

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

February 24, 2020 MINUTES

Mayor Thaddeus J. Kobylarz called the Regular Council Meeting of the Borough of Chatham to order on Monday, February 24, 2020 at 7:32 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

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

MOMENT OF SILENCE

Mayor Kobylarz asked for a moment of silence for those who have given their lives for our country.

STATEMENT OF

ADEQUATE NOTICE Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the official bulletin board on the main floor of Borough Hall, emailed to the Daily Record, the Star-Ledger, the Chatham Courier, the Chatham Patch, and TAPinto Chatham and was filed with the Borough Clerk, all on January 08, 2020.

ROLL CALL

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

PROCLAMATION

Mayor Kobylarz asked Council Member Treloar to proceed with Resolution #20-115.

Council Member Treloar acknowledged the recent passing of Katherine Johnson, a NASA mathematician responsible for the calculations of the first moon landing and the first orbital space flight.

Council Member Treloar read Resolution #20-115.

RESOLUTION #20-115

RESOLUTION CELEBRATING THE MONTH OF FEBRUARY AS NATIONAL BLACK HISTORY MONTH

WHEREAS, in 1926, Dr. Carter G. Woodson, the second African-American to earn a Ph.D. from Harvard, established the observance of Negro History Week in order to promote the contributions and achievements of African-American people in the development of our American democracy. Dr. Woodson timed such week to coincide with the birthdays of both Frederick Douglass and President Abraham Lincoln; and

WHEREAS, the organization founded by Dr. Woodson, now known as the Association for the Study of African American Life and History, was instrumental in effecting the first official recognition of National Black History Month by President Gerald Ford in 1976; and

WHEREAS, every American president since the mid-1970's has issued proclamations endorsing the Association's theme for National Black History Month; and

WHEREAS, the theme of this year's observance of National Black History Month is "African Americans and the Vote", as the year 2020 marks the 150th anniversary of the Fifteenth Amendment, ratified in 1870, which gave black men the right to vote, and the 100th anniversary of the 19th Amendment, ratified in 1920, which gave all women, regardless of color, the right to vote; and

WHEREAS, in our continued efforts to live up to the American values of freedom and justice for all people, it is important to highlight the work and courage of bold individuals who were willing to change the status quo; and

WHEREAS, New Jersey was home to some such bold individuals. In 1840, the town of Lawnside in Camden County became the first independent, self-governing black municipality north of the Mason-Dixon Line; and

WHEREAS, Reverend Peter Mott was a preacher, farmer and Underground Railroad conductor whose Lawnside, New Jersey home, built circa 1845, was an important Underground Railroad station and is now a museum known as the Peter Mott House; and

WHEREAS, the abolitionist and political activist, Harriet Tubman, lived and worked in Cape May, New Jersey, where the opening of the Tubman Museum is planned for this year, which marks the 200th anniversary of Tubman's birth; and

WHEREAS, African-American leadership in the movements for equal rights, women's suffrage, civil rights and voting rights, has created a more equal and just society for us all.

BE IT RESOLVED, that the Borough of Chatham joins in recognizing the annual celebration of National Black History Month and commemorates the contributions of African Americans from America's beginning, to our American economy, society, culture, freedoms and values.

Council Member Treloar moved to approve Resolution # 20-115, seconded by Council Member Resto. By a unanimous voice vote, Resolution # 20-115 was approved.

Mayor Kobylarz and Council Member Treloar provided a commemorative copy of Resolution # 20-115 in support of Black History Month to Vanessa Brown, the Third Vice-President of New Jersey Chapter of the NAACP. Following acceptance of the Proclamation and a photograph opportunity, Ms. Brown gave a speech.

Mayor Kobylarz requested Council Member Koronkiewicz to proceed with Resolution # 20-116.

Council Member Koronkiewicz read Resolution # 20-116.

RESOLUTION #20-116

CELEBRATING NATIONAL NUTRITION MONTH® IN THE MONTH OF MARCH

WHEREAS, National Nutrition Month® is a nutrition education and information campaign created annually in March by the Academy of Nutrition and Dietetics to focus attention on the importance of making informed food choices and developing sound eating and physical activity habits; and

WHEREAS, National Nutrition Month® encourages us to achieve the numerous benefits healthy eating habits offer, but it also urges us to find ways to cut back on food waste; and

WHEREAS, the Mayor's Wellness Advisory Committee was established to work with Mayors and key leaders to promote healthy behaviors and shape healthier lifestyles for the men, women and children in their communities, and

WHEREAS, the Mayor's Wellness Advisory Committee recognizes that food is the substance by which life is sustained and the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to encourage healthy eating practices.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham, together with the Mayor's Wellness Advisory Committee, encourage all citizens to celebrate National Nutrition Month® during the month of March and in doing so, become more informed about their food choices and nutrition, and develop sound eating and physical activity habits, to achieve optimum health for both today and tomorrow.

Mayor Kobylarz and Council Member Koronkiewicz provided a commemorative copy of Resolution # 20-116 to Victoria Stroker, retail registered dietitian from ShopRite in the Township of Chatham in support of National Nutrition Month. Following acceptance of the Proclamation and a photograph opportunity, Ms. Stroker gave a speech.

Council Member Weber moved to approve Resolution # 20-116, seconded by Council Member Dempsey. By a unanimous voice vote, Resolution # 20-116 was approved.

Mayor Kobylarz requested Council Member Weber to proceed with Resolution # 20-117.

Council Member Weber read Resolution # 20-117.

RESOLUTION #20-117

RESOLUTION ACKNOWLEDGING THE THIRD WEEK OF MARCH AS NATIONAL POISON PREVENTION WEEK

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially dangerous medicines, household products and chemicals, environmental contaminants, and other substances; and

WHEREAS, poison centers across the country will focus the public's attention on the free, lifesaving services provided by poison centers, as well as, educating the public on ways to prevent poisoning exposures; and

WHEREAS, the New Jersey Poison Control Center, a division of the Department of Emergency Medicine at Rutgers New Jersey Medical School provides 24/7 expert poisoning treatment advice, drug

information, and prevention education at no cost to the public accessing center services through the Poison Help number at 1-800-222-1222, chat (www.njpies.org), or text 973-339-0712; and

WHEREAS, specialized medical professionals (doctors, pharmacists, and nurses) provide accessible, free, and confidential healthcare to all; and

WHEREAS, poison center services save healthcare dollars by eliminating thousands of unnecessary emergency department/room visits and decreasing lengths of stays for patients hospitalized for poisoning through telemedicine services/capabilities; and

WHEREAS, the poison center is instrumental in the surveillance and management of poisoning exposures across the state, including the use, misuse, and abuse of; medications, legal and illicit drugs, environmental contaminants, bioterrorism agents, and common household products and chemicals; and

WHEREAS, the state's poison control center is involved in New Jersey's efforts in homeland defense, counterterrorism, emergency preparedness and response, and bio-surveillance; and

WHEREAS, unintentional poisoning is the leading cause of unintentional injury death in New Jersey outnumbering deaths by motor vehicles and firearms; and

WHEREAS, a poison is defined as anything that can cause harm if taken in the wrong amount, in the wrong way or by the wrong person; and

WHEREAS, although most reported poison exposures involve children five (5) years old and younger; most poisoning deaths occur in adults aged 20 to 59; and

WHEREAS, overdose deaths from prescription opioids, over-the-counter medications, and illegal drugs remain at epidemic proportions for both New Jersey and the United States; and

WHEREAS, lead exposure and carbon monoxide (CO) poisoning remain major public health concerns; and

WHEREAS, vaping and e-cigarette devices pose a serious risk of nicotine poisoning, as well as serious potentially deadly vaping associated lung illnesses, also referred to as EVALI; and

WHEREAS, poison center experts encourage the public not to guess, wait for symptoms, or waste time looking up medical information online when potential poisoning exposures occur; and

WHEREAS, all residents should save the Poison Control Center's number, 1-800-222-1222, in their cell, home, and office phones because a fast response can make all the difference in preventing serious injury and saving lives.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham do hereby proclaim the week of March 15-21, 2020 as National Poison Prevention Week in Chatham Borough and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

Council Member Weber moved to approve Resolution # 20-117, seconded by Council Member Resto. By a unanimous voice vote, Resolution # 20-117 was approved.

Mayor Kobylarz and Council Member Weber provided a commemorative copy of Resolution # 20-117 in support of National Poison Prevention Week to Danielle R. Barsche, a public health educator from New Jersey Poison Control Center and Lara Freidenfelds, a member of the Chatham Borough Board of Health

and a Ph.D. historian of science and medicine. Following their acceptance of the Proclamation and a photograph opportunity, Ms. Bartshce and Ms. Freidenfelds individually gave a thank you speech.

RESOLUTION #20-118

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:

February 10, 2020

And,

BE IT FURTHER RESOLVED, by the Council of the Borough of Chatham that the minutes from the following Closed Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

February 10, 2020

Council Member Resto moved to approve Resolution # 20-118, seconded by Council Member Weber. By a unanimous voice vote, Resolution # 20-118 was approved.

RECUSALS

Recusals or abstentions submitted for the record.

There were no recusals.

DISCUSSION ITEMS

Library Construction Project – Ms. Karen Brodsky, Director of the Library of the Chathams and Mr. Andrew Hollander, President for the Board of Trustees of the Library came forward to discuss the library's plan to execute a full renovation of its building. Images of various areas of the building were shown.

In an effort to pursue the renovation of the building, proper funding is necessary. According to Ms. Brodsky, the original estimate of the project cost is approximately \$4,500,000. With that being said, the Library intends to apply for a state grant in the amount of \$2,250,000 and contributions from the Township of Chatham and the Borough of Chatham in the amount of \$750,000 each. The Library intends to contribute \$1,500,000 in addition to \$65,000 in pledges towards the renovation of the building. The library developed a strategic plan to address the renovation needs and to allow the community to benefit from the following proposals:

- Enclosed Collaborative Teen Space
- Enhanced Local History Room
- Add private study rooms
- Business center
- Combined STEAM/Meeting Rooms
- Improve lines of sight for easier navigation and safety concerns
- Enlargement of Community Room and ability to divide into two spaces
- Addition of Children's Activity Room
- Back entrance access ramp improvements
- Energy savings with a balanced HVAC system
- Cost avoidance on infrastructure repairs

- Waterproofing of the Library's basement

In response to Council Member Dempsey, Ms. Brodsky stated that the construction may take about 14 to 18 months; however, the Library will remain open. She further stated that the square footage of the building will not change. The ultimate goal is to maximize the existing usable space.

Ms. Brodsky and Mr. Hollander completed their presentation before the Mayor and Council.

Mayor Kobylarz proceeded to open the meeting to the public; however, prior to doing so, he delivered a portion of his Mayor's Report.

Mayor Kobylarz announced that the Borough has retained Robert Powell, a real estate financial advisor from Nassau Capital Advisors, LLC, for the proposed River Road Redevelopment Project. Mr. Powell started his financial examination of the redevelopment project and is scheduled to meet with the Governing Body on March 9, 2020 to discuss his findings. In the interim, the Borough continues to search for a real estate financial advisor and planner to provide alternative visions with respect to the Post Office Plaza Redevelopment Project. Lastly, the Borough will continue its search to retain a firm to manage a series of town hall meetings with regards to the redevelopment project. This includes other outreach efforts and a survey of the community.

Mayor Kobylarz proceeded to open the following to the public and read the following notice:

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:

Ms. Clyde came forward and announced that the Green Team is coordinating with the Library of the Chathams to staff kiosks with respect to the 2020 Census. Notification of completing the Census online will be mailed to the public during the second week of March. However, for those without internet access or in need of assistance locating the website, can acquire help at the Library. Six (6) kiosks will be stationed at the Library with staffing available from March 17, 2020 through April 7, 2020, Monday-Friday from 10:00 a.m. to 12:00 p.m. Representative(s) from the Census will take over after April 7, 2020. Ms. Clyde requested volunteers to facilitate the public on accessing the Census online.

Fran Drew - 32 Inwood Road:

Ms. Drew proposed that the governing body install additional parking in the downtown area, filled with vegetation. She demonstrated a proposed green parking plan, known as the "green plan" consisting of green spaces as a passed proposal submitted to the Borough of Manasquan. She requested the governing body to use the "green plan" as inspiration for the Chatham Borough downtown area.

Stewart Carr - 3 Crestwood Drive, Chatham Township:

Mr. Carr commented on what Mrs. Drew stated concerning a proposed parking lot and requested a matrix to demonstrate the proposed cost of the parking project paid directly by the Borough versus the project paid by a developer. He also requested that alternative options be considered to ensure the public is aware of how the project works and its projected cost.

Ken Chmura – 6 Bartow Lane:

Mr. Chmura cautioned the governing body on the Spring Brook Apartment Complex interest to expand its parking lot. He stated the parking expansion will have a dramatic impact on Garden Park and could

potentially impact the Garden Park trail.

ORDINANCE FOR SECOND READING

Mayor Kobylarz asked Council Member Weber to proceed with Ordinance #20-01.

Council Member Weber read Ordinance # 20-01 entitled:

ORDINANCE #20-01

ORDINANCE OF THE BOROUGH OF CHATHAM AMENDING CHAPTER 48 OF THE BOROUGH CODE ENTITLED "POLICE DEPARTMENT" TO CREATE THE POSITION OF POLICE CHAPLAIN

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on February 10, 2020.

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

The Borough Clerk stated that a legal notice was published indicating that Ordinance #20-01 was introduced and passed on first reading at the February 10, 2020 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on February 24, 2020 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Kobylarz opened the public hearing on the Ordinance and invited any member of the public to be heard.

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

Council Member Weber offered the following Ordinance and move its adoption:

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 Resto seconded the motion.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Weber, Sr.	X		X			
Dempsey			X			
Mathiasen			X			
Koronkiewicz			X			
Treloar			X			
Resto		X	X			

Mayor Kobylarz declared the Ordinance adopted and passed and requested the Borough Clerk to publish the proper notice of the adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Affordable Housing Advisory Committee - Council President Mathiasen informed the public that a Census will be mailed to everyone in March by the Federal Government. The Census is used to allocate billions of dollars of federal funding and helps to determine congressional representation. Participation can be done online, by phone or by completing the paper Census. She further encouraged the public to

take advantage of the kiosks to be stationed at the Library of the Chathams. The Census requires a headcount of every individual per household. She further advised everyone that the Census cannot share identifiable information. She urged everyone to participate.

Environmental Commission - Council President Mathiasen reported that the Commission has discussed the 50th Anniversary of Earth Day. More information will be available including multiple presentations. It was further reported that the plastic bag ban goes into effect on March 1, 2020. A mailing was sent to all relevant businesses in the Borough as a reminder and it included posters to inform patrons that plastic bags will not be provided, and there will be a \$.10 charge for a paper bag. However, customers are encouraged to bring their own bag. The Environmental Commission further discussed expanding the ban to include Styrofoam.

Communications & Technology Advisory Committee - Council President Mathiasen reported that the establishment of social media policy continues. She further clarified that the Bee Facebook page is not affiliated with the Borough. She further reported that Council Member Treloar created a model webpage for the Undergrounding Committee, which will be used as a model for all webpages for the Borough's Boards and Commissions to ensure consistency. Lastly, newsletters will be distributed every two months.

Board of Health - Council Member Weber reported that the Board met on February 13, 2020. The Board adopted new and revised ordinances, which are posted on the Borough's website. He brought attention to the passage of new vaping regulations. Borough Code, Chapter 308 was newly adopted and now requires vaping related businesses to be licensed by the Board of Health. This provision will include inspections of the vaping facility and prohibits licensed food establishments, liquor stores, bars and gas stations from selling vaping products. The new law further prohibits individuals under the age of 21 from entering and working in a vaping related business. Additionally, it prohibits the sale and distribution of any vaping related products to any person under the age of 21. New vaping businesses are prohibited within 500' of any schools, parks and other public recreation areas. There is a monetary penalty of \$50-\$2,000 for any violations of the new provisions.

9/11 Memorial Advisory Committee - Council Member Weber had nothing new to report.

Joint Recreation Advisory Committee - Council Member Weber reported that the Committee met on February 11, 2020 and appointed its new Chair, Peter McNally of Chatham Township. He further reported that the Chatham Athletic Foundation was disbanded due to little need for fundraising efforts and a lack of manpower.

Madison-Chatham Joint Meeting - Council Member Weber reported that the negotiation of the interest rates with New Jersey Infrastructure Bank concerning the pending improvement to the sewer plant is an ongoing matter.

Historic Riverside Trail Advisory Committee - Council Member Dempsey reported that the Committee is in the final stage of the Morris County Open Space Grant. The final part of the project is the implementation of kiosks throughout the trail at Shepard Kollock Park and along the Passaic River Trail. The kiosks will be installed in April and will commemorate the Borough's many historical facts. Additionally, a meeting will be held with the City of Summit to discuss constructing a bridge to connect the trail from Chatham Borough to the proposed trail in the City of Summit.

Historic Preservation Commission - Council Member Dempsey reported that the Historic Guidelines are complete, which will be a great resource for homeowners and businesses in the Historic District. The Committee is now taking nominations for the flag award for any notably refurbished or renovated structure. New members for the Commission are needed as two members stepped down.

Board of Education - Council Member Dempsey reported that the incoming kindergarten class registration numbers for next year remain approximately the same. The full-day kindergarten PILOT

program has been very successful and will continue at the Southern Boulevard School. Lastly, the School District has recently hired a new Athletic Director, Mo Abdelaziz.

Open Space & Historic Preservation Trust Advisory Committee - Council Member Dempsey had nothing new to report.

Public Arts Council Advisory Committee - Council Member Dempsey reported that the painting of the mural is ongoing. Additionally, it was reported that the draft license agreement for the Washington Avenue Mural was received from New Jersey Transit.

Chatham Borough Recreation Advisory Committee - Council Member Dempsey reported that Garden Avenue Park requires refurbishment as most of the amenities are dated. A survey was created and is being edited. The survey will be mailed out in the near future. The Committee seeks the public's input on what they prefer to see at the Garden Avenue Park. Lastly, the Municipal Pool is in search of a pool manager and a certified pool operator (CPO). The Borough may engage in a shared service agreement with the Township with respect to a CPO.

Shade Tree Commission - Council Member Koronkiewicz had nothing new to report.

Joint Community Gardens Advisory Committee - Council Member Koronkiewicz had nothing new to report.

Farmers' Market Advisory Committee - Council Member Koronkiewicz had nothing new to report.

Mayor's Wellness Advisory Committee - Council Member Koronkiewicz had nothing new to report.

MyChathamNJ Advisory Committee - Council Member Treloar reported that March 20, 2020 is International Day of Happiness. Town and Country Garden Club will be planting yellow pansies and local shop owners will greet customers with program specials that will last throughout the day. Additionally, Spring Cleanup will be held on May 2, 2020 from 8:00 a.m. to 1:00 p.m. The volunteers will be given reusable bags this year.

Planning Board - Council Member Treloar had nothing new to report.

Joint Municipal Court - Council Member Treloar had nothing new to report.

Project Community Pride - Council Member Resto stated that Project Community Pride exists for schools, parents and police officers to refer children that are experiencing emotional difficulties or behavioral issues. He stated that a recent report found an increase in depression and anxiety, especially among children ages 11-14 and ages 15-18. He explained that emotional and behavioral problems being experienced by children correlates with conflicts within the household. He intends to meet with Lisa Sprague of Project Community Pride to discuss the report in more detail.

Pilgrim Pipeline Advisory Committee - Council Member Resto had nothing new to report.

Senior Center of the Chathams - Council Member Resto reported that a board meeting was held on February 8, 2020 and the members are planning their garden tour for the year. A donation of reusable bags was provided from Peapack Gladstone Bank for the seniors.

Municipal Alliance of the Chathams - Council Member Resto reported that the grant application was submitted.

Senior Citizens Advisory Committee - Council Member Resto reported that the Committee met on February 20, 2020 and the interest level remains high. In attendance were 31 volunteers. Additionally, three sub-committees were established: Communications, chaired by Tom Salvas, Physical Obstacles, chaired by Joan Thuebel and Seniors Companionship, to assist seniors that are homebound.

Traffic & Pedestrian Safety Advisory Committee - Council Member Resto reported that the

Committee's first meeting is scheduled tomorrow, February 25, 2020 at 7:00 p.m.

Undergrounding Advisory Committee - Council Member Resto reported that a representative from Jersey Central Power and Light may attend the Committee's March 10th meeting. The Committee submitted questions to the company in hopes of a response. The Committee is also planning a symposium at Rutgers University on May 20, 2020 with various speakers and topics (e.g. climate change, underground).

Economic Development Advisory Committee - Council Member Resto reported that the Committee is scheduled to meet on February 26th.

MAYOR'S REPORT

Mayor Kobylarz reported that Wednesday is the inaugural meeting of the Economic Development Advisory Committee. It was created last year to advise of ways to establish and preserve a flourishing economic commercial sector within the Borough. The Committee will work diligently to address its priorities and to set up sub-committees to facilitate in the process and to ensure economic revitalization in the Borough. He acknowledged Council Liaisons, Council President Mathiasen and Council Member Resto who are both ready to work hard to successfully achieve the Committee's goals. Mayor Kobylarz envisioned the Committee elevating to a Commission status in the future.

ADMINISTRATOR'S REPORT

Mr. Williams reported that the Curbside Brush Pickup is scheduled for March 16, 2020. It was further reported that a meeting was held with PSE&G with regards to their plan to replace electrical stanchions. PSEG will come before the Mayor and Council to report further on their plans. The gas replacement program continues in the Borough. Residents were encouraged to contact the PSE&G hotline to report any concerns. Lastly, the Morris County Freeholders will hold its regular meeting in Chatham Borough, in the Council Chambers on September 9, 2020.

Mayor Kobylarz stated that this meeting is a great opportunity for the governing body and residents to pose questions.

MAYORAL APPOINTMENT

APPOINTING YANA DOYLE AS A REGULAR MEMBER TO THE CHATHAM BOROUGH ENVIRONMENTAL COMMISSION

WHEREAS, due to the recent resignation of Leonard Resto, there exists a Regular Member vacancy on the Chatham Borough Environmental Commission with such position and term set to expire on December 31, 2021; and

WHEREAS, N.J.S.A. 40:56-1 sets forth that the appointment of Regular Members to an Environmental Commission shall be made by the Mayor; and

WHEREAS, Yana Doyle has expressed her interest in being appointed to the Chatham Borough Environmental Commission and submitted a volunteer application.

NOW, THEREFORE, as Mayor, I, Thaddeus Kobylarz do hereby appoint Yana Doyle as a Regular Member to the Environmental Commission to fill the vacant Regular Member 3-year term, with such term expiring December 31, 2021; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:99.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Resolution #20-119 through Resolution #20-127 have been placed on the Consent Agenda.

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

Council President Mathiasen requested the following resolution (identified by title) to be removed from the Consent Agenda for additional information prior to voting:

RESOLUTION #20-127

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM,
AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CONSENT TO INCLUDE
BOROUGH PROPERTY AT BLOCK 33, LOT 16 AS PART OF USE VARIANCE AND SITE
PLAN APPLICATION TO BE SUBMITTED BY KRE 500 MANILLA ASSOCIATES, LLC
("KRE 500") IN ORDER TO ALLOW KRE 500 TO REMOVE EXISTING ENCROACHMENT
ONTO BLOCK 33, LOT 16**

Council President Mathiasen moved to remove Resolution # 20-127 from the Consent Agenda, seconded by Council Member Koronkiewicz. By a unanimous voice vote, Resolution # 20-127 was approved to be removed from the consent agenda.

The consent agenda proceeded as follow:

CONTRACTS

RESOLUTION #20-119

**RESOLUTION AUTHORIZING THE AWARD OF THE CONTRACT FOR LANDSCAPING
SERVICES FOR THE BOROUGH OF CHATHAM TO D'ONOFRIO & SON, INC.
CONTRACTING INC. IN THE AMOUNT NOT TO EXCEED \$87,500 FOR THE CONTRACT
PERIOD OF TWO (2) YEARS**

WHEREAS, the Borough of Chatham advertised for the receipt of sealed competitive bids to be received on February 13, 2020 at 11:00 a.m. for Landscaping Services for the Borough of Chatham as per bid specifications; and

WHEREAS, the Borough received two (2) bids for this contract; and

WHEREAS, all bids have been reviewed for completeness; and

WHEREAS, the Borough Attorney reviewed the bid from the lowest bidder; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, and responsive bidder; and

WHEREAS, D'Onofrio & Son, Inc., located at 47 Van Ness Terrace, Maplewood, NJ 07040 was the lowest, responsible and responsive bidder, submitting a base bid in the amount the total amount of \$87,500 for a two-year contracting period; and

WHEREAS, the bid submission is in the proper form and in compliance with the bid specifications, as written, and in accordance with the provisions of N.J.S.A. 40A:11-23.1 and N.J.S.A. 40A:11-23.2; and

WHEREAS, the Borough Clerk has found the bid submission to be in compliance with the affirmative action laws and regulations of the State of New Jersey (N.J.S.A. 10:5-31 et seq and N.J.A.C. 17:27.) and with the Americans with Disabilities Act of 1990 (42 U.S.C. S121 01 et seq.); and

WHEREAS, the award of the contract should be made to D’Onofrio & Son, Inc., 47 Van Ness Terrace, Maplewood, NJ 07040 in the amount of \$87,500 for a two-year contract period as per the bid specifications; and

WHEREAS, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$87,500.00 for the two-year duration of the contract term (or \$43,750.00 for each twelve (12) consecutive months) and that funds are currently available for the purpose of awarding this contract from the following Current Fund Account 0-01-28-375-258.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor and Borough Clerk to execute the contract with D’Onofrio & Son, Inc. in the amount of \$87,500.00 for the duration of the two-year contract; 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.

RESOLUTION #20-120

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MORRIS COUNTY TRAIL CONSTRUCTION GRANT PROGRAM AGREEMENT FOR THE CONSTRUCTION OF THE GARDEN PARK PEDESTRIAN WALKING PATH

WHEREAS, the Borough of Chatham desires to submit a Morris County Trail Construction Grant Program application for the construction of the Garden Park Pedestrian Walking Path; and

WHEREAS, the Garden Park Pedestrian Walking Path entails a loop around the Garden Park recreational facilities and interfaces with the Board of Education and the Chatham Middle School; and

WHEREAS, the Borough Engineer estimated the total project cost to be \$100,329.12; and

WHEREAS, the Borough of Chatham was awarded the 2019 Trail Construction Grant for the construction of the Garden Park Pedestrian Walking Path project from the Morris County Park Commission in the amount of \$88,289.63, contingent on the Borough contribution of \$ 22,072.41 resulting in a total of \$110,362.04 in grant and cost; and

WHEREAS, the Borough contribution of \$13,012.41 will be expended from its Capital Improvement Project budget and \$9,060.00 to be expended from the In-Kind Services budget; and

WHEREAS, the Morris County Trail Construction Grant Program is a reimbursable grant program requiring municipalities to fund its proposed trail project(s) upfront;

WHEREAS, the Borough is given three (3) years for the completion of the project, extending from March 31, 2020 to March 31, 2023;

WHEREAS, the Borough’s Acting Chief Financial Officer must confirm that sufficient funds will be available in the 2020 Capital Budget submission for Borough Council approval to proceed with the project; and

WHEREAS, the Trail Construction Grant Application must be submitted to the Morris County Park Commission on or before March 2, 2020;

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute a Morris County Trail Construction Grant Program application for the construction of the Garden Park Pedestrian Walking Path as herein referenced; 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.

FINANCE

RESOLUTION #20-121

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.

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #20-122

RESOLUTION APPOINTING SUSAN ROBERTSON AS THE 2ND ALTERNATE MEMBER ON THE CHATHAM BOROUGH ENVIRONMENTAL COMMISSION

WHEREAS, there exists a 2nd Alternate Member vacancy on the Chatham Borough Environmental Commission to serve a two (2) year term; and

WHEREAS, Susan Robertson has expressed interest in being appointed to the Environmental Commission and has submitted a volunteer application for consideration; and

WHEREAS, N.J.S.A. 40:56-1 sets forth that the appointment of Alternate Members to an Environmental Commission shall be made by the Council; and

WHEREAS, the Council of the Borough of Chatham wishes to appoint Susan Robertson to the vacant 2nd Alternate Member position on the Chatham Borough Environmental Commission; and

BE IT RESOLVED, by the Council of the Borough of Chatham that Susan Robertson is hereby appointed as the 2nd Alternate Member on the Environmental Commission to serve a two (2) year term, with such term expiring December 31, 2021; and

BE IT FURTHER RESOLVED, that in accordance with N.J.S.A. 40A:9 -9.2a and Chapter 3, §3.3 of the Code of the Borough of Chatham, the Borough Clerk shall update the register of Appointed Municipal Positions to reflect said appointment.

RESOLUTION #20-123

RESOLUTION APPOINTING BETH SALINARDI AS A MEMBER OF THE SENIOR CITIZENS ADVISORY COMMITTEE FOR CALENDAR YEAR 2020

WHEREAS, N.J.S.A. 40A:60-7(d) authorizes Borough Councils to create “advisory councils” in the municipality;

WHEREAS, the Council of the Borough of Chatham has determined that it desires to receive advice with respect to the senior community; and to have participating members support senior programs and projects; and

WHEREAS, Beth Salinardi has expressed an interest in being appointed to the Senior Citizens Advisory Committee and submitted a volunteer application;

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Beth Salinardi is hereby appointed to the Senior Citizens Advisory Committee for calendar year 2020; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

RESOLUTION #20-124

RESOLUTION APPOINTING JOAN M. THUEBEL AS A MEMBER OF THE SENIOR CITIZENS ADVISORY COMMITTEE FOR CALENDAR YEAR 2020

WHEREAS, N.J.S.A. 40A:60-7(d) authorizes Borough Councils to create “advisory councils” in the municipality;

WHEREAS, the Council of the Borough of Chatham has determined that it desires to receive advice with respect to the senior community; and to have participating members support senior programs and projects; and

WHEREAS, Joan M. Thuebel has expressed an interest in being appointed to the Senior Citizens Advisory Committee and submitted a volunteer application;

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Joan M. Thuebel is hereby appointed to the Senior Citizens Advisory Committee for calendar year 2020; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

RESOLUTION #20-125

RESOLUTION APPOINTING AMY LEWIS TO THE MAYOR’S WELLNESS ADVISORY COMMITTEE FOR CALENDAR YEAR 2020

WHEREAS, the Mayor and Borough Council support initiatives that promote healthy behaviors and lifestyles among Borough residents and employees; and

WHEREAS, Resolution #20-20 adopted by the Mayor and Council on January 6, 2020 re-established the Mayor’s Wellness Advisory Committee for calendar year 2020; and

WHEREAS, the Mayor’s Wellness Advisory Committee works with the Mayor and the Borough Council, along with key community leaders to plan and organize initiatives that promote and shape healthier lifestyles for all citizens in the community; and

WHEREAS, Amy Lewis has expressed her interest in being appointed to the Mayor’s Wellness Advisory Committee and has submitted a volunteer application.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Amy Lewis is hereby appointed to the Mayor's Wellness Advisory Committee for calendar year 2020; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

RESOLUTION #20-126

RESOLUTION APPOINTING AMY LEWIS TO THE MUNICIPAL ALLIANCE COMMITTEE OF THE CHATHAMS FOR CALENDAR YEAR 2020

WHEREAS, P.L. 1989, c. 51 authorizes the governing body of a municipality to establish a municipal alliance for the purpose of coordinating community efforts to reduce alcoholism, drug abuse and crime.

WHEREAS, Resolution #20-21 adopted by the Mayor and Council on January 6, 2020 re-established the Municipal Alliance Committee of the Chathams from the Borough for calendar year 2020; and

WHEREAS, Amy Lewis has expressed her interest in being appointed to the Municipal Alliance Committee Advisory Committee and has submitted a volunteer application;

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Amy Lewis is hereby appointed to the Municipal Alliance Committee for the Chathams for the Borough of Chatham for calendar year 2020; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

CONSENT AGENDA VOTE:

Mayor Kobylarz asked Council President Mathiasen to proceed with the Resolutions listed on the Consent agenda. Resolutions #20-119 through #20-126.

Council Member Mathiasen made a motion to approve Resolutions #20-119 through # 20-126, seconded by Council Member Resto. By a unanimous voice vote, the Resolutions on the Consent Agenda were approved.

ADD-ON RESOLUTION[S]

There were none.

ORDINANCES FOR FIRST READING

Mayor Kobylarz asked Council Member Resto to introduce Ordinance # 20-02.

Council Member Resto introduced Ordinance # 20-02 by title as follows:

ORDINANCE #20-02

AN ORDINANCE TO AMEND THE PART-TIME HOURLY RATE FOR MUNICIPAL POSITIONS OF THE BOROUGH OF CHATHAM FOR THE YEAR 2020

Council Member Resto explained that the Borough is required to stipulate the pay rate of all employees by title. He explained that this ordinance is specific to any part-time position(s) within the Borough.

Council Member Resto read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on February 24, 2020.

BE IT RESOLVED, that at the Council meeting to be held on March 9, 2020 at 7:30 p.m. prevailing time, at Borough Hall, 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 Resto offered Ordinance # 20-02 and moved its adoption on first reading, seconded by Council Member Weber.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Weber, Sr.		X	X			
Dempsey			X			
Mathiasen			X			
Koronkiewicz			X			
Treloar			X			
Resto	X		X			

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #20-128.

Council Member Resto read Resolution #20-128.

RESOLUTION #20-128

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: Resolution # 20-127 - KRE 500 Manilla Associates, LLC

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 may return to public session after this closed session.

Council Member Resto made a motion to approve Resolution #20-128, seconded by Council Member Koronkiewicz. By a unanimous voice vote, Resolution #20-128 was approved.

The Mayor and Council adjourned into Executive Session at 9:16 p.m.

The Mayor and Council returned from Executive Session at 9:25 p.m.

Council Member Resto motioned to resume the regular meeting, seconded by Council President Mathiasen. By a unanimous voice vote, the motion was approved.

Mayor Kobylarz requested the Council to proceed with Resolution # 20-127, which was removed from the Consent Agenda.

OTHER

RESOLUTION #20-127

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CONSENT TO INCLUDE BOROUGH PROPERTY AT BLOCK 33, LOT 16 AS PART OF USE VARIANCE AND SITE PLAN APPLICATION TO BE SUBMITTED BY KRE 500 MANILLA ASSOCIATES, LLC (“KRE 500”) IN ORDER TO ALLOW KRE 500 TO REMOVE EXISTING ENCROACHMENT ONTO BLOCK 33, LOT 16

WHEREAS, KRE 500 is the owner of an existing multi-family apartment complex located at 534 Main Street, Block 33, Lot 5 on the Tax Map of the Borough of Chatham, also known as Springbrook at Chatham (“Springbrook”); and

WHEREAS, KRE 500 is in the process of proposing a Use/Density Variance and Amended Preliminary & Final Site Plan before the Zoning Board of Adjustment of the Borough of Chatham to permit the expansion of an existing off-street parking area that serves Springbrook, and to provide for stormwater management, relocation of a fire hydrant, plantings and lighting related to the apartment complex (the proposed “Use Variance and Site Plan Application”); and

WHEREAS, the Borough of Chatham is the owner of property adjacent to Springbrook, located at Block 33, Lot 16 on the Tax Map of the Borough of Chatham, also known as Garden Park (“Block 33, Lot 16”); and

WHEREAS, the Site Plan documents prepared by ABC Surveys, LLC on behalf of KRE 500 dated August 23, 2019 and revised January 27, 2020 (“Site Plan”) have identified an existing encroachment onto Block 33, Lot 16 consisting of approximately 10 inches of curbing and paving associated with the parking area of the apartment complex (“Encroachment”); and

WHEREAS, the Site Plan shows the removal of the Encroachment as part of the Site Plan Application; and

WHEREAS, Steven Azzolini, Esq., the attorney for KRE 500, has also represented that the Encroachment will be removed as part of its proposed Use Variance and Site Plan Application; and

WHEREAS, the Mayor and Council of the Borough of Chatham wish to consent to KRE 500 including Block 33, Lot 16 as part of its Use Variance and Site Plan Application in order to allow for the removal of the Encroachment; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Chatham, County of Morris, State of New Jersey that the Mayor of the Borough of Chatham is hereby authorized to execute a consent with KRE 500 to include Block 33, Lot 16 as part of KRE 500’s proposed Use Variance and Site Plan Application to the Zoning Board of Adjustment of the Borough of Chatham in order to allow KRE 500 to remove the existing Encroachment onto Borough property at Garden Park; and

BE IF 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.

Council Member Weber made a motion to approve Resolution #20-127, seconded by Council Member Koronkiewicz. By a unanimous voice vote, Resolution #20-127 was approved.

ADJOURNMENT

Having no other business to be conducted in public session, Council Member Resto made a motion to adjourn the Regular Mayor and Council Meeting, seconded by Council Member Koronkiewicz. On a unanimous voice vote, the motion to adjourn was approved. The meeting adjourned at 9:30 p.m.
Respectfully Submitted on March 9, 2020 by:

Tamar Lawful, RMC
Borough Clerk
BOROUGH OF CHATHAM