

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

**May 28, 2019 MINUTES**

Council President Collander called the Regular Council Meeting of the Borough of Chatham to order on Monday, Tuesday, May 28, 2019 at 7:30 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

Council President Collander and the Borough Council led the assembled in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Council President Collander asked for a moment of silence for those who have given their lives for our country.

**STATEMENT OF ADEQUATE NOTICE**

Stephen W. Williams, Acting Borough Clerk, read the following statement of adequate notice:

Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the official bulletin board on the main floor of Borough Hall, emailed to the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and TAPinto Chatham and was filed with the Borough Clerk, all on January 17, 2019.

**ROLL CALL**

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

Council President James J. Collander  
Council Member Robert A. Weber, Sr.  
Council Member Thaddeus J. Kobylarz  
Council Member Carolyn Dempsey  
Council Member Jocelyn Mathiasen  
Stephen W. Williams, Borough Administrator  
James L. Lott, Jr., Borough Attorney

**ABSENT**

Mayor Bruce A. Harris  
Council Member Victoria Fife

**PROCLAMATION**

**RESOLUTION #19-200**

**DECLARING NATIONAL GUN VIOLENCE AWARENESS DAY JUNE 7, 2019.**

Council Member Dempsey thanked “Moms Demand Action” for receiving the proclamation naming June 7, 2019 National Gun Violence Awareness Day. She mentioned organizations like “Moms Demand Action,” the Brady Campaign, Everytown for Gun Safety, the Gifford Law Centers, March for our Lives and others that shine the light on the epidemic of gun violence in our nation and who are working with all our lawmakers to pass commonsense gun control laws such as universal background checks in order to stem future gun violence. The United States gun homicide rates are 25 times higher than that of other high-income countries and, behind motor vehicle accidents, firearms are the second leading cause of death for children and teens in the US according to research. “We can and must do better for our

children. I have my own story related to gun violence that I have never shared publicly, and it's a miracle that I am sitting here in front of you and I am not just part of the statistics. Many years ago, I worked in a restaurant and one night very late a dispute broke out between the customers at two of my tables; one customer said he had a gun and he started to reach for it and moved toward another customer and then I screamed, and I got between them. I share this story because none of us should have to face gun violence in a restaurant, on the streets, in a movie theatre, in a mall, in our homes, in our house of worship or in our schools. Suicide attempts are three times more likely to be successful if someone has access to a gun. We hear the statistics too often and so many of us have become numb. Gun violence should not be the everyday occurrence that it is. Why I was not shot I do not know, I was very lucky. Tonight, we honor the thousands that were not so lucky, and we strive to change the future for thousands more and so we wear orange tonight and on June 7<sup>th</sup> to remind ourselves and everyone else that we are not done fighting for commonsense gun laws in order to make a safer future for ourselves and the next generation".

Council Member Kobylarz thanked Ms. Dempsey and said this is the second year in a row that the Chatham Borough has done this, and he thinks it is a worthy cause. Council Member Kobylarz read resolution #19-200 declaring National Gun Violence Awareness Day - June 7, 2019

**WHEREAS**, according to the latest CDC data there were 39,773-gun related deaths in the US 2017 the highest rate in more than twenty years and one that amounts to the daily average of a nexus of 188 fatalities, and

**WHEREAS**, the same CDC data shows that 14,542 of these victims were killed in gun related homicides and 23,854 were killed in gun related suicides, and,

**WHEREAS**, a recent study from the JAMA network found that just six nations were responsible for more than half of the estimated 251,000-gun related fatalities worldwide in 2016 namely the United States, Brazil, Mexico, Columbia, Venezuela and Guatemala and,

**WHEREAS**, a joint organization for Economic Cooperation and Development and World Health Organization study conducted in 2010 found that gun related homicide rates in the US for the year 2010 were at least 25.2 times higher than in any other high-income OECD nation, and,

**WHEREAS**, support for the second amendment rights for law-abiding citizens is consistent with keeping guns away from people deemed be either suicidal or a personal threat due to a violent criminal record, extreme moral turpitude or a serious behavioral infirmity, and,

**WHEREAS**, in January 2013 Hadiya Pendleton a teenager who marched in former president Barack Obama second inaugural parade who was tragically shot and killed just weeks later would now be celebrating her twenty second birthday, and,

**WHEREAS**, to remember and to honor of Hadiya along with the 108 Americans on average whose lives have been cut short every day not to mention the countless survivors injured everyday due to gun related violence. The national coalition of organizations has designated June 7, 2019 as the fifth national gun violence awareness day, and,

**WHEREAS**, the idea of proclaiming a national gun violence awareness day was originally inspired by a group of Hadiya's friends who requested their classmates to commemorate her life by wearing the color orange on a suitable selected day, a color so chosen due to the propensity of hunters in the wood who don this gear for personal protection and it is the universal symbolism of the value human

lives, and,

**WHEREAS**, anyone can join the campaign of remembrance and commemoration by pledging to wear orange on June 7, 2019 and in so doing help to raise awareness of the tragic number of Americans currently dying each and every year due to gun related injuries, and,

**WHEREAS**, through participation in this campaign Americans everywhere will be registering their horror over the shocking prevalence of gun violence in this country and equally honoring the lives of its many victims and survivors, and,

**WHEREAS**, by wearing orange on June 7, 2019, citizens everywhere will be expressing their commitment to the reduction of gun violence and pledging to do all they can to keep firearms out of the wrong hands and encourage responsible gun ownership and protect our children.

**BE IT RESOLVED**, by the mayor and the council of the Borough of Chatham that June 7, 2019 shall be declared National Gun Violence Awareness day and all residents are encouraged to join together to support all efforts to prevent the tragic effects of gun violence and to honor the value of human lives everywhere.

Council Member Kobylarz made a motion to approve Resolution #19-200. Council Member Weber seconded the motion. A vote was taken and Resolution #19-200 was approved unanimously.

Crystal Paone a Chatham Borough resident expressed how honored she was to accept this proclamation on behalf of “Moms Demand Action” and all parents and members of our community who is concerned about gun safety and thanked the council members for supporting this proclamation to wear orange and declaring June 7<sup>th</sup> Gun Violence Awareness Day.

## **PRESENTATION**

Terry Kandalaft and Caryl Anne McBride of the Women’s Club of the Chathams made a presentation of \$4,800 to the Public Arts Council of Chatham Borough to help defray the costs associated with the Washington Avenue Mural. **Jennifer Kaplan** of the Public Arts Council and the co-manager along with Dawn Paruta of the Washington Avenue mural project thanked the Women’s Club for their generosity for funding this mural.

## **RESOLUTION #19-201**

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

Council Member Weber read Resolution #19-201 adopting 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 should be filed as a permanent record in the Borough Clerk’s office

May 1, 2019 Joint Special Meeting,

May 13, 2019 Regular Session and,

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Chatham that the minutes from the closed session meeting are approved as prepared and shall be filed as a permanent record the Borough Clerks Office:

May 13, 2019.

Council Member Weber made a motion to approve the minutes seconded by Council Member Kobylarz. A vote was taken and Resolution #19-201 was approved unanimously.

## **RECUSALS**

Council President Collander asked if there are any recusals or abstentions to be submitted for the record with respect to any item listed on the agenda.

There were no recusals.

## **DISCUSSION ITEMS**

### **Health Department Report - Mrs. Meaghan Avallone**

Mrs. Avallone made a presentation before the Borough Council and highlighted many of the activities of the Health Department and Board of Health. Mrs. Avallone said that over the last few months the Board and the Department of Health has been working on better public health and better public health laws statewide, also the legalization of recreational cannabis, advocating for Bills that really strengthens required vaccinations status and deals with religious exemptions. She said they were awarded \$10,000 in CLEP (Child Lead Evaluation Prevention Program) funding and are using this money to advocate for better lead screening in communities. Animal safety is also of concern and so we offered two rabies clinics this year, one in November and then December, and residents were able get their pets vaccinated, their pets' nails trimmed, and get their pets micro-chipped. They will be offering a rabies clinic in November and then have the mobile van come in January to offer very low-cost services. They offered a free adult and child vaccination clinic so that any child or adult who is not insured or under-insured can come to the clinic and receive vaccinations and children can also receive free physicals. In 2018 the Health Department investigated eighteen environmental complaints. The pool code regulations have changed this year. In 2018 we participated in a full-size point of distribution emergency preparedness exercise so if there is ever a situation where the borough needs to push out antibiotics to residents in an emergency the Health Department staff is fully prepared on how to deal with that situation.

## **MEETING OPEN TO THE PUBLIC**

### **NOTICE OF PUBLIC COMMENT TIME LIMIT**

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

**Rozella Clyde** 33 Carmine Street - There are two trees on her property and two on two properties going south from her house and it was a pleasant surprise and they look healthy. Concerning Resolution #19-209 which talks about affordable housing minimums and rates; "Is there going to be a time when we will actually have numbers for these decisions".

**Mr. Lott** said that there will be numbers available and these numbers will be based on the HUD section 8 market rent surveys and we have some numbers from the affordable housing managers professional's association

**Gabrielle Kaplan** 38 Washington Avenue a fourth grader of Lafayette Avenue School has been doing research for a few months on why the Borough should allow chickens in Chatham Borough. She said that other towns such as Madison, Maplewood and Chatham Township allow chickens. She said that the good things about chicken is that they give fresh eggs in the morning, they eat ticks which can help

Chatham with its tick problem, Miss Kaplan suggested that some of the rules for having chickens are to limit the number of chickens per household and only keep hens not roosters because roosters tend to make more noise, and there must be a pen to keep the chickens in and limit the number of permits for raising chickens. Maplewood has a limit of ten per family which works very well for them. She said keeping chickens has worked fine in other towns even towns with small apartments.

Mr. Rozlikov said that a few weeks ago he had an idea about chickens which has a little different spin from what Gabrielle presented to the Council. He said he understood the concerns that the Board of Health has, but he wanted to model his idea after Chatham Beekeeping Club where he is a member. He decided to go a little bit broader and posted this question on Facebook, and two days ago he received an overwhelming response of more than fifty comments of people interested in us placing the chicken coop in a non-residential area and not in our back yard, also we could make this a community project where residents would take turns caring for the chickens. He thinks that with supervision from the Board of Health it will be more manageable and address some of the concerns of the residents.

## **REPORTS**

### **BOARD & COMMISSION MEMBERS & LIAISON REPORTS**

#### **SHADE TREE COMMISSION**

**Council President James Collander** said the Shade Tree Commission will plant 17 trees to replace some of the Ash trees that were taken down, and an Arborist has identified 17 locations that trees will be planted. The Arborist will choose the proper tree for the right location and if there are lines or telephone lines we will use one species and if not, we will try to get a larger tree to replace a larger tree rather than one that is going to be 8 or 10 feet higher.

#### **BOARD OF HEALTH**

**Council Member Weber** did not want to add anything to the Board of Health report he thought that Meagan covered everything in the annual report.

#### **Joint Recreation Advisory Committee**

The Joint Recreation Advisory Committee did not meet last month, but have a meeting coming up on June 11<sup>th</sup>. Spring sports is in full swing, there are basketball, tennis, baseball, women's softball, and different leagues for kids and adults and if you are interested you can contact Carol Nauta in the recreation department.

The 911 advisory committee is on hiatus until late summer.

#### **THE UNDERGROUND ADVISORY COMMITTEE -**

Council Member Kobylarz said that with respect to Committee he wanted to report that on Tuesday June 11<sup>th</sup> at 7 pm in room 301, Janet McTague the Electric Project Engineering Manager of Fort Collins Utilities which is a municipal owned utility of Fort Collins in Colorado will be here to speak on how that city has successfully managed billions of power and tele-communication cables and has done so in an affordable fashion; and the project has cut down considerably the number of power outages that the city has experienced previously.

#### **Planning Board**

Council Member Kobylarz reported that at the Planning Board's May 15<sup>th</sup> meeting, they found that the

River Road redevelopment plan to be consistent with the master plan, so it will come back to us as the next step.

#### **Joint Municipal Court**

Council Member Kobylarz had nothing to report.

#### **Joint Community Garden Committee**

Council Member Kobylarz had nothing to report.

#### **THE HISTORIC PRESERVATION COMMITTEE**

Council Member Dempsey said the Committee did not meet in May but had previously met with Bradley's several times and they have presented new designs for their property on Main Street and will be coming back to the HPC to address some of the HPC's concerns.

#### **BOARD OF EDUCATION**

Council Member Dempsey reported the School District of the Chathams in conjunction with Chatham Education Foundation have an event coming up on June 14<sup>th</sup> at 6:30 pm at the high school in the auditorium, where they will be holding the first ever school TED talk in Chatham which will be live-streamed. Fourteen Chatham teens took top honors at the Morris County Teen Arts Festival on May 16<sup>th</sup> and the spring choral and band concerts received rave reviews. Chatham High School sports, boy's tennis, boys and girl's lacrosse, boys golf and softball have reached state championship rounds. For the first time a high school student will be the coordinator of "Relay for Life" a program sponsored by the American Cancer Society which will be on Saturday June 1<sup>st</sup>, from 6 to 10 pm. All are welcome, and the survivors are invited to join in and walk.

#### **THE MUNICIPAL ALLIANCE OF THE CHATHAMS**

Council Member Dempsey reported that the (MACC) met on May 8<sup>th</sup> and the "Parent Who Host Lose the Most" campaign is in full swing right now and you will see signs and banners around town.

#### **TECHNOLOGY AND COMMUNICATIONS**

Council Member Mathiasen reported that the technology and communications group is primarily focused on the issues with the website and their top priority is to get the website working well and wanted to make sure that the information on the website is current, useful and easy to find.

#### **ENVIRONMENTAL COMMISSION.**

Council Member Mathiasen reported that there continues to be styrofoam and plastic bags in the recycling and that can mean all the recycling gets thrown out. The Environmental Commission has ordered three thousand stickers that are 4" by 4" that go on the recycling bins.

The Environmental Commission have developed a Survey Monkey survey for residents in Chatham Borough/Township, Harding, Madison, Morris Township and Summit, and have 294 responses so far. There will also be a survey for all the restaurants and shops in the borough to find out what they use for checkout or takeout and what they see as the issues and barriers potentially related to restricting single use plastic.

#### **MAYOR'S REPORT**

There was no Mayor's Report

## THE ADMINISTRATORS REPORT

The Administrator followed up on a comment that Meagan made about mosquitos. He said that “the Borough is interested in knowing if residents are experiencing high mosquito activity in their area”. The borough has been in contact with mosquito control and they have put Chatham Borough on their schedule to treat the heavily wooded areas.

Mr. Williams reported that the Borough will be meeting with DOT on the 30<sup>th</sup> to follow-up on the route 124 and 24 issues. On the 14<sup>th</sup> representatives from the Borough had a conference call with DOT and it was a thorough review of all the intersections and they are following up on that and will be meeting here on the 30<sup>th</sup>.

He also reported that the Borough OEM received the final paperwork from FEMA on the winter storm Quinn. We expect to receive an additional \$102,000.00 from the State of New Jersey and FEMA.

## RESOLUTION REQUIRING SEPARATE ACTION

Council President Collander asked Council Member Kobylarz to proceed with Resolution #19-202

Council Member Kobylarz read the resolution by title;

### RESOLUTION #19-202

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF CHATHAM AND AUTHORIZING THE MAYOR, ACTING BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$1,423,750 BOND ANTICIPATION NOTE, DATED MAY 24, 2019, PAYABLE MAY 22, 2020, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.**

Council Member Kobylarz said this resolution will be extending the bond anticipation note for 2018 capital expenditures, multiple items that are due this year to 2020.

Council President Collander asked the Acting Borough Clerk to take the roll.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			X			
Fife						X
Weber		X	X			
Kobylarz	X		X			
Dempsey			X			
Mathiasen			X			

Council President Collander asked Council Member Kobylarz to proceed with Resolution #19-203

Council Member Kobylarz read the resolution by title;

**RESOLUTION #19-203**

**RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, DESIGNATING THE MAYOR AND THE COUNCIL OF THE BOROUGH OF CHATHAM AS REDEVELOPMENT AGENCY OF A CERTAIN AREA OF THE BOROUGH OF CHATHAM AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW**

Council Member Kobylarz said this memorializes that the Council of Chatham Borough is designated as the redevelopment entity for the Post Office Plaza redevelopment project

Now therefore be it resolved by the Council and the Borough of Chatham pursuant to NJSA (40) (a): 12a-4c that the Council of the Borough of Chatham is hereby designated as the redevelopment entity of the Post Office Plaza study area.

Council President Collander asked the Acting Borough Clerk to take the roll.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			X			
Fife						X
Weber		X	X			
Kobylarz	X		X			
Dempsey			X			
Mathiasen			X			

Council President Collander asked Council Member Kobylarz to proceed with Resolution #19-204

Council Member Kobylarz read the resolution by title;

**RESOLUTION #19-204**

**RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, DESIGNATING THE MAYOR AND THE COUNCIL OF THE BOROUGH OF CHATHAM AS REDEVELOPMENT AGENCY OF A CERTAIN AREA OF THE BOROUGH OF CHATHAM AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW**

This memorializes the fact that the Mayor and Council of Chatham Borough is designated as redevelopment agency for the River Road study area.

**Now therefore be it resolved** by the Council and the Borough of Chatham pursuant to NJSA (40) (a): 12a-4c that the Mayor and Council of the Borough of Chatham has hereby designated as the redevelopment entity of the River Road study area.

Council President Collander asked the Acting Borough Clerk to take the roll.



Name	Motion	Second	Yes	No	Abstain	Absent
Collander			X			
Fife						X
Weber		X	X			
Kobylarz	X		X			
Dempsey			X			
Mathiasen			X			

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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.

Resolution #19-205 through Resolution #19-209 have been placed on the Consent Agenda.

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

### RESOLUTION #19-

None were removed from the agenda

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## CONTRACTS

### RESOLUTION #19-205

#### RESOLUTION AWARDING THE 2019 SIDEWALK AND CURB PROGRAM CONTRACT TO M. SKY CONSTRUCTION CORPORATION OF LAKE HOPATCONG, NJ

**WHEREAS**, the Borough of Chatham has the annual need to bid out services for curb and sidewalk improvements; and

**WHEREAS**, the Borough of Chatham has received six (6) bids for the 2019 Sidewalk and Curb Improvement Program to wit;

Berto Construction	\$394,350.00
S. Batata Construction	\$306,500.00
DLS Construction	\$265,750.00
AA Berms, LLC	\$258,245.00
Mike Fitzpatrick Contractors, Inc.	\$243,400.00
M. Sky Contractors, Inc.	\$195,485.00

And,

**WHEREAS**, the bid submitted by M. Sky Construction Corporation, Lake Hopatcong, New Jersey, in the amount of \$195,485.00 was the lowest responsible bidder; and

**WHEREAS**, the Borough Engineer has reviewed all bids and finds the lowest bidder qualified and the bid documents to be acceptable; and

**WHEREAS**, the Borough Attorney has reviewed the M. Sky bid and finds the lowest bidder qualified and the bid documents to be acceptable; and

**WHEREAS**, the maximum contract amount shall not exceed \$195,485.00; and

**WHEREAS**, the Chief Financial Officer has confirmed that sufficient funds are available in General Capital Fund Account #C-04-55-917-002 / C-04-55-919-003 / C-04-55-916-30 for the award of this contract.

**BE IT RESOLVED**, by the Council of the Borough of Chatham hereby authorizes the award of contract to M. Sky Construction Corporation in the amount not to exceed \$195,485.00; and

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized and directed to execute a contract with M. Sky Construction Corporation for the 2019 Curb and Sidewalk Improvement Program; and

**BE IT FURTHER RESOLVED**, that all Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

#### **RESOLUTION #19-206**

#### **RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO S & G PAINTING FOR THE PAINTING OF BOROUGH HALL**

**WHEREAS**, the Director of Public Works solicited proposals from qualified contractors for the painting of Borough Hall; and

**WHEREAS**, the value of this contract will exceed 15% of the bid threshold, but will be less than the bid threshold of \$40,000.00 and, therefore, may be awarded by soliciting competitive quotes without advertising for bids under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the following two (2) quotations were received:

<u>VENDOR</u>	<u>TOTAL CONTRACT AMOUNT</u>
S&G Painting	\$19,500.00
Monks Home Improvement	\$27,000.00

And,

**WHEREAS**, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, the Qualified Purchasing Agent has reviewed and approved the quotation specifications and has reviewed all quotes that were received; and

**WHEREAS**, the Director of Public Works recommends that an award of the contract be made to S&G Painting, LLC 35 Flager Street-Apt F1 Morristown, New Jersey 07960 in the amount of \$19,500.00.00 subject to the review and approval by the Qualified Purchasing Agent; and

**WHEREAS**, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$19,500.00 and that funds are currently available for the purpose of awarding this contract from Capital Accounts #C-04-55-918-301;

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the Mayor to execute the contract with S&G Painting in the amount of \$19,500.00, in accordance with the specifications upon which quotations were received; and

**BE IT FURTHER RESOLVED**, that all Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

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## **FINANCE**

### **RESOLUTION #19-207**

#### **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.

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## **OTHER**

### **RESOLUTION #19-208**

#### **RESOLUTION AUTHORIZING THE SUSTAINABILITY FAIR TO BE HELD ON SATURDAY, SEPTEMBER 14, 2019**

**WHEREAS**, our residents desire a healthy, stable, and sustainable future for themselves and future generations and have the desire to take steps to sustain their quality of life over the long term; and

**WHEREAS**, since 2008, the Chatham Borough Environmental Commission and the Chatham Township Environmental Commission have organized and co-hosted the *Green Fair of the Chathams*, a collaborative effort promoting eco-friendly organizations, companies and products that offer wide-ranging, affordable environmental solutions to sustain our community; and

**WHEREAS**, the Mayors' Wellness Campaign of the Chathams Committee, a joint committee with Chatham Township, in collaboration with the Chatham Borough Farmers' Market Advisory Committee, has been working with the Mayors and key leaders promoting healthier lifestyles for all citizens in their communities by championing practices and organizing programs that promote active living; and

**WHEREAS**, the Chatham Borough Environmental Commission, the Chatham Township Environmental Commission, the Mayors' Wellness Committee and the Chatham Borough Farmers' Market Advisory Committee wish to collaboratively organize and hold a *Sustainability Fair* on Saturday, September 14, 2019 at the Chatham Borough Farmers' Market, Railroad Plaza South, from the hours of 8:00 a.m. to 1:00 p.m.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby support the collaborative initiative and authorize the *Sustainability Fair* to be held on Saturday, September 14, 2019 at the Chatham Borough Farmers' Market, Railroad Plaza South, from the hours of 8:00 a.m. to 1:00 p.m., subject to compliance and approval of police and public safety directives; and

**BE IT FURTHER RESOLVED**, that all other Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution

**RESOLUTION #19-209**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING FILING OF CONSENT ORDER SETTING AFFORDABLE HOUSING REGIONAL INCOME LIMITS**

**WHEREAS**, the Borough of Chatham filed a Declaratory Judgment Complaint, captioned *In the Matter of the Borough of Chatham Affordable Housing Compliance*, Docket No. MRS-L-1906-15, seeking a declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 53:27D-301 et seq. in accordance with N.J.A.C. 5:96 and 5:97;

**WHEREAS**, the matter was settled, and the Court granted the Borough Substantive Certification and Judgment of Compliance and Repose by Order dated September 9, 2016; and

**WHEREAS**, the Council on Affordable Housing (COAH), when it was operational, set income limits for each of the COAH housing regions, which were then used to determine eligibility for affordable housing and setting rent increase for existing affordable housing; and

**WHEREAS**, COAH is no longer operational and has not published income limits or rent increases since 2014; and

**WHEREAS**, the Court has found it necessary to establish income limits and rent increases based on COAH's methodology for setting such income limits and rent increases; and

**WHEREAS**, the Borough Attorney has negotiated a form of consent order with Fair Share Housing Center to establish income limits and rent increases and proposes to file same with the Court.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey, that the Borough hereby authorizes the Borough Attorney to file a consent order with the Court to establish income limits and rent increases. The form of consent order shall be satisfactory to the Borough Attorney.

**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.

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**CONSENT AGENDA VOTE:**

Council President Collander asks Council Member Weber to proceed with the Resolutions listed on the Consent agenda. Resolutions #19-205 through #19-209.

Council Member Weber: I would like to make a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Council.

Seconded by Council Member: Kobylarz.

A vote was taken and Resolutions #19-205 through #19-209 listed on the Consent Agenda were approved unanimously.

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

There were no Add-On Resolutions

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Council President Collander asked Council Member Mathiasen to proceed with Resolution #19-210.

Council Member Mathiasen read Resolution #19-210.

## **RESOLUTION #19-210**

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

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

1. Attorney Client Privilege

Right of Way Licensing Agreements – Mr. Lott and Mr. DeNave

- 28 Watchung Avenue
- 238 Washington Avenue

2. Contract Negotiations

Selection of Redeveloper for Post Office Plaza – Mr. Williams and Mr. DeNave

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

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## **ADJOURNMENT**

Council Member Kobylarz made a motion, seconded by Council Member Weber that the meeting be adjourned. A vote was taken, and the motion was unanimously passed. The meeting was adjourned at 9:00 p.m.

Minutes Respectfully Submitted by:

Stephen W. Williams  
Acting Borough Clerk  
BOROUGH OF CHATHAM  
June 24, 2019