recycling Tonnage Grant in the amount of \$26,659.92 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 \$26,659.92 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 Recycling Tonnage Grant - \$26,659.92

**BE IT FURTHER RESOLVED** that like sum of \$26,659.92 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 Recycling Tonnage Grant - \$26,659.92

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa Nienhouse, RMC  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

### CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-256

### 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.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

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Vanessa L. Nienhouse  
Borough Clerk

---

Thaddeus J. Kobylarz  
Mayor

### CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

---

Vanessa L. Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-257

### RESOLUTION AUTHORIZING THE REFUND OF MEMBERSHIP FEE FOR THE CHATHAM MEMORIAL POOL

**WHEREAS**, the Borough's Recreation Coordinator for the Chatham Borough Recreation Program has advised via written request a refund for a Chatham Memorial Pool Membership; and

**WHEREAS**, the Recreation Coordinator recommends that a refund is due as follows:

Membership Type:	Name:	Refund Amount:	Method of Refund:
Family	C. Aklain	\$ 395.00	Check

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the refund request for the Chatham Borough pool membership as referenced above is hereby granted; and

**BE IT FURTHER RESOLVED**, the Recreation Coordinator and all other Borough employees and officials are hereby authorized to process a refund and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa Nienhouse, RMC  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

#### CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa Nienhouse, Borough Clerk



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# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-258

### RESOLUTION TO AWARD NON-FAIR AND OPEN CONTRACT TO PAINT THE INTERIOR OF STANLEY CENTER

**WHEREAS**, the Borough of Chatham wishes to paint the interior of the Stanley Community Center; and

**WHEREAS**, the purchasing agent has determined and certified in writing that the value of the purchase exceeds \$17,500; and can be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5 as appropriate; and

**WHEREAS**, because the anticipated contract amount is less than the Borough's bid threshold of \$44,000.00, 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 (2) competitive quotations for said work; and

**WHEREAS**, the Borough of Chatham Department of Public Works solicited two quotations and S&G Painting provided the lowest responsive quotation to paint the interior of the Stanley Community Center in the amount not to exceed \$23,150; and

**WHEREAS**, S&G Painting has completed and submitted a Business Entity Disclosure Certification which certifies that S&G Painting has not made any reportable contributions to a political or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit S&G Painting from making any reportable contributions through the term of the contract; and

**WHEREAS**, upon the recommendation of the Department of Public Works and the Borough's Qualified Purchasing Agent, the Borough Council wishes to authorize a non-fair and open contract with S&G Painting, in accordance with the scope of work and contract amount set forth in its proposal; and

**WHEREAS**, Borough of Chatham's Chief Financial Officer has certified that there are funds available in the general trust account T-17-56-000-229; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract be processed and awarded to S&G Painting in the amount not to exceed \$23,150.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa L. Nienhouse, RMC  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

#### CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa L. Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-259

### RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM AWARDING TILCON NEW YORK INC. THROUGH THE MORRIS COUNTY CO-OP CONTRACT# 6 – ROAD RESURFACING

**WHEREAS**, the Borough of Chatham, pursuant to N.J.S.A. 40A:11-11(5), may, by resolution and without advertising for bids, award contracts for the purchase of any goods or services and that were procured through cooperative purchasing agreements; and

**WHEREAS**, the Borough of Chatham desires to resurface various roads throughout the Borough through Morris County Cooperative Bid Contract #6, which exceeds the prevailing bid threshold:

<b>VENDOR:</b>	Tilcon New York Inc.
<b>COST:</b>	Not to exceed \$175,000

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from capital account C-04-55-922-501.

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Chatham, County of Morris, State of New Jersey authorizes the Mayor and the Borough Clerk to enter into a contract with Tilcon New York Inc., not to exceed \$175,000 for resurfacing various roads throughout the Borough of Chatham.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

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Vanessa Nienhouse, RMC  
Borough Clerk

---

Thaddeus J. Kobylarz  
Mayor

#### CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

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Vanessa Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-260

**TO PURCHASE AVS SECURITY SYSTEM FOR BOROUGH HALL NOT TO EXCEED \$86,000- SOURCEWELL COOPERATIVE PURCHASING PROGRAM CONTRACT 081419-SHI**

**WHEREAS**, the Borough of Chatham wishes to install a new security system at Borough Hall; and

**WHEREAS**, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase of goods or services is made through a cooperative purchasing program; and

**WHEREAS**, N.J.S.A.52:34-6.2 permits the Borough of Chatham to purchase the AVS security system using the offered National Cooperative Contract without public bidding, subject to the submittal and acceptance of certain documentation; and

**WHEREAS**, the Borough of Chatham is a member of the National Cooperative Purchasing Agreement known as Sourcewell under member number 28901 and Sourcewell is a national cooperative contract organization; and

**WHEREAS**, Sourcewell, has acted as a lead agency and awarded Contract 081419-SHI, Technology Solutions to SHI International. Specific information regarding the contract may be found at Sourcewell's website at <https://www.sourcewell-mn.gov/cooperative-purchasing/081419-shi> ; and

**WHEREAS**, the Chatham Borough's Purchasing Agent has determined that the use of the offered National Cooperative Contract will result in a cost savings after all factors considered; and

**WHEREAS**, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$86,000 and that funds are currently available in the following capital accounts C-04-55-921-205, C-04-55-922-102, C-04-55-913-501.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Chatham, in the County of Morris, State of New Jersey, that it authorizes the Borough Clerk to contract with SHI International, to purchase an AVS security system for Borough Hall, in the amount not to exceed \$86,000 under Sourcewell, category Technology Solutions, Contract 081419-SHI.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa Nienhouse, RMC  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

### CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.



Incorporated 1897

# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION # 22-261

### RESOLUTION APPOINTING SUSAN ROBERTSON TO THE PLANNING BOARD

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Environmental Commission Member **Susan Robertson** is hereby appointed to the Planning Board Class IV position for the unexpired term ending on December 31, 2022.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

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Vanessa L. Nienhouse, RMC  
Borough Clerk

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Thaddeus J. Kobylarz  
Mayor

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

---

Vanessa L. Nienhouse, Borough Clerk





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# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION # 22-262

### 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:

Murray, Charles	\$11.90	Lifeguard	First year
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**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.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa Nienhouse  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

## CERTIFICATION

I, Vanessa Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa Nienhouse, Borough Clerk



Incorporated 1897

# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION # 22-263

### **RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF NEALE FOX AND JANE FARRELL AS SCHOOL CROSSING GUARDS FOR THE 2022-2023 CALENDAR YEAR PURSUANT TO N.J.S.A. 40A:9-154.1**

**WHEREAS**, the Chief of Police has informed the Governing Body that vacancies exist on the Borough of Chatham's Police department Crossing Guard roster; and

**WHEREAS**, the Chief of Police recommends the hiring of Jane Farrell and Neale Fox to fill the vacancies.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that in accordance with N.J.S.A. 40A:9-154.1, Jane Farrell and Neale Fox, School Crossing Guards are hereby hired and appointed for the 2022/2023 school year.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

---

Vanessa L. Nienhouse, RMC  
Borough Clerk

---

Thaddeus J. Kobylarz  
Mayor

## CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

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Vanessa L. Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-264

### **RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM IN OPPOSITION TO THE NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL'S SPECIAL CONDITIONS ON LIMITED BREWERY LICENSES**

**WHEREAS**, the New Jersey Division of Alcoholic Beverage Control (NJABC) issued new special conditions on each limited brewery licensee, also known as “craft breweries,” in the state beginning on July 1, 2022; and,

**WHEREAS**, under the license conditions, such breweries are limited to holding 25 on-site activities open to the general public annually, as well as 52 private parties. Breweries can also attend 12 off-premises events, such as town, charitable, and holiday celebrations; and,

**WHEREAS**, these license conditions, on craft breweries, restrict the types of television programming they can air in their tasting rooms; restrict the types of live or recorded music they can play or host; limit food options, if any, they can make available to customers; ban the sale of coffee; and prohibit the sale of soft drinks and other non-alcoholic beverages not made onsite at the brewery; and,

**WHEREAS**, according to the National Brewers Association, the over 140 craft breweries operating in the state of New Jersey during calendar year 2021 contributed nearly \$2 Billion to the state's economy, creating over 11,000 jobs at an average annual income of more than \$55,000 per employee; and,

**WHEREAS**, Chatham Borough is home to 1 craft brewery, Twin Elephant Brewing Company located at 13 Watchung Avenue in Chatham, NJ 07928, which is part of the fabric of Chatham Borough and frequented by Borough and area residents; and,

**WHEREAS**, these new conditions will force these local, homegrown small businesses to have to re-think their business models and closely consider which events they should participate in or host, which, in turn, will reduce their profits and result in potential cut-backs in staff and the opportunities to engage in their own communities; and,

**WHEREAS**, visiting these microbreweries is about each of their unique experiences and these proprietors have found exciting ways to engage other local businesses, vendors, and artists in their communities; and,

**WHEREAS**, the Governor and State Legislature should work in concert with breweries, in addition to the bar/restaurant trade groups, to develop smart and fair law revisions and regulations that will guide regulators at the NJABC on how to properly oversee the state's alcohol licenses.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham in the County of Morris, New Jersey strongly opposes the NJABC special conditions on limited brewery licensees and requests that the conditions implemented be rescinded with immediate effect; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution shall be forwarded to the Morris County Board of County Commissioners, leaders of the New Jersey State Legislature and Governor Phil Murphy.

<b>Name</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Treloar</b>						
<b>Mathiasen</b>						
<b>Dempsey</b>						
<b>Koronkiewicz</b>						
<b>Resto</b>						
<b>Truilo</b>						

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa L. Nienhouse, RMC  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa L. Nienhouse, Borough Clerk



Incorporated 1897

# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION # 22-265

WHEREAS, domestic violence and intimate partner violence is widespread and affects nearly 10 million Americans each year; and

WHEREAS, this includes sexual violence, stalking, physical violence and psychological aggression; and

WHEREAS, according to statistics, one in four women and one in nine men in America are victims; and

WHEREAS, statistics also show that many of these experiences often happen before the age of 8; and

WHEREAS, domestic violence is a serious crime that affects people of all ages, races, genders and socioeconomic status; and

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

WHEREAS, in addition to the psychological and emotional toll, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism and overall non-productivity; and

WHEREAS, only awareness and a coordinated community effort will shine a light on and put a stop to this criminal behavior; and

WHEREAS, the State of New Jersey is committed to the safety and security of all its residents and to prosecuting perpetrators of domestic violence; and

WHEREAS, the Department of Children and Families' Division on Women works collaboratively with providers statewide to provide education, awareness and services to survivors of domestic violence; and

WHEREAS, services and protections such as financial assistance, housing placement, address confidentiality and legal advocacy are also available; and

**NOW, THEREFORE**, I, Thaddeus J. Kobylarz, Mayor of the Borough of Chatham, do hereby proclaim October of 2022, as Domestic Violence Awareness Month.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

---

Vanessa L. Nienhouse, RMC  
Borough Clerk

---

Thaddeus J. Kobylarz  
Mayor



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-266

### RESOLUTION ESTABLISHING AN ADDENDUM TO THE 2022 FEE SCHEDULE TO INCLUDE FACILITY USE FEES FOR THE STANLEY CENTER

**WHEREAS**, Borough owned public facility use procedures include a fee for use of publicly held properties and facilities; and

**WHEREAS**, the Stanley Center has had much interest by residents, non-profits, and others for use of the public meeting rooms and spaces in and around the newly acquired Stanley Center; and

**WHEREAS**, the Borough interest to facilitate efficient Stanley Center use by amending the 2022 Fee Schedule as shown on the attached Addendum Fee Schedule

**NOW, THEREFORE, BE IT RESOLVED** this is the first operative clause; 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.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

---

Vanessa L. Nienhouse, RMC  
Borough Clerk

---

Thaddeus J. Kobylarz  
Mayor

#### CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

---

Vanessa L. Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## ORDINANCE #22-09

### AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 48 OF THE BOROUGH CODE REGARDING THE PERMISSIBLE HOURS OF WORK OF SPECIAL LAW ENFORCEMENT OFFICERS (SLEOS) ALONG WITH THE NUMBER OF AUTHORIZED CLASS III SLEOS

**WHEREAS**, the Mayor and Council of the Borough of Chatham have determined to amend Chapter 48 of the Code of the Borough of Chatham, entitled "Police Department," to further establish and clarify the permissible hours of work for Special Law Enforcement Officers (SLEOs) in Section 48-8 and to increase the number of authorized Class III SLEOs; and,

**WHEREAS**, the Mayor and Council find and declare that such action will benefit the public's health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Chatham, County of Morris, and State of New Jersey as follows:

#### **Section 1:**

Chapter 48, Section 8 of the Code of the Borough of Chatham is hereby amended in Sections D and F as follows (additions by underline, deletions by ~~striketrough~~):

#### **§48-8 Special Police Officers.**

The Mayor with the consent and approval of Borough Council may appoint special law enforcement officers pursuant to P.L. 1985 c. 439 (N.J.S.A. 40A:14-146.8 et seq.) and in accordance with the following provisions:

A. through C. *[NO CHANGES]*

D. Number. No more than six persons shall be designated as Class One special law enforcement officers. The number of persons designated as Class Two special law enforcement officers shall not exceed 25% of the total number of regular police officers. No more than ~~one person~~ five persons shall be designated as a Class Three special law enforcement ~~officer~~ officers.

E. *[NO CHANGES]*

F. Hours of work. No special law enforcement officer may work more than 20 hours per week, except as provided as follows:

- (1) Without limitations as to hours during periods of emergency.
- (2) A special law enforcement officer may be assigned for not more than 20 hours per week to provide public safety and law enforcement services to a public entity, in addition to not more than 20 hours per week performing the duties pursuant to this chapter.
- (3) For hours to be determined by the Chief of Police while assigned to public safety duties for a private entity, pursuant to N.J.S.A. 40A:14-146.14(b).

- (4) The Borough may designate one special law enforcement officer to whom the limitations on hours employed as set forth elsewhere in this Section shall not be applicable, pursuant to N.J.S.A. 40A:14-146-16(c).
- (5) A Class Three special law enforcement officer may work without limitation, pursuant to N.J.S.A. 40A:14-146.16(a)(5).

### **Section 3:**

All other provisions of Chapter 48 of the Borough Code shall remain unchanged.

### **Section 4:**

*Repeal of Inconsistent Provisions.* All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

### **Section 5:**

*Severability.* The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent this Ordinance shall stand notwithstanding the invalidity of any part.

### **Section 6:**

*Codification.* This Ordinance shall be a part of the Code of the Borough of Chatham as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of Chatham in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

### **Section 7:**

This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law.

Name	Motion	Second	Yes	No	Abstain	Absent
<b>Treloar</b>						
<b>Mathiasen</b>						
<b>Dempsey</b>						
<b>Koronkiewicz</b>						
<b>Resto</b>						
<b>Truilo</b>						

Introduced:

Adopted:

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa L. Nienhouse, RMC  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

### **CERTIFICATION**

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the ordinance introduced by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa L. Nienhouse, Borough Clerk





# Borough of Chatham

BOROUGH HALL

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## ORDINANCE #22-10

### **ORDINANCE ADOPTING AN AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE POST OFFICE PLAZA REDEVELOPMENT AREA BLOCK 121, LOTS 10 AND 17, BOROUGH OF CHATHAM, NEW JERSEY**

**WHEREAS**, this Ordinance was introduced and read by title at a meeting of the Council for the Borough of Chatham (the “Council”) held on September 12, 2022; and

**WHEREAS**, by Ordinance 19-10 adopted April 22, 2019, the Mayor and Council adopted the Post Office Plaza Redevelopment Plan (the Plan”); and

**WHEREAS**, by Ordinance 21-22 adopted December 13, 2021, the Plan was amended; and

**WHEREAS**, by Resolution 22-169 adopted by the Mayor and Council on May 2, 2022, the Mayor and Council determined that the affordable housing requirement for the Post Office Plaza Redevelopment Area would be achieved by a 15-unit residential structure to be located on Lot 10 in Block 121, in the Southeast corner along Bowers Lane; and

**WHEREAS**, the Mayor and Council have directed the Borough’s Affordable Housing Planning consultant, Kendra A. Lelie of TM Associates (the “Planner”) to prepare an amendment to the redevelopment plan to restate the redevelopment plan to solely address the affordable housing structure; and

**WHEREAS**, the Planner has prepared a Restated Redevelopment Plan dated September 8, 2022, (the “Restated Plan”), which shall extend only to Lots 10 and 17 in Block 121 as shown on the Tax Assessment Map of the Borough of Chatham (the “Tax Map”); and

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., sets forth the procedures for adopting a Redevelopment Plan; and

**WHEREAS**, Pursuant to N.J.S.A. 40A:12A-7e, upon introduction of this Ordinance with the Restated Plan, the Council will refer this Ordinance and the Restated Plan to the Planning Board of the Borough of Chatham (the “Board”) for a report as to which provisions of the Restated Plan, if any, may be inconsistent with the Master Plan of the Borough of Chatham and other recommendations the Board may have; and

**WHEREAS**, assuming that the Board considers this Ordinance and the Restated Plan at a public meeting held on September 21, 2022 and that the Board has issues its report to the Council prior to October 11, 2022, the Council will schedule this Ordinance and the Restated Plan for a public hearing on adoption for October 11, 2022; and

**NOW THEREFORE, BE IT RESOLVED** by the Council of the Borough of Chatham as follows:

## SECTION 1

The Restated Post Office Plaza Redevelopment Plan prepared by the Planner, dated September 8, 2022 in substitution for and replacement of the Plan as amended December 13, 2022 is hereby adopted.

## SECTION 2

The Borough of Chatham Zoning Map shall be amended to show Lots 10 and 17 in Block 121 as shown on the Tax Map as being subject to the Restated Post Office Plaza Redevelopment Plan dated September 8, 2022

## SECTION 3

If any Sections, Subsections, paragraphs, sentence, or any part of this Ordinance is judged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance

## SECTION 4

All Ordinances or parts of Ordinances that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent that such inconsistencies.

## SECTION 5

This Ordinance shall take effect after (1) final passage and publication as prescribed by law; (2) filing with the Morris County Planning Board; and (3) entry of an amended judgment of compliance and repose in the pending affordable housing declaratory judgment action titled I/M/O Chatham Borough Compliance with Third Round Mount Laurel Affordable Housing Obligations, Docket No. MRS-L1906-15, which amended judgment shall recognize the elimination of the following lots from the Post Office Plaza Redevelopment Plan, which lots will have their prior zoning designations restored pursuant to a separate ordinance: (a) Lots 11, 12 and 13 in Block 121, as shown on the Tax Map, which will be restored to and be located in the B-4 Community Business District as set forth in Section 165-19 of the Borough Ordinances; (b) Lots 13, 14 and 15, 16, 17 and 18 in Block 122, and Lot 1 in Block 122, as shown on the Tax Map, which will be restored to and be located in the AFD-4 Affordable Housing District as set forth in Sections 165-39-45 of the Borough Ordinances; and (c) Lot 2 in Block 122, as shown on the Tax Map, which will be restored to and be located in the B-3 General Business District as set forth in Section 165-18 of the Borough Ordinances.

Name	Motion	Second	Yes	No	Abstain	Absent
Treloar						
Mathiasen						
Dempsey						
Koronkiewicz						
Resto						
Truilo						

Introduced: September 12, 2022

Adopted:

Attest:

BOROUGH OF CHATHAM

\_\_\_\_\_  
Vanessa L. Nienhouse  
Borough Clerk

\_\_\_\_\_  
Thaddeus J. Kobylarz  
Mayor

### CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

\_\_\_\_\_  
Vanessa L. Nienhouse, Borough Clerk

# **Restated Post Office Plaza Redevelopment Plan Block 121, Part of Lot 10 and Block 121, Lot 17**

**Chatham Borough  
Morris County, New Jersey**

Prepared:  
September 8, 2022

Prepared for:  
Chatham Borough

Prepared by:



T&M Associates  
11 Tindall Road  
Middletown, NJ 07748

Kendra Lelie, AICP, PP  
NJ Professional Planner No.: 33LI00553700

Robert Dare, AICP, MCIP, PP  
NJ Professional Planner No.: 33LI00596400

Adopted by the Chatham Borough Council on \_\_\_\_\_, 2022.

*The original of this document has been signed  
and sealed in accordance with New Jersey Law.*

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Appendix A: Illustrative Design Vernacular

## **1.0 — Introduction**

On September 25, 2017, the Chatham Borough Council adopted Resolution No. 17-288, which authorized the Chatham Borough Planning Board to undertake a preliminary investigation to determine whether certain properties in the Borough may be designated as an area in need of redevelopment in accordance with applicable New Jersey Law. Among the properties authorized for investigation were Block 121, Lots 10 and 17.

As authorized by Resolution No. 17-288, The Chatham Borough Planning Board subsequently undertook a preliminary investigation and, on January 17, 2018, held a duly noticed public hearing on the matter. At said public hearing, the Chatham Borough Planning Board recommended to the Mayor and Borough Council that several of the investigated properties be designated as an area in need of redevelopment. Block 121, Lots 10 and 17 were among the properties recommended for designation as an area in need of redevelopment.

Thereafter, on February 12, 2018, the Chatham Borough Council adopted Resolution No. 18-102, which formally designated an area in need of redevelopment in accordance with the recommendations of the Chatham Borough Planning Board. Block 121, Lots 10 and 17 were among the properties designated as an area in need of redevelopment with the adoption of Resolution No. 18-102.

The Borough has prepared this Redevelopment Plan in accordance with the requirements of the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A et seq.) to codify the goals, objectives, and specific land use and development standards for the redevelopment of: the portion of Block 121, Lot 10 that exists to the south of adjacent Block 121, Lot 11; and the entirety of Block 121, Lot 17.

As related to the above-described portion of Block 121, Lot 10 and Block 121, Lot 17, this Redevelopment Plan supersedes the Redevelopment Plan that was previously adopted for Block 121, Lots 10 and 17, as well as adjacent and nearby properties on Block 121 and 122, via Ordinance No. 19-10.

### **1.1 — General Purpose**

The general purpose of this redevelopment plan is to facilitate the development of a 100-percent income-restricted housing development on the above-described portion of Block 121, Lot 10 and Block 121, Lot 17.

## 2.0 — Statutory Requirements

This Redevelopment Plan is written pursuant to Section 7 of the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-7a, which provides that “no redevelopment project shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinances of the municipal governing body.”

Pursuant to the requirements of the Local Redevelopment and Housing Law, the Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the Redevelopment Plan Area sufficient to indicate:

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities, and other public improvements;
2. Proposed land uses and building requirements in the Redevelopment Plan Area;
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the Redevelopment Plan Area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
4. An identification of any property within the Redevelopment Plan Area that the municipality envisions acquiring, in accordance with the Redevelopment Plan; and,
5. Any significant relationship of the Redevelopment Plan to: (a) the Master Plans of contiguous municipalities; (b) the Master Plan of the county in which the municipality is located; and (c) the State Development and Redevelopment Plan (SDRP), adopted pursuant to the “State Planning Act,” P.L. 1985, c. 398 (C.52:18A-196 et al.).

As evidenced by the following sections of the plan, this Redevelopment Plan meets these statutory requirements.

### 3.0 — Redevelopment Plan Area Description

This Redevelopment Plan has been prepared for: the portion of Block 121, Lot 10 that exists to the south of adjacent Block 121, Lot 11; and the entirety of Block 121, Lot 17. The area in question fronts on Bowers Lane in the central portion of the Borough and is located within close proximity of the Chatham Train Station. The area in question has a total area of approximately 0.75 acres and is hereinafter referred to as the “Redevelopment Plan Area.”

Map 1 shows the location of the Redevelopment Plan Area within the Borough. Map 2 provides aerial mapping of the Redevelopment Plan Area.

#### 3.1 — Existing Land Use

The Redevelopment Plan Area is currently comprised of: a municipal parking lot on Block 121, Lot 10; and vacant land on Block 121, Lot 17.

##### 3.1.1 — Assessed Land Use

The New Jersey Property Tax System, known as MOD-IV, provides for the uniform preparation, maintenance, presentation, and storage of statewide property tax information. MOD-IV is the mechanism to maintain and update all property tax assessment records and produce all statutorily required tax lists.

The current MOD-IV land use classification of both properties in the Redevelopment Plan Area is Class 15C (Public Property).

##### 3.1.2 — Land Use/Land Cover Data

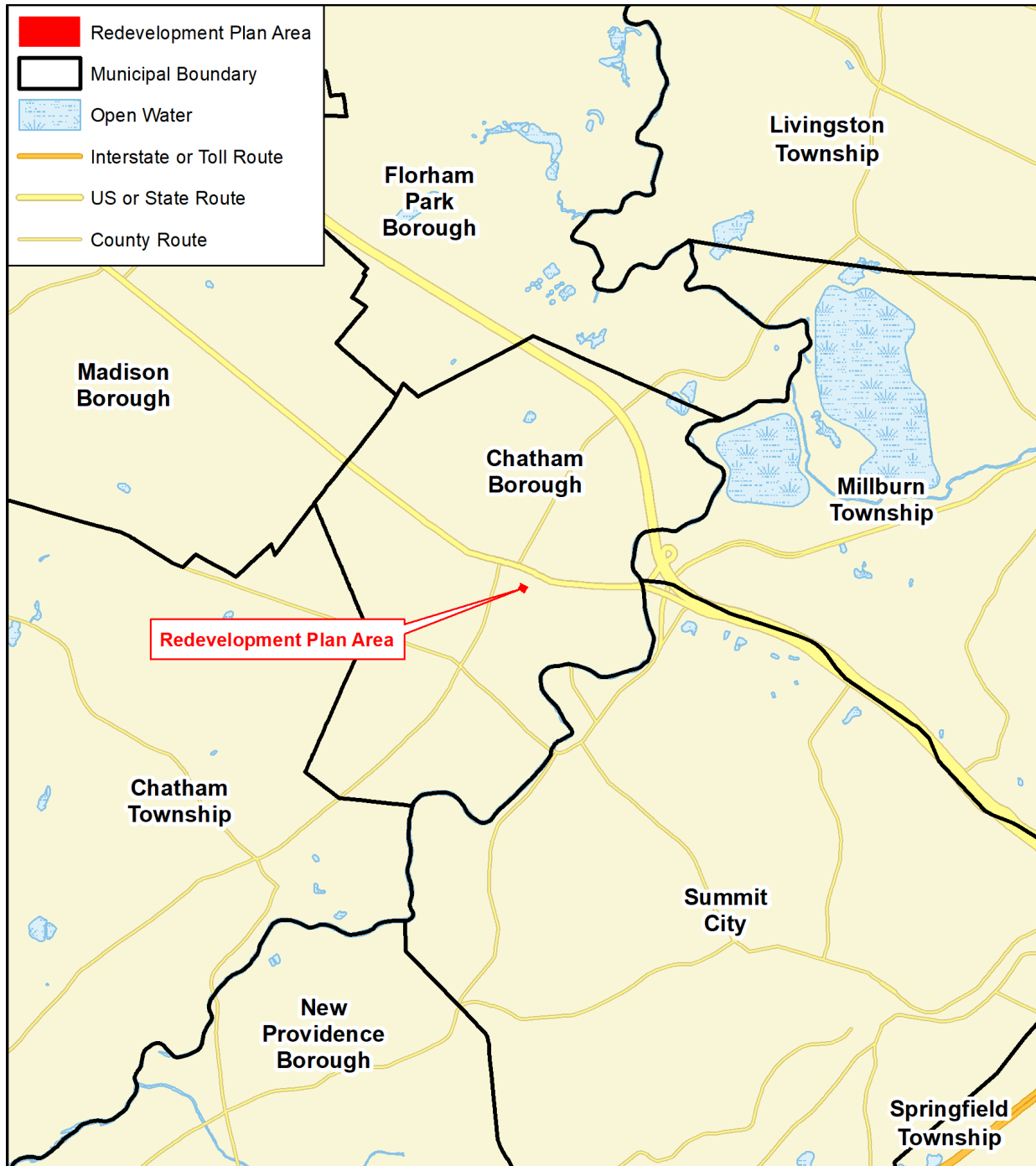
According to the New Jersey Department of Environmental Protection’s land use/land cover (LULC) data, which was last updated in 2015, the land use of the Redevelopment Plan Area is categorized as “commercial/services.”

Land in the immediate vicinity of the Redevelopment Plan Area is classified as: “commercial/services” to the north and west; “residential, single unit, medium density” to the east; and “railroads” to the south.

Map 3 depicts existing land use of the Redevelopment Plan Area and vicinity thereof.



**Map 1: Regional Location**



T&M Associates  
 11 Tindall Road  
 Middletown, NJ 07748  
 Phone: 732-671-6400

Prepared by: RED, 9/8/2022  
 Source: USFWS (NWI); NJDOT; NJGIN;  
 Camden County; Gloucester Township; T&M Associates  
 G:\Projects\CHAT\G2101\GIS\Projects\Map 1.mxd

0 0.15 0.3 0.6  
 Miles



**Map 1 — Regional Location**  
**Redevelopment Plan Area**  
**Block 121, Part of Lot 10 and Block 121, Lot 17**  
**Chatham Borough**  
**Morris County, New Jersey**

**Map 2: Aerial View**



T&M Associates  
 11 Tindall Road  
 Middletown, NJ 07748  
 Phone: 732-671-6400

Prepared by: RED, 9/8/2022  
 Source: ESRI; NJDEP; Morris County GIS  
 Camden County; Gloucester Township; T&M Associates  
 G:\Projects\CHAT\G2101\GIS\Projects\Map 2.mxd

0 15 30 60  
 Feet



**Map 2 — Aerial Location**  
**Redevelopment Plan Area**  
**Block 121, Part of Lot 10 and Block 121, Lot 17**  
**Chatham Borough**  
**Morris County, New Jersey**



**Map 3: 2015 Land Use/Land Cover (New Jersey Department of Environmental Protection)**



T&M Associates  
 11 Tindall Road  
 Middletown, NJ 07748  
 Phone: 732-671-6400

Prepared by: RED, 9/8/2022  
 Source: ESRI; NJDEP; Morris County GIS  
 Camden County; Gloucester Township; T&M Associates  
 G:\Projects\CHAT\G2101\GIS\Projects\Map 3.mxd

0 15 30 60  
 Feet



**Map 3 — 2015 Land Use/Land Cover**  
**Redevelopment Plan Area**  
**Block 121, Part of Lot 10 and Block 121, Lot 17**  
**Chatham Borough**  
**Morris County, New Jersey**

### 3.2 — Environmental Constraints

The latest digital geographic data of the New Jersey Department of Environmental Protection indicates that there are no mapped wetlands, flood hazard areas or known contaminated sites within the Redevelopment Plan Area.

### 3.3 — Existing Zoning

Existing zoning is discussed in the following subsections.

#### 3.3.1 — Post Office Plaza Redevelopment Plan

As of the preparation of this Redevelopment Plan, the Redevelopment Plan Area was subject to the “Post Office Plaza Redevelopment Plan,” which was adopted on April 22, 2019 via Ordinance No. 19-10. However, this Redevelopment Plan (i.e., the “Restated Post Office Plaza Redevelopment Plan”) shall supersede the Post Office Plaza Redevelopment Plan as related to the Redevelopment Plan Area defined herein (i.e., the approximately 0.75-acre area consisting of a portion of Block 121, Lot 10 and the entirety of Block 121, Lot 17).

#### 3.3.2 — Prior B-4 (Community Business) Zone District

Prior to the adoption of the Post Office Plaza Redevelopment Plan in 2019, the Redevelopment Plan Area was located in the B-4 (Community Business) Zone District. Said zone district is intended to promote pedestrian-oriented shopping in a downtown environment by providing for: retail trade and personal services on the ground floor; and related professional offices and business service uses on upper floors.

The maximum permitted lot coverage of the B-4 (Community Business) Zone District is 90 percent, and the maximum permitted building height is 40 feet and three stories. In addition, a minimum yard buffer of 15 feet is required. There are no minimum requirements for lot area, side yard, or front yards. There are no limitations on floor area ratio, building coverage, or building square footage.

Complete details of the B-4 (Community Business) Zone District are provided in Section 165-19 of the Code of Chatham Borough. Please note, however, that Section 5.1 of this Redevelopment Plan stipulates that the provisions of this Redevelopment Plan shall supersede the existing zoning for the Redevelopment Plan Area.

## 4.0 — Goals and Objectives

The goals and objectives of Redevelopment Plan Area are as follows:

1. Promote the upgrading of the Redevelopment Plan Area;
2. Expand the regional supply of high-quality, income-restricted housing;
3. Increase the supply of housing within walking distance of the Chatham Train Station;
4. Promote reduced auto dependency, and the improved traffic conditions and environmental benefits associated therewith;
5. Promote energy conservation and sustainable design; and,
6. Support the implementation of the Borough's Housing Element and Fair Share Plan.

## 5.0 — Redevelopment Standards

### 5.1 — Relationship to Municipal Land Development Regulations

The standards contained in this chapter of the Redevelopment Plan shall supersede the existing zoning for the Redevelopment Plan Area.

In addition to the above, a new zone, entitled “Restated Post Office Plaza Redevelopment Plan Area,” shall be established on the Official Zoning Map of Chatham Borough and the provisions of this Redevelopment Plan shall apply.

### 5.2 — Permitted Uses

Principal permitted uses as well as accessory and prohibited uses are described in the following subsections.

#### 5.2.1 — Principal Permitted Uses

The following use is permitted as a principal use:

1. Multifamily Housing Development.

#### 5.2.2 — Permitted Accessory Uses

The following uses are permitted as accessory uses:

1. Private community spaces for the use and enjoyment of residents and their guests;
2. Refuse and recycling areas;
3. Onsite surface parking;
4. Outdoor recreation areas (e.g., tot lots and playground, gazebos, picnic areas); and,
5. Other uses normally subordinate and incidental to a principal permitted use.

#### 5.2.3 — Prohibited Uses

Uses not specifically identified in this Redevelopment Plan as a permitted principal or accessory use shall be prohibited.

#### 5.2.4 — Required Affordable Housing

All multifamily housing units shall be rental units and restricted to occupancy by very low-, low- or moderate-income households. Age-restricted units shall be prohibited.

At least half of all units shall be affordable to low-income households.

At least 13 percent of all units shall be affordable to very low-income households (n.b., very low-income households shall be considered to apply toward the general low-income requirement expressed above).

#### 5.2.5 — Required Minimum Floor Area

The multi-family building shall have a minimum gross floor area as provided below:

1. One-bedroom: 600 square feet;
2. Two-bedroom: 750 square feet; and,
3. Three-bedroom: 900 square feet.
4. One (1) private community space with a minimum gross floor area of 1,350 square feet.

#### 5.3 — Bulk Standards

The following bulk standards shall apply:

1. Minimum Tract Area: 0.70 acre (i.e., seven-tenths of an acre)
2. Minimum Lot Size: 0.70 acre (i.e., seven-tenths of an acre)
3. Minimum Lot Width: 150 feet
4. Minimum Lot Depth: 170 feet
5. Minimum Front Yard: 20 feet
6. Minimum Rear Yard: 15 feet
7. Minimum Side Yard: 15 feet
8. Maximum Building Coverage: 45 percent
9. Maximum Impervious Coverage: 90 percent
10. Maximum Building Height (Feet; Principal): 42 feet
11. Maximum Building Height (Stories; Principal): 3 stories
12. Maximum Building Height (Feet; Accessory): 16 feet
13. Maximum Building Height (Stories; Accessory): 1 story
14. Minimum Number of Multifamily Housing Units: 15 units
15. Maximum Number of Multifamily Housing Units: 15 units

#### 5.4 — Design Standards

This section sets forth design standards with respect to site planning, landscape design and architectural design of the Redevelopment Plan Area.

The intent of these standards is to:

- Create an area with high-quality architectural and site design that enhances and complements the surrounding neighborhood;
- Ensure well-designed, high-quality development that is compatible with the surrounding context; and,
- Encourage high-performance building design and construction that minimizes energy consumption.

##### 5.4.1 — Architectural Design

The following standards shall apply:



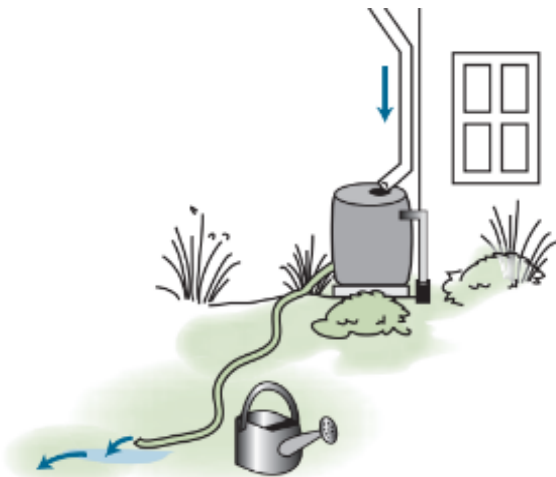
1. Coordinated Design: Specific building design elements and materials shall be coordinated throughout the Redevelopment Plan Area. The objective is to achieve visual harmony within the Redevelopment Plan Area and distinguish it as a specific entity.
2. Building Entrances: Primary and secondary building entrances shall be easily identifiable with prominent architectural features and shall not occur simply as voids or undistinguished openings in the building façade.
3. Design Vernacular: The building design vernacular shall be generally consistent with the illustrative example provided in Appendix A.
4. Sustainable Design: Projects in the Redevelopment Plan Area are encouraged to incorporate sustainable design features in accordance with current best practices.

#### 5.4.2 — Green Infrastructure

Green infrastructure refers to a decentralized network of site-specific stormwater management techniques, which are implemented to reduce the volume of stormwater runoff entering the local sewer system while also restoring the natural hydrologic cycle. Implementation of green infrastructure techniques can help to promote sustainability and resiliency. This Redevelopment Plan strongly encourages the implementation of green infrastructure techniques where possible and appropriate.

A sample of green infrastructure techniques is provided below:

1. Rainwater Harvesting: Rainwater harvesting systems collect and store rainwater in specialized containment devices (e.g., rain barrels and cisterns, which may be located above or below ground) to be used for later use (e.g., for watering lawns and gardens). When designed appropriately, rainwater harvesting systems can offer the following benefits to users and to the surrounding environment: they reduce the potential for localized flooding; they reduce soil erosion and contamination of surface water; and they reduce demand on groundwater resources and the public water system, thereby decreasing water bills.



*Examples of rainwater harvesting (Source: United States Environmental Protection)*



*Agency)*

2. Rain Gardens: Rain gardens are shallow, vegetated basins that collect and absorb stormwater runoff from impervious surfaces (e.g., rooftops, sidewalks, and streets). Runoff is channeled into rain gardens and is then used by plants, infiltrated into the ground, or evaporated. Rain gardens may be installed in a variety of locations and can be an attractive element of site design. Indeed, they may be installed in any properly graded unpaved space, and in parking lots and paved areas through the construction of specialized planter boxes that collect and absorb runoff.



*Example of rain garden (Source: United States Environmental Protection Agency)*

3. Bioswales: Bioswales are open, linear channels with vegetation, mulching, or xeriscaping that slow stormwater runoff and attenuate flooding potential while conveying stormwater runoff away from critical infrastructure. Like rain gardens, their permeable surface also permits the natural infiltration of stormwater. As linear features, bioswales are particularly well suited to being placed along streets and parking lots. They are often used as an alternative to, or enhancement of, traditional stormwater drainage systems.



*Examples of bioswales (Source: United States Environmental Protection Agency)*

4. Permeable Pavements: Permeable pavements help to reduce stormwater runoff, which, in turn, helps to improve the quality of terrestrial waters and mitigate flooding. With traditional (i.e., impervious) pavement, stormwater runs into drains and inlets, which places a burden on such infrastructure, and may result in the discharge of pollutants (e.g., sediment, oil residue, etc.) into terrestrial waters. Permeable pavements, however, infiltrate, treat, or store rainwater where it falls. Key examples of permeable pavements include pervious concrete, porous asphalt, and permeable interlocking pavers.



*Example of permeable pavement (Source: Potomac Conservancy)*

#### 5.4.3 — Landscaping Standards

Landscaping shall be required in all areas of the Redevelopment Plan Area that are not occupied by buildings, structures, or similar improvements.

Landscaping shall be subject to site plan review and approval by the Chatham Borough Planning Board. The following provisions shall apply:

1. A complete planting plan that has been prepared by a licensed landscape architect shall be required.
2. Only plant materials with proven resistance to local soil and weather conditions shall be utilized. Suitable plant lists are available through the New Jersey Division of Parks and Forestry, Community Forestry Council, and the New Jersey Nursery and Landscape Association.
3. Only nursery-grown plant materials shall be acceptable within the Redevelopment Plan Area.
4. All trees, shrubs, and ground covers shall be planted according to accepted horticultural standards.
5. All trees and perennial landscaping shall have a two-year maintenance guarantee.
6. Street trees are required and shall conform to the following minimum standards:

- a. There shall be street trees spaced at intervals not exceeding 50 feet.
- b. Street trees shall be a minimum of three (3) inches in caliper and ten (10) feet high at the time of planting.
- c. Street trees shall be planted in appropriately sized tree wells, with appropriate watering and feeding techniques. The area around the tree can be planted with groundcover, covered with a decorative metal grate, or paved with granite blocks.

#### 5.4.4 — Lighting Standards

All lighting shall be subject to site plan review and approval by the Chatham Borough Planning Board.

All lighting shall conform to the requirements of Section 165-78 of the Code of Chatham Borough, as well as and the following additional requirements:

1. All outdoor lighting, including streetlamps and accent lighting, shall comply with “dark sky” standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies.
2. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways, and other areas of site, as well as the light quality produced, shall be the same or of a compatible design.
3. Exterior lighting shall be L.E.D. (i.e., light emitting diodes) or equivalent energy saving technology available at the time of construction.
4. Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors, and details of the building. Light fixtures shall also comply with all applicable Borough building codes.
5. Exterior lights may be concealed through shielding or recessed behind architectural features.

In addition to the above, the following performance standards shall apply:

1. Principal building entrances shall have an illumination of at least 2.0 footcandles.
2. Secondary building entrances shall have an illumination of at least 1.0 footcandles.
3. Pedestrian sidewalks located along a public right-of-way shall have an illumination of at least 1.0 footcandles.
4. Internal pedestrian walkways shall have an illumination of at least 2.0 footcandles.
5. Outdoor recreation area shall have an illumination of at least 1.0 footcandles.

Where there is a conflict between the standards of Section 165-78 of the Code of Chatham Borough and the lighting standards provided in this Redevelopment Plan, the most restrictive standard shall apply.

#### 5.4.5 — Signage Provisions

All signage shall be subject to site plan review and approval by the Chatham Borough Planning Board.

One (1) monument sign identifying the name of a multifamily housing development located within the Redevelopment Plan Area shall be permitted. Said sign shall conform to the following requirements:

1. The height of shall be a maximum of five (5) feet.
2. The area shall be a maximum of 20 square feet.
3. The base of the freestanding sign shall be landscaped with a combination of shrubs, ground cover, flowers, or other plant materials.
4. The sign shall be setback a minimum of ten (10) feet from any property line.
5. The sign shall not obstruct any sight easement or sight distance.
6. The sign shall state the name of the development and shall not contain advertising.
7. The sign shall not be internally illuminated.

#### 5.5 — Parking Standards

Applicable parking standards are provided in the following subsections.

##### 5.5.1 — Multifamily Housing Development

Off-street parking area per multifamily housing development shall be provided in conformance with the requirements of the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21). The Planning Board may grant a de minimis exception in accordance with N.J.A.C. 5:21-3.1(a).

##### 5.5.2 — Vehicular Parking

The following minimum vehicular parking standards shall apply:

1. Multifamily Housing Development: Parking for townhouse residential development shall be provided in conformance with the requirements of the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21).

The following design standards shall apply to vehicular parking:

1. Parking shall be provided off-street.
2. All parking areas shall be paved and curbed.
3. The minimum dimensions of a parking space shall be nine (9) feet wide by 18 feet deep.
4. Parking areas shall:
  - a. Be screened from the view of off-tract residential uses by means of: walls that are no less than 30 inches in height; or, planted buffers that are no less than five (5) feet in height;
  - b. Comply with all applicable requirements of the Americans with Disabilities Act; and,
  - c. Be located a minimum of seven (7) feet from the tract boundary.

### 5.5.3 — Bicycle Parking

The provision of a secure bicycle parking area is encouraged. The goal of any bicycle parking area should be to avoid a situation where ad-hoc bicycle parking is attached to street trees, light poles, utility poles and similar features.

While the Redevelopment Plan provides flexibility in the design and location of bicycle parking areas, it should be noted that bicycle parking areas shall be subject to site plan review and approval by the Chatham Borough Planning Board.

### 5.6 — Additional Standards

The following additional standards shall apply:

1. Sidewalks conformant with the requirements of Section 221-21 of the Code of Chatham Borough shall be provided along the entire frontage of the Redevelopment Plan Area on Bowers Lane.
2. Sidewalks shall be provided between outdoor recreation areas and principal buildings.
3. The requirements of Chapter 69 of the Code of Chatham Borough, entitled “Affordable Housing,” shall apply. Where there is a conflict between the requirements of Chapter 69 and this Redevelopment Plan, the more restrictive requirement shall apply.
4. Any access, utility or other easements existing at the time of the adoption of this Redevelopment Plan shall be maintained.

### 5.7 — General Consistency with Concept Plan

General consistency with the concept plan that is depicted in Map 4 shall be required. Consistency shall be to the satisfaction of the Chatham Borough Planning Board and the Redevelopment Entity as defined in this Redevelopment Plan.



**Map 4: Generalized Concept Plan**



T&M Associates  
 11 Tindall Road  
 Middletown, NJ 07748  
 Phone: 732-671-6400

Prepared by: RED, 9/7/2022  
 Source: ESRI; NJDEP; Morris County GIS  
 Camden County; Gloucester Township; T&M Associates  
 G:\Projects\CHAT\G2101\GIS\Projects\Map 4.mxd

0 15 30 60 Feet



**Map 4 — Generalized Concept Plan**  
**Redevelopment Plan Area**  
**Block 121, Part of Lot 10 and Block 121, Lot 17**  
**Chatham Borough**  
**Morris County, New Jersey**

## 6.0 — Plan Relationships

The following subsections outline the relationships of the Redevelopment Plan to municipal zoning and the objectives that are outlined in the municipal master plan, as well as to master plans of contiguous municipalities, Morris County, and the State Development and Redevelopment Plan. A discussion of these relationships is required pursuant to the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-7a.

### 6.1 — Municipal Zoning

As previously stated in Chapter 5, the provisions of this Redevelopment Plan shall supersede the existing zoning for the Redevelopment Plan Area. A new zone, entitled “Restated Post Office Plaza Redevelopment Plan Area,” shall be established on the Official Zoning Map of Chatham Borough and the provisions of this Redevelopment Plan shall apply.

### 6.2 — Chatham Borough Master Plan

The Chatham Borough Master Plan was last reexamined and updated in 2016. The 2016 Master Plan Reexamination Report and Update outlines a series of eight goals, of which two would be directly supported through the implementation of this Redevelopment Plan. These two goals, along with relevant accompanying objectives as outlined in the 2016 Master Plan Reexamination Report and Update, are listed below (*commentary, where relevant, is provided in italicized font*):

Goal 1: Improve the condition and vitality of Chatham’s downtown. The downtown’s potential as the economic, cultural and social center of the community will be realized through coordinated public and private action and investment.

Selected Objective:

- Identify opportunities and standards to address where additional parking and mixed-use transit-oriented housing options can best be incorporated into the downtown, including evaluation of publicly owned land in the vicinity of the Chatham train station and within the block bound by South Passaic Avenue, Bowers Lane, the rail line and Main Street.

*The Redevelopment Plan Area is situated in the area described in the foregoing objective.*

Goal 2: Preserve the character of the Borough’s single- and two-family residential neighborhoods. Composed primarily of small-lot, single-family homes, these traditional neighborhoods are a significant component of the Borough’s appeal.

Selected Objective:

- Ensure that new infill development in these neighborhoods considers and respects the context (established scale and character) of surrounding homes as much as possible given available land use tools.



*The redevelopment standards that are provided in this ordinance have been designed to be compatible with development in the AFD-4 (Affordable Housing) Zone District, which is located across Bowers Lane.*

**Goal 3:** Continue to encourage housing diversity to accommodate the needs of people of various ages and income levels in the community, in accordance with State requirements and local/regional needs.

**Selected Objectives:**

- Review the mixed-use and residential development standards in the B-4 and G-1 districts to remove barriers to investment and provision of a variety of housing types to better serve the needs of empty nesters and millennials.

*The implementation of this Redevelopment Plan will promote increased availability of income-restricted housing and help to remove barriers to investment.*

### 6.3 — Chatham Borough Housing Element and Fair Share Plan.

The Borough's Third Round Housing Element and Fair Share Plan, which was amended in May 2022, identifies Block 121, Lot 10 as a site to address a portion of the Borough's Third Round Unmet Need Obligation. Specifically, the Amended Third Round Housing Element and Fair Share Plan calls for the development of a 100-percent income-restricted family rental housing development with a total of 15 units. This Redevelopment Plan has been prepared to facilitate the development described in the Amended Third Round Housing Element and Fair Share Plan on a portion of Block 121, Lot 10.

### 6.4 — Plans of Contiguous Municipalities

The Redevelopment Plan Area is situated slightly approximately 2,000 feet from the City of Summit, which is the nearest contiguous municipality. It is, therefore, anticipated that there will be no impact of the Redevelopment Plan on contiguous municipalities.

### 6.5 — 2020 Morris County Master Plan — Land Use Element

The Land Use Element of the Morris County Master Plan, which was adopted in 2020, is organized around the following guiding principle:

*Promote, enhance and preserve the natural resources, community assets, and the rich culture and history of the County, while actively promoting a thriving, robust economy, diverse housing opportunities and a strong infrastructure to protect and enrich Morris County's overall quality of life.*

To develop in a manner consistent with the foregoing guiding principle, the 2020 Morris County Land Use Element identifies the following policy goals:

- The creation of balanced and diverse economic and housing opportunities;
- The efficient use of land and resources;
- The protection of natural, historic, agricultural and scenic resources;

- Development that proceeds only after careful analysis of environmental conditions, and,
- Greater Integration of land use and transportation planning.

Implementation of this Redevelopment Plan would be consistent with the foregoing policy goals. Indeed, the Redevelopment Plan envisions the construction of a 100-percent income-restricted housing development within the downtown portion of Chatham Borough, on a previously developed site that is free of mapped environmental constraints.

In addition to the above, the 2020 Morris County Land Use Element identifies several policy objectives to promote best use practices. The following policy objectives would be supported by the implementation of this Redevelopment Plan:

Policy Objective 1: Promote the continued revitalization and redevelopment of the County's downtown centers and commercial corridors.

Policy Objective 2: Encourage compact development patterns, cluster development and infill development consistent with local goals to reduce sprawl, mitigate environmental impacts, and to make improved utility and transportation infrastructure feasible and economical.

Policy Objective 3: Minimize greenfield development where possible; prioritize development of brownfield sites, greyfield sites, obsolete land uses and other previously developed sites.

Policy Objective 4: Promote the revitalization of suburban town centers as multi-modal, mixed-use centers of diverse commercial and housing opportunities.

Policy Objective 6: Support the creation of diverse housing types that meet the needs of all age groups, income levels and lifestyles.

Policy Objective 7: Encourage higher density and mixed-use developments in downtown areas, near public transit, consistent with infrastructure availability and community goals.

Policy Objective 8: Promote careful environmental analysis and the avoidance of environmental resources in all development proposals. Advance development in a manner that avoids these resources and mitigates potential environmental impacts.

Policy Objective 11: Support local planning efforts that focus growth near existing and planned transit facilities that expands the use of public transit, increases service along existing lines, and that provides multi-modal transportation opportunities between various land uses and communities.

Policy Objective 13: Encourage municipalities to invest in robust comprehensive planning, review of zoning and land development ordinances to ensure timely consideration of changing land use conditions, emerging land use/market trends, evolving zoning techniques and development standards.

## 6.6 — New Jersey State Development and Redevelopment Plan

The State Planning Commission recognizes the importance of the idea of sustainable development. The State Development and Redevelopment Plan, which was adopted in 2001, is intended to serve as a guide for public and private sector investment in New Jersey's future. To facilitate this, the plan allocates New Jersey among a variety of planning areas. The Redevelopment Plan Area is located in within the Metropolitan Planning Area (Planning Area 1). The Redevelopment Plan is compatible with the State Development and Redevelopment Plan's intention for the Planning Area 1, which is to: provide for much of the state's future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities.

## 6.7 — State Strategic Plan (Draft)

The State Strategic Plan is the revision to the 2001 State Development and Redevelopment Plan. The document sets forth a vision for the future of New Jersey along with strategies to achieve said vision. The State Strategic Plan was intended to be adopted by the State Planning Commission in November 2012; however, adoption was postponed indefinitely following Hurricane Sandy.

The State Strategic Plan has ten (10) "Garden State Values." The Redevelopment Plan advances three (3) of same:

1. Prioritize Redevelopment, Infill, and Existing Infrastructure: Strengthen cities, towns and neighborhoods by prioritizing redevelopment, the reuse and remediation of existing sites and structures, and construction on infill sites that are compatible with surrounding uses. Upgrade existing infrastructure where needed, before adding new capacity. Encourage development that incorporates green design and construction principles and opportunities for clean and renewable energy and efficiency measures.
2. Create High-Quality, Livable Places: Ensure each community offers an environmentally healthy place to live, work and play. Enhance community character and design, especially in historic areas, by reusing significant buildings, reinforcing architectural styles and providing pedestrian-friendly streetscapes. Improve community plazas and parks and connections to waterfront areas.
3. Diversify Housing Opportunities: Support construction and rehabilitation of homes that meet the needs of households of all sizes and income levels, located near jobs and transit and where services are available.

## 7.0 — Administrative and Procedural Requirements

Administrative and procedural requirements are discussed in the following subsections.

### 7.1 — Acquisition

The Redevelopment Plan Area was designated by the Chatham Borough Council as an area in need of non-condemnation redevelopment. Thus, the use of eminent domain is not permitted. Consequently, acquisition of property is not anticipated.

### 7.2 — Relocation

N.J.S.A. 40A-12A-7.a(3) requires that redevelopment plans provide for “... the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.”

As previously noted, the Redevelopment Plan Area is currently the location of a municipal parking lot. It does not contain dwelling units. Therefore, no need for relocation is anticipated. If, however, relocation should become necessary to implement this Redevelopment Plan, a Workable Relocation Plan shall be prepared and the Borough shall fully conform to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) and all other applicable statutes, regulations, and legal requirements governing relocation. In addition, and to the extent necessary and required, the redeveloper shall be required to provide for relocation assistance pursuant to a redevelopment agreement between the redeveloper and the Redevelopment Entity and all applicable statutes, regulations, and legal requirements governing relocation assistance.

### 7.3 — Redeveloper Selection

The Borough shall designate a redeveloper or redevelopers to undertake a redevelopment project in accordance with this Redevelopment Plan and enter into a redevelopment agreement with the designated redeveloper or redevelopers in connection with the construction of such project or any other aspect of, or undertaking in accordance with, this Redevelopment Plan, including off-site improvements. Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Borough and a designated redeveloper or redevelopers, which may be the property owner.

The Borough may undertake a redeveloper selection process that will yield the qualified redeveloper to implement this Redevelopment Plan in a manner that is in the best interest of the Borough.

The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper for any property or properties included in the Redevelopment Plan Area and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force:

1. The redeveloper, its successors, or assignees, shall develop the specified improvements in accordance with this Redevelopment Plan.
2. The redeveloper, its successors or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.
3. Until the required improvements are completed, and a certificate of completion is issued, the redeveloper covenants provided for in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-9 and imposed in any redevelopment agreement, lease, deed, or other instruments shall remain in full force and effect.
4. The redevelopment agreement shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability, and financial guarantees of the redeveloper and any other provisions necessary to assure the successful completion of the project.

#### 7.4 — Redevelopment Entity Review

The governing body, acting as the Redevelopment Entity, shall review all proposed projects within the Redevelopment Plan Area to ensure that such projects are consistent with this Redevelopment Plan and any relevant redevelopment agreement. As part of its review, the governing body may require the redeveloper to submit its proposed project to a technical review committee or subcommittee of the governing body. The technical review committee may include members of the governing body and any other members and/or professionals as determined necessary and appropriate by the Borough. The technical review committee shall make its recommendations to the governing body.

In undertaking its review, the governing body shall determine whether the proposal is consistent with this Redevelopment Plan and any relevant redevelopment agreement. In addition, the review may address the site and building design elements of the project to ensure that the project is consistent with the goals and objectives of the Redevelopment Plan.

At its discretion, the Redevelopment Entity may waive its review and refer a proposed redevelopment project directly to Chatham Borough Planning Board.

#### 7.5 — Planning Board Review Process

Pursuant to the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-13, all applications for development of sites governed by this Redevelopment Plan shall be submitted to the Chatham Borough Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment project within the Redevelopment Plan Area:

1. No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development (incl., but not limited to building height), or change of use for any properties or buildings within the Redevelopment Plan Area, without prior review and approval of the work by the Redevelopment Entity and the Chatham Borough Planning Board.
2. Regular maintenance and minor repair shall not require Chatham Borough Planning Board review and approval.

3. The Chatham Borough Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Borough's planning and development regulations.
4. As part of site plan approval, the Chatham Borough Planning Board may require the redeveloper to furnish performance guarantees pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-53, and as required in the Borough's regulations. The performance guarantees shall be in favor of Chatham Borough, and the Borough Engineer shall determine the amount of same.
5. Any subdivision of lots or parcels of land within the Redevelopment Plan Area shall comply with this Redevelopment Plan and be reviewed by the Chatham Borough Planning Board pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) and the Municipal Land Use Law (N.J.S.A. 40A:55D-1 et seq.).
6. Once a property has been redeveloped in accordance with this Redevelopment Plan, it may not be converted to any use not expressly permitted herein. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure that does not conform to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Chatham Borough Planning Board shall determine the issue of whether the non-conforming use or building structure has been "destroyed."
7. Relief and Exceptions.
  - a. The Chatham Borough Planning Board may grant relief from the requirements of this Redevelopment Plan where there is a hardship, and where the granting of such relief will promote the purpose of this Redevelopment Plan and would be consistent with the standards established in the Municipal Land Use Law at N.J.S.A. 40:55D-70(c).
  - b. The Chatham Borough Planning Board when acting upon applications for preliminary site plan approval in the redevelopment plan area may grant exceptions for site plan approval in a manner consistent with the provisions of N.J.S.A. 40:55D-51(b), if the literal enforcement of one or more provisions of the redevelopment plan is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.
  - c. In no event shall relief or exceptions be granted by the Chatham Borough Planning Board in order to: provide a use or facility that is not permitted by this Redevelopment Plan; or permit an intensity of development (incl., but not limited to building height) that is not specified by this Redevelopment Plan.
8. The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants or other provisions, and through agreements between the redeveloper and the Borough pursuant to the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-8 and 40A:12A-9.
9. All definitions contained within this Redevelopment Plan shall prevail. In the absence of definition within said Redevelopment Plan, the definition found within the Borough's land development or other applicable regulations shall prevail. All definitions that are

determined to be inconsistent with the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-3 shall be considered invalid.

10. A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Borough's land development regulations and New Jersey Law. Additionally, a redeveloper shall be required to pay their proportional share of the costs of any studies, plans, reports, or analysis prepared by the Borough or its designated Redevelopment Entity as part of this Redevelopment Plan. Any such payments required to reimburse the Borough shall be specified in the redevelopment agreement.

The aforementioned provisions are all subject to approval by ordinance and/or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing ordinances shall remain in full force and effect.

#### **7.6 — Duration of Plan**

This Redevelopment Plan shall be in full force and effect upon its adoption by ordinance by the governing body and shall be in effect until the redevelopment of the Redevelopment Plan Area has been completed, which shall be evidenced by the issuance of a certificate of project completion by the Redevelopment Entity.

#### **7.7 — Amending the Redevelopment Plan**

Upon compliance with the requirements of applicable law, the governing body may amend, revise, or modify this Redevelopment Plan in general, or for specific portions of the Redevelopment Plan Area, as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). However, any proposed changes in permitted uses, intensity of development (incl., but not limited to building height), or design concepts detailed in this Redevelopment Plan shall require notice and public hearings in the same manner required of the adoption of the original plan.

#### **7.8 — Conflict**

If any word, phrase, clause, section or provision of this Redevelopment Plan is found by a court or other jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of this Redevelopment Plan shall remain in full force and effect.

## Appendix A: Illustrative Design Vernacular





Image Credit: Z+ Architects



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## ORDINANCE #22-11

### **ORDINANCE REINSTATNG PRIOR ZONING FOR PORTIONS OF THE POST OFFICE PLAZA REDEVELOPMENT AREA, AS AN AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OF THE BOROUGH OF CHATHAM, NEW JERSEY**

**WHEREAS**, this Ordinance was introduced and read by title at a meeting of the Council for the Borough of Chatham (the “Council”) held on September 12, 2022; and

**WHEREAS**, by Ordinance No. 19-10 Adopted April 22, 2019, the Mayor and Council adopted the Post Office Plaza Redevelopment Plan (the “Plan”); and

**WHEREAS**, by Ordinance 21-22 adopted December 13, 2021, the Plan was amended; and

**WHEREAS**, by Resolution 22-169 adopted by the Mayor and Council May 2, 2022, the Mayor and Council determined that the affordable housing requirement for the Post Office Plaza Redevelopment Area would be achieved by a 15-unit residential structure to be located on Lot 10 in Block 121, in the Southeast corner along Bowers Lane; and

**WHEREAS**, the Mayor and Council have directed the Borough’s Affordable Housing Planning consultant, Kendra A. Lelie of TM Associates (the “Planner”) to prepare an amendment to the redevelopment plan to restate the redevelopment plan to solely address the affordable housing structure; and

**WHEREAS**, the Planner has prepared a Restated Redevelopment Plan dated September 8, 2022, (the “Restated Plan”), which shall extend only to Lots 10 and 17 in Block 121 as shown on the Tax Assessment Map of the Borough of Chatham (the “Tax Map”); and

**WHEREAS**, the Mayor and Council desire to confirm that the Zoning for the balance of the Post Office Plaza Redevelopment Area, not affected by the Restated Plan, shall revert to the zoning in place prior to the adoption of Ordinance 19-10; and

**WHEREAS**, pursuant to N.J.A.A. 40:55D-26, the Council will refer this Ordinance to the Planning Board of the Borough of Chatham (the “Board”) for a report as to which provision of this Ordinance, of any, may be inconsistent with the Master Plan of the Borough of Chatham, and any other recommendations the Board may have; and

**WHEREAS**, assuming that the Board considers this Ordinance at a public meeting held on September 21, 2022 and issues a report prior to October 11, 2022, the Council has scheduled this Ordinance for a public hearing on adoption for October 11, 2022; and

**NOW THEREFORE, BE IT RESOLVED** by the Council of the Borough of Chatham as follows:

#### **SECTION 1**

Lots 11, 12 and 13 in Block 121, as shown on the Tax Map are restored to and shall hereafter be located in the B-4 Community Business District as set forth in Section 165-19 of the Borough Ordinances.

#### **SECTION 2**

Lots 13, 14 and 15, 16, 17 and 18 in Block 122, and Lot 1 in Block 122 as shown on the Tax Map are restored to and shall hereafter be located in the AFD-4 Affordable Housing District as set forth in Sections 165-39-45 of the Borough Ordinances.

#### **SECTION 3**

Lot 2 in Block 122, as shown on the Tax Map are restored to and shall hereafter be located in the B-3 General Business District as set forth in Section 165-18 of the Borough Ordinances.

#### **SECTION 4**

Borough of Chatham, Zoning Map shall be amended to show the revisions as set forth in Sections 1, 2, and 3 of this Ordinance.

#### **SECTION 5**

If any Sections, Subsections, paragraphs, sentence or any part of this Ordinance is judged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance.

#### **SECTION 6**

All Ordinances or parts of Ordinances that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent that such inconsistencies.

#### **SECTION 7**

This Ordinance shall take effect after: (1) final passage and publication as prescribed by law; (2) filing with the Morris County Planning Board; and (3) entry of an amended judgment of compliance and repose in the pending affordable housing declaratory judgment action titled I/M/O Chatham Borough Compliance with Third Round Mount Laurel Affordable Housing Obligations, Docket No. MRS-L1906-15, which amended judgment shall recognize the elimination of the following lots from the Post Office Plaza Redevelopment Plan, which lots will have their prior zoning designations restored pursuant to a separate ordinance: (a) Lots 11, 12 and 13 in Block 121, as shown on the Tax Map, which will be restored to and be located in the B-4 Community Business District as set forth in Section 165-19 of the Borough Ordinances; (b) Lots 13, 14 and 15, 16, 17 and 18 in Block 122, and Lot 1 in Block 122, as shown on the Tax Map, which will be restored to

and be located in the AFD-4 Affordable Housing District as set forth in Sections 165-39-45 of the Borough Ordinances; and (c) Lot 2 in Block 122, as shown on the Tax Map, which will be restored to and be located in in the B-3 General Business District as set forth in Section 165-18 of the Borough Ordinances.

<b>Name</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Treloar</b>						
<b>Mathiasen</b>						
<b>Dempsey</b>						
<b>Koronkiewicz</b>						
<b>Resto</b>						
<b>Truilo</b>						

Introduced: September 12, 2022

Adopted:

Attest:

**BOROUGH OF CHATHAM**

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Vanessa L. Nienhouse  
Borough Clerk

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Thaddeus J. Kobylarz  
Mayor

**CERTIFICATION**

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

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Vanessa L. Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## ORDINANCE #22-12

BOND ORDINANCE TO AUTHORIZE THE MAKING OF A GRANT FOR THE DEVELOPMENT AND CONSTRUCTION OF AFFORDABLE HOUSING IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, TO APPROPRIATE THE SUM OF \$6,000,000 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, New Jersey, as follows:

Section 1. The Borough of Chatham, in the County of Morris, New Jersey (the "Borough") is hereby authorized, pursuant to N.J.S.A. 52:27D-311, to make a grant to BCUW/Madeline Housing Partners, LLC, for the development and construction of affordable housing units on property fronting Bowers Lane (Block 121, a portion of Lot 10 on the Tax Assessment Map of the Borough) in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$6,000,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 of this ordinance (hereinafter referred to as "purpose").



Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. It is anticipated that the Borough and/or BCUW/Madeline Housing Partners, LLC, will receive funds from various funding sources for the provision of the aforesaid affordable housing units. Any of said funds so received by the Borough shall be applied as set forth in Section 10 hereof. If said funds to be received by the Borough and/or BCUW/Madeline Housing Partners, LLC, are insufficient to pay the costs associated with satisfying the Borough's affordable housing obligation, it is the Borough's intent to provide financing pursuant to this bond ordinance for such deficiency. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) the making of such improvement is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$6,000,000, and (4) \$300,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or

notes necessary to be issued for said purpose is \$5,700,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$100,000 which is estimated to be necessary to finance the cost of such purpose, 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 4. It is hereby determined and stated that the sum of \$300,000 in the Borough of Chatham COAH Trust Fund is now available to serve as the down payment on said purpose. The sum of \$300,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$5,700,000 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 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$5,700,000 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 7. 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 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 and to issue 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 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of twenty years computed from the date of said bonds.

Section 9. 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 \$5,700,000 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 10. 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 purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation

notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. 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 12. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 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 13. 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 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Name	Motion	Second	Yes	No	Abstain	Absent
Treloar						
Mathiasen						
Dempsey						
Koronkiewicz						
Resto						
Truilo						

Introduced: September 12, 2022

Adopted:

Attest:

BOROUGH OF CHATHAM

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Vanessa L. Nienhouse  
Borough Clerk

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Thaddeus J. Kobylarz  
Mayor

CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

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Vanessa L. Nienhouse, Borough Clerk



# Borough of Chatham

BOROUGH HALL

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## RESOLUTION #22-267

### RESOLUTION TO ADJOURN INTO CLOSED SESSION

**BE IT RESOLVED** by the Borough Council of the Borough of Chatham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-6:

- Solid Waste Contract negotiations and Attorney Client privileged advice – Steven Kleinman and Karen Fornaro

**BE IT FURTHER RESOLVED**, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State, or local statutes and does not fall within the attorney-client privilege. The Mayor and Borough Council will not return to public session after Closed Session.

Adopted: September 12, 2022

Attest:

BOROUGH OF CHATHAM

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Vanessa L. Nienhouse  
Borough Clerk

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Thaddeus J. Kobylarz  
Mayor

### CERTIFICATION

I, Vanessa L. Nienhouse, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on September 12, 2022.

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Vanessa L. Nienhouse, Borough Clerk