

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

**November 09, 2020 MINUTES**

Mayor Thaddeus J. Kobylarz called the Regular Council Meeting of the Borough of Chatham to order on Monday, November 09, 2020 at 6:07 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

*Note: The start time of this meeting was moved from 7:30 p.m. to 6:00 p.m. to accommodate the emergency measures in place due to the coronavirus pandemic.*

**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. He also gave recognition to those protecting our lives during the current health pandemic caused by coronavirus, COVID-19. Finally, he further acknowledged the passing of all nine (9) Chatham Borough residents who died during the current pandemic.

**STATEMENT OF  
ADEQUATE NOTICE**

Tamar Lawful, 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 08, 2020.

Pursuant to the requirements of R.S. 10:4-10, adequate notice of the change in time of tonight's virtual meeting was provided to the press on October 29, 2020, a copy of which was posted on the Borough website, including the front and side entrances of Borough Hall.

**ROLL CALL**

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

Also, in attendance: Brian Gibbons (*Attended Virtually*)

## RECUSALS

Council President Mathiasen recused herself from voting on Ordinance # 20-13.

Mayor Kobylarz proceeded with Resolution # 20-243.

## RESOLUTION #20-243

### 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:

October 13, 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:

September 29, 2020 and October 13, 2020

Council Member Resto moved to approve Resolution # 20-243 contingent on the correction of Rozella Clyde's address in the Public Comment section of the Minutes. The motion was seconded by Council Member Weber. By a unanimous voice vote, Resolution # 20-243 was approved.

## REPORTS

### COUNCIL MEMBERS:

**Council President Mathiasen:** Council President Mathiasen reported on the training of the SDL software by Borough staff. The training encompasses online pet licensing, parking permits, and alarm registrations for the year 2021.

**Council Member Weber:** Council Member Weber reported that the Board of Health has held monthly meetings since the current outbreak of the coronavirus to find ways to support the Borough and the school district in their response to the pandemic. A few weeks ago, the Board of Health sponsored a well-received question-and-answer session with Superintendent Dr. Michael LaSusa, Borough Health Officer Megan Avallone, and Township Health Officer Michael Fitzpatrick.

**Council Member Dempsey:** Council Member Dempsey reported on the completion of the design guidelines for the Historic Preservation Commission. Nominations for the Flag Award are being accepted. The Board of Education is working to continue in-person classes at the elementary school, and to incorporate a hybrid version of in-person and virtual learning at the middle school and high school. Public Arts renewed its contract on some of the sculptures around the Borough. Additionally, the Borough received a new, cleaned-up Attic trophy sculpture to be displayed among the others. Lastly, the Joint Recreation Advisory Committee will meet on November 10<sup>th</sup> to discuss the refurbishment of three (3) tennis courts.

**Council Member Koronkiewicz:** Council Member Koronkiewicz reported on the improvements to the Community Garden. The fence for the garden was repaired to prevent animals from eating and damaging the crops. On behalf of the Shade Tree Commission, residents are required to secure a permit for the removal of trees in the Borough. The DPW will plant 55 trees, one of which will be in honor of long-time member, Kenneth Chmura.

**Council Member Treloar:** Council Member Treloar reported that the Planning Board reviewed Ordinance # 20-14, which is on the agenda for second reading. An introduction of another land use ordinance to amend the definition of medical services will be further reviewed by the Planning Board. The Council has adopted a resolution to temporarily appoint Judge Rosenbluth to the Joint Municipal Court, who will become permanent effective January 2021. Lastly, the Council will consider extending the Borough's existing contract for garbage collection for six (6) additional months to permit time to format the Borough's garbage collection bid.

**Council Member Resto:** Council Member Resto reported on the Economic Development Advisory Committee and the outreach subcommittee's effort to help downtown businesses during the pandemic. The Committee created a website to encourage residents and the public to shop locally. It was further reported that the Chatham Senior Center of the Chathams held a successful paper shredding event which generated over five thousand dollars (\$5,000.00). The New Jersey State Legislature adopted a plastic and Styrofoam ban recently. The Environmental Commission will discuss how the new legislation will impact the Borough's plastic bag ordinance (Ordinance # 19-14). Lastly, the Environmental Commission is working with other environmental commissions to discuss a climate action plan.

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

Mayor Kobylarz delivered a portion of his Mayor's Report as follows:

### Statistical Update on the Coronavirus:

Mayor Kobylarz reported that 108 residents of the Borough contracted COVID-19 since March of 2020. There is a dramatic increase in daily infection cases. Recently, the number of daily infection cases have exceeded 2,000 statewide. The transmission rate has increased to 1.24, which is concerning and indicative of the expeditious spread of the coronavirus. As of today, there has been an 81% increase in infections over the past two weeks.

Residents were urged to adhere to the safety guidelines to mitigate the spread of the virus. This dangerous surge in infectious cases will continue if we fail to adhere to the protective measures of washing hands, maintaining social distancing, wearing masks, cooperating with contact tracing, and refraining from indoor gatherings.

### New COVID-19 Restrictions:

Governor Phil Murphy signed Executive Order 194, which includes new COVID-19 mitigation measures. Restaurants, bars, clubs, lounges, and other businesses that serve food or drinks must end their services at 10:00 p.m. Seating at indoor bars for both bars and restaurants will be prohibited during all operating hours. However, restaurants will be permitted to have groups at indoor tables that are closer than six feet together, if separated by barriers that comply with the guidelines from the Department of Health. Additionally, restaurants will be permitted to install plastic domes outdoors, limited to one group each, to accommodate additional dining space. All interstate games and tournaments involving indoor sports, up

to and including high school grade level, will be prohibited. College and professional sports are excluded from this restriction.

COVID-19 Ambassador Program:

Mayor Kobylarz introduced Police Chief Gibbons to provide an update on the COVID-19 Ambassador Program. Police Chief Gibbons reported that the Ambassador Program is up and running. The program continues to seek volunteers and encourage residents of any age to participate. Police Chief Gibbons thanked Officer Brian Colatrella and Sergeant Jaremba for creating the program. Terry McCabe was also thanked for his willingness to help print the vests in a timely manner.

2020 General Election:

Mayor Kobylarz thanked the Borough Clerk, Tamar Lawful and Deputy Borough Clerk, Evelyn Campo on a successful Election Day. In addition, he thanked the poll workers, the Fire Department, the Police Department and the DPW for their assistance in the unprecedented 2020 General Election.

Mayor Kobylarz proceeded to open the meeting to public comment and read the Notice of Public Comment Time Limit.

**MEETING OPEN TO THE PUBLIC**

*Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 826 3245 6437) or obtain online access of the meeting using the following URL: <https://us02web.zoom.us/j/82632456437> .*

**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 or are not matters scheduled for Public Hearing tonight. In light of the emergency, discussions and actions by the Chatham Borough Mayor and Council related to discretionary municipal actions and/or other non-emergent matters including redevelopment planning will be deferred until further notice. Accordingly, I would respectfully request that the public try to limit its comments to matters primarily related to the COVID-19 response and/or the continued operations of the Borough government during the emergency. While the Chatham Borough Mayor and Council welcome public participation and comment on any topic, 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.

**Fred Silverberg - 33 Main Street:**

In response to Ordinance # 20-14, Mr. Silverberg stated that his residence is located within the B-3 district and questioned why his property was not included and what initiatives are being considered for the B-5 district.

In response, Mr. Lott stated that the Master Plan will need to be re-examined. With an answer to his question not currently available, Mr. Silverberg was advised that he will be contacted via email with an answer.

**Rozella Clyde- 33 Carmine Street:**

Ms. Clyde congratulated the Mayor and Council on moving forward with the acceptance of the Stanley Congregational Church.

**ORDINANCE FOR SECOND READING**

Mayor Kobylarz asked Council Member Dempsey to proceed with Ordinance # 20-13.

Council Member Dempsey read Ordinance # 20-13 entitled and in its entirety:

**ORDINANCE # 20-13**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE DONATION OF THE STANLEY CHURCH PROPERTY LOCATED AT 94 FAIRMOUNT AVENUE AND DESIGNATED AS BLOCK 93, LOT 13.03 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF CHATHAM**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on September 14, 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 # 20-13 was introduced and passed on first reading at the September 14, 2020 meeting and indicated the second reading and public hearing would be held at 6:00 p.m. on November 9, 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 meeting for a public hearing on the Ordinance and any member of the public may be heard.

Council Member Weber stated that he read the most recent version of the Stanley Church agreement and inquired about the status of the Phase I Environmental Study. He noted the document only reports that the Borough is in receipt of the asbestos study. Mr. Lott indicated a Phase I evaluation has been performed and is now waiting for the final signed Phase I Environmental Report.

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

Council Member Dempsey offered the following Ordinance and moved 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 seconds the motion.

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

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

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

Mayor Kobylarz asked Council Member Treloar to proceed with Ordinance # 20-14.

Council Member Treloar read Ordinance # 20-14 entitled:

### **ORDINANCE # 20-14**

#### **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 165 (LAND DEVELOPMENT) OF THE CHATHAM BOROUGH CODE TO INCLUDE MEDICAL SERVICES AS A PERMITTED USE IN THE B-5 (BUSINESS) ZONE DISTRICT**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on October 13, 2020.

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

The Borough Clerk stated that legal notices were submitted via regular mail and certified mail to all entities required in accordance with N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-62.1 and also published indicating that Ordinance # 20-14 was introduced and passed on first reading at the October 13, 2020 meeting and indicated the second reading and public hearing would be held at 6:00 p.m. on November 9, 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 meeting for a public hearing on the Ordinance and any member of the public may be heard.

#### **Fred Silverberg - 33 Main Street**

Mr. Silverberg questioned why suddenly the B-5 district is being rezoned when the B-3 district, which is close to the B-5 district, and consists of medical services is not being considered? Mr. Lott responded that the B-5 district did not include medical services due to an oversight and should include medical services based on the district's characteristics.

#### **Fran Drew - 32 Inwood Rd**

Mrs. Drew asked if the Chatham Schools would consider installing solar panels on the schools' rooftops? Secondly, she asked if PSE&G could install solar panels under the powerlines on the west side of Chatham Borough. Mr. Lott directed Mrs. Drew's question pertaining to Chatham schools to the Board of Education. He further directed her to contact PSE&G concerning installing solar panels on its powerline.

#### **Jacqueline Carbon- 38 University Avenue**

Ms. Carbon questioned whether medical services include extended-term care, psychiatric facilities, and ambulatory services? Mr. Lott advised Ms. Carbon that the new definition of medical services will be introduced tonight.

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

Council Member Treloar 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			
Dempsey			X			
Mathiasen			X			
Koronkiewicz			X			
Treloar	X		X			
Resto		X	X			

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

## **MAYOR'S REPORT II**

Mayor Kobylarz had nothing further to report.

## **ADMINISTRATOR'S REPORT**

Mr. Williams reported on the following:

Governor Murphy announced Phase 2 of the NJ PPE Access Program. The program will allow New Jersey based businesses and nonprofit organizations an opportunity to receive a 10% discount on Personal Protective Equipment (PPE).

The Borough submitted a local emergency grant request in the amount of \$71,000 for unanticipated expenses, related to the current pandemic.

The Borough signed and submitted the 2020 Best Practices Inventory to the Director of the Division of Local Government Services.

The Borough is working with a local church to broadcast a tribute to longtime volunteer, Kenneth Chmura. The tribute will be played on the Borough's television station, on December 12<sup>th</sup> at 7:30 p.m.

On behalf of the Board of Health, Mr. Williams echoed the Mayor's message and encouraged residents to adhere to the public health guidelines by maintaining social distancing, wearing masks (including children over 2 years of age), washing hands, disinfecting frequently touched surfaces and staying home if not well.

He concluded his report by providing an update on roads already milled by PSE&G in preparation of paving. Thus far, the following roads were milled: Talmadge Avenue, Minton Avenue, Vine Street and Summit Avenue from Ogden Street to the city line of Summit.

Starting November 10<sup>th</sup> through November 17<sup>th</sup>, PSE&G scheduled the following roads to be milled: Bowers Lane, Dempster Road , Fuller Avenue, Overlook Road, Bridge Street, River Road, Girard Avenue, Chestnut Street, Hillside Avenue, Watchung Avenue to Maple Street, Lafayette Place, Edgehill Avenue, Chandler Road from Lafayette Avenue to Fairmount Avenue, Fairview Avenue, Dellwood Avenue and Washington Avenue from Broadview Terrace to Longwood Avenue.

### **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 #20-244 through Resolution #20-252 have been placed on the Consent Agenda.

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

#### **RESOLUTION #20-**

There were none.

### **APPOINTMENTS**

#### **RESOLUTION #20-244**

### **RESOLUTION APPOINTING RICHARD P. CARROLL AS A PROBATIONARY FIREFIGHTER FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, the Mayor and Council of the Borough of Chatham recognize the valuable contributions volunteer firefighters make to our community every day of every year; and

**WHEREAS**, Richard P. Carroll has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department; and

**WHEREAS**, the Fire Chief has recommended that Richard P. Carroll should be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine Company No. 1.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Richard P. Carroll is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine Company No. 1; and

**BE IT FURTHER RESOLVED**, that Richard P. Carroll application for membership to the Chatham Borough Volunteer Fire Department is hereby approved.

#### **RESOLUTION #20-245**

**RESOLUTION APPOINTING TYLER KIDD AS A PROBATIONARY FIREFIGHTER FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, the Mayor and Council of the Borough of Chatham recognize the valuable contributions volunteer firefighters make to our community every day of every year; and

**WHEREAS**, Tyler Kidd served a member of the Junior Firemen’s Auxiliary Company of the Chatham Borough Volunteer Fire Department for the year 2019; and

**WHEREAS**, Tyler Kidd has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department; and

**WHEREAS**, the Fire Chief has recommended that Tyler Kidd should be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine Company No. 1.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Tyler Kidd is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine Company No. 1; and

**BE IT FURTHER RESOLVED**, that Tyler Kidd application for membership to the Chatham Borough Volunteer Fire Department is hereby approved.

**CONTRACTS**

**RESOLUTION #20-246**

**RESOLUTION AUTHORIZING SIX (6) MONTH EXTENSION OF SOLID WASTE COLLECTION SERVICES CONTRACT WITH SUBURBAN DISPOSAL, INC.**

**WHEREAS**, the Borough of Chatham (the “Borough”) and Suburban Disposal, Inc., 54 Montesano Road, Fairfield, NJ (“Suburban”), are parties to a contract whereby Suburban provides solid waste collection and disposal services to the Borough (the “Contract”); and

**WHEREAS**, the Contract expires on March 30, 2021, however, the Borough wishes to extend the Contract for a period of six (6) months through September 31, 2021; and

**WHEREAS**, this Contract extension is necessary due to the fact that Borough Hall is closed to the public and Borough staff continues to work, in part, remotely in light of the current Public Health Emergency and State of Emergency related to the COVID-19 pandemic; and

**WHEREAS**, these staffing constraints, along with other administrative delays related to the COVID-19 pandemic, have hindered the preparation of complete bid specifications for a successor contract; and

**WHEREAS**, in addition, the Borough desires to ensure the continuity of solid waste collection and disposal services, particularly in light of the current Public Health Emergency; and

**WHEREAS**, the Mayor and Borough Council have determined that this Contract extension is in the best interests of the Borough and is necessary in order to promote the health, safety, and welfare of Borough residents; and

**WHEREAS**, this extension is subject to the same terms and conditions as the current Contract.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that the Borough Council hereby approves of a six (6) month extension of the solid waste collection and disposal contract with Suburban Disposal, Inc. through September 31, 2021. The Mayor and Borough Clerk are hereby authorized to sign a contract extension with Suburban in a form acceptable to the Borough Attorney.

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

**FINANCE**

**RESOLUTION #20-247**

**RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

**WHEREAS**, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

**RESOLUTION #20-248**

**RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that the New Jersey Tax Court imposed a judgment for a refund of overpayment for property taxes for the year 2018 for the herein referenced property; and

**WHEREAS**, the Tax Collector has further advised that a refund per the New Jersey Tax Court Judgement # 004797-2018 is to be made as follows:

<b><u>BLOCK/LOT</u></b>	<b><u>OWNERS/PROPERTY LOCATION</u></b>	<b><u>AMOUNT</u></b>	<b><u>TAX QTR.</u></b>
12/24	Edwin & Elizabeth Roland 18 Oak Drive Chatham, New Jersey 07928	\$3,454.01	2018

**\*Please make check payable and mail to:**  
Wolf Vespasiano LLC (Trust Account Attorney)  
331 Main Street  
Chatham, NJ 07928

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund of property taxes as herein referenced.

**OTHER**

**RESOLUTION #20-249**

**RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE ANNUAL AUDIT REPORT FOR THE YEAR ENDING 2019**

**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 2019 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.

**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 2019 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.

**RESOLUTION #20-250**

**RESOLUTION AUTHORIZING THE BOROUGH OF CHATHAM TO EXECUTE AN APPLICATION FOR THE LOCAL GOVERNMENT EMERGENCY FUND (LGEF) GRANT IN RESPONSE TO THE FINANCIAL IMPACT OF THE CORONAVIRUS (COVID-19) PANDEMIC**

**WHEREAS**, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

**WHEREAS**, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

**WHEREAS**, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

**WHEREAS**, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronavirus Relief Fund (CRF Funds); and

**WHEREAS**, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

**WHEREAS**, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

**WHEREAS**, LGEF Grants exist to support costs incurred as part of a local unit's response to COVID-19.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Chatham, that the Borough of Chatham will apply for a LGEF Grant in the amount of \$71,675.70.

#### **RESOLUTION #20-251**

#### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A TWO-YEAR LOAN TO EXHIBIT THE SCULPTURE ENTITLED CRESCENT IN THE BOROUGH**

**WHEREAS**, the Borough of Chatham (the "Borough") entered into an agreement with the Sculpture Foundation, Inc. dated May 5, 2010 to exhibit the sculptures entitled *Attic Trophy* and *Crescent* (the "Agreement") in the Borough; and

**WHEREAS**, the Sculpture Foundation has transferred ownership of *Crescent* to Grounds for Sculpture, Inc. (GFS) as permitted under Section 4(b) of the Agreement; and

**WHEREAS**, the Borough, upon the recommendation of the Public Arts Council (Advisory Committee), wish to enter into a Sculpture Loan Agreement with Grounds for Sculpture Inc. for the loan of *Crescent*, for a **two**-year period terminating on December 31, 2022; and

**WHEREAS**, the Mayor and Borough Council have determined that the continued exhibition of the sculpture promote public appreciation and knowledge of public sculpture and the fine arts and desires to authorize the execution of the Agreement.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a Sculpture Loan Agreement with Grounds for Sculptures for the loan of *Crescent*, for a two-year period terminating on December 31, 2022; 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 #20-252**

#### **RESOLUTION AUTHORIZING TEXIMA LLC TO INSTALL A CHARITABLE CLOTHING BIN AT THE RECYCLING DEPOT IN THE BOROUGH OF CHATHAM**

**WHEREAS**, the Borough of Chatham find it beneficial for the community to have a location to dispose of textile materials; and

**WHEREAS**, Texima LLC at Carlstadt, New Jersey finds interest in installing its charitable clothing bin in the Borough of Chatham; and

**WHEREAS**, the Code Enforcer and the Director of the Department of Public Works supports the installation of a charitable clothing bin in the Borough of Chatham; and

**WHEREAS**, the Borough Council consents to permit Texima LLC to install one (1) charitable clothing bin at the Recycling Depot in the Borough of Chatham.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Texima LLC, is permitted to install one (1) charitable clothing bin at the Recycling Depot in the Borough of Chatham.

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute the agreement with Textile LLC, for a period of one (1) year.

**BE IT FURTHER RESOLVED**, that the Zoning Code Official is authorized to issue a permit to Texima LLC in accordance with §199-15.

**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.

#### **CONSENT AGENDA VOTE:**

Council Member Resto made a motion to approve Resolutions #20-244 through #20-252 on the Consent Agenda. The motion was seconded by Council Member Weber. By a unanimous voice vote, Resolutions aforementioned were approved.

#### **ORDINANCES FOR FIRST READING**

Mayor Kobylarz asked Council Member Treloar to introduce Ordinance # 20-15.

Council Member Treloar introduced Ordinance # 20-15 by title as follows:

#### **ORDINANCE # 20-15**

#### **ORDINANCE OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE DEFINED TERMS ESTABLISHED IN CHAPTER 165 OF THE CODE OF THE BOROUGH OF CHATHAM ENTITLED “LAND DEVELOPMENT REGULATIONS”**

Council Member Treloar explained the purpose of the Ordinance and moved its introduction on First Reading.

Council Member Treloar read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on November 9, 2020.

**BE IT RESOLVED**, that at the Council meeting to be held on November 23, 2020 at 6:00 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 Treloar offered Ordinance # 20-15 and moved its adoption on first reading.

Council Member Resto seconded the motion.

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

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

### **ADJOURNMENT**

Having no other business to be conducted in public session, Council Member Resto made a motion to adjourn into Closed Session, seconded by Council Member Weber. By a voice vote, the motion passed, and the meeting was adjourned at 7:25 p.m.

Respectfully Submitted on December 14, 2020 by:

Tamar Lawful, RMC  
Borough Clerk  
BOROUGH OF CHATHAM