

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

January 25, 2021 MINUTES

Mayor Thaddeus J. Kobylarz called the January 25, 2021 virtual Regular Meeting of the Borough of Chatham to order on Monday, January 25, 2021 at 6:02 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.

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. He further acknowledged the 25.2 million Americans who contracted COVID-19, and the more than 419,000 people who have died from the insidious disease; and the nine (9) Chatham Borough residents who died during the pandemic in 2020. Finally, he acknowledged the passing of Dr. Norman Schaefer, a longtime resident and medical practitioner in the Borough.

**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, 2021.

ROLL CALL

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

Mayor Thaddeus J. Kobylarz
Council President Carolyn Dempsey (Attended virtually)
Council Member Jocelyn Mathiasen (Attended virtually)
Council Member Karen Koronkiewicz (Attended virtually)
Council Member Irene Treloar (Attended virtually)
Council Member Leonard Resto (Attended virtually)
Council Member Frank Truilo (Attended virtually)

Also present were:

Stephen W. Williams, Borough Administrator
Tamar Lawful, Borough Clerk (Attended virtually)
Steve Kleinman, Borough Attorney (Attended virtually)

Mayor Kobylarz asked Borough Clerk Tamar Lawful to proceed with Resolution # 21-91.

Borough Clerk Tamar Lawful read Resolution # 21-91 as follows:

PROCLAMATION

RESOLUTION #21-91

RESOLUTION CELEBRATING THE MONTH OF FEBRUARY AS NATIONAL BLACK HISTORY MONTH

WHEREAS, for hundreds of years, ships bustled throughout the Americas, with bodies chained to the floors to be sold as a commodity; this stream of shackled humanity forced to embark on a new life where freedom and liberty would exist for them no more; and

WHEREAS, stripped from their culture, ripped from their families, and deprived of their true identities in the most foreign of circumstances, these newly arrived souls found themselves amongst a people whose language they did not speak; in a society whose mode of understanding they could neither fathom nor read; and in a land where they were denied the right to own material property or exercise dominion over even themselves; and

WHEREAS, the unscrupulous slave trade within and amongst the American colonies created inhumane conditions, cruel forms of discrimination, and unimaginable hardships in the lives of African Americans, who were marginalized in society then and often continue to be so marginalized today; and who were plagued by divisive ideas of race and stereotype then and frequently continue to be so plagued today; and

WHEREAS, it is time for us not just to acknowledge but to celebrate African Americans, who have overcome the scourge of slavery, segregation, racial prejudice, and a multitude of other injustices; and who, despite these obstacles, have proceeded to enrich the fiber of this resilient nation we call America; and

WHEREAS, African Americans from every corner of this land have volunteered their service in our armed forces; have helped establish our nation's prodigious wealth through free labor; and have contributed immensely to this country's entertainment industry, amateur and professional sports leagues, political system, and scientific establishment – to name but a few areas of beneficence; and

WHEREAS, Thurgood Marshall once famously stated, "I wish I could say that racism and prejudice were only distant memories. We must dissent from the indifference. We must dissent from the apathy. We must dissent from the fear, the hatred, and the mistrust.... We must dissent because America can do better, because America has no choice but to do better"; and

WHEREAS, W.E.B. Du Bois rose to the occasion; and Dr. Martin Luther King had a dream; and Rosa Park took a seat for equality; and Barack Obama pleaded for change, and Kamala Harris just last week made history; and

WHEREAS, the year 2020 brought forth a new and auspicious movement for justice and equality in America, one that has compelled people of every conceivable race, nationality, ethnicity, creed, and set of moral beliefs to unite in recognition of all that is good, just, and right in the timeless proposition articulated by Dr. King that we must judge not by the color of one's skin but by the content of one's character; and

WHEREAS, all lives matter; and yes, Black lives matter; and

WHEREAS, the meaning of this pronouncement is significant because our nation's history, laws, institutions, and beliefs still can and do undermine true equality for many African Americans.

NOW THEREFORE, 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 to this nation's history, society, economy, culture, freedoms, and values.

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Council Member Resto moved to approve Resolution # 21-91 seconded by Council Member Treloar. By a unanimous voice vote, Resolution # 21-91 was approved.

Mayor Kobylarz welcomed Chatham Borough resident and a 10-year member of Jack and Jill of America, Judy Ann Hargrove. Mrs. Hargrove provided a brief history of herself and her family.

She stated Jack and Jill of America was established in 1938 by African American mothers for the purpose of fostering and nurturing future African American children to become leaders by strengthening their cultural awareness, educational development, leadership development, volunteer services, philanthropic giving, and civic duty. She thanked the Governing Body for the recognition of Black History Month and allowing her to use this platform to shed light on an important organization as Jack and Jill of America.

RECUSALS

Recusals or abstentions submitted for the record.

There were none.

RESOLUTION #21-92

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:

January 4, 2021

Council Member Resto moved to approve Resolution # 21-92, seconded by Council Member Treloar. By a unanimous voice vote, Resolution # 21-92 was approved.

DISCUSSION ITEMS

Library of the Chatham's Annual Report:

Presented By: Karen Brodsky and Andy Hollander

The library has continued to operate during COVID-19 and has provided monthly programs and activities for the public during the existential health crisis. Amidst the pandemic, the library began its virtual programming in April 2020. Ms. Brodsky and Mr. Hollander provided statistical data on the library's use and its efforts to ensure services and programs remain available to the public.

Although the library remains closed to the public, it offers the option to virtually browse bookshelves, by appointments. However, due to poor ventilation in the library, remaining closed is in the best interests of the public, as more traffic and congregation in enclosed spaces can increase transmission rates.

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 333 residents of the Borough contracted COVID-19. Daily infection has leveled out, but the fluctuation has been considerable. The current 7-day rolling average of positive cases is approximately 4,365 which is down by 15% from a week ago. However, state health officials predict higher positives cases in February. New Jersey has now reported nearly 600,000 confirmed cases in nearly 11 months since the first positive test results on March 4, 2020. He warned the public to remain vigilant.

As a community, to mitigate the spread of the virus, we must adhere to the protective measures of washing hands, maintaining social distancing, wearing masks, cooperating with contact tracing, and refraining from indoor gatherings.

Vaccinations:

Governor Phil Murphy announced that most states are averaging 5,000 vaccinations per day with only a few states averaging approximately 25,000 per day. It remains challenging obtaining an ample supply of vaccines from the Federal Government. However, with a new administration in the Executive Branch, we hope for more efforts and improvements.

Statement of Gratitude:

Mayor Kobylarz acknowledged Borough Administrator, Stephen Williams, for his incredible dedication and work ethic on the Borough's behalf during the current pandemic. Mr. Williams was presented with a plaque from the Governing Body as a gesture of gratitude for his hard work.

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: 831 7123 2937) or obtain online access of the meeting using the following URL:

<https://us02web.zoom.us/j/83171232937>

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.

Robert Weber – 99 Summit Avenue

Mr. Weber requested the cost of the River Road Redevelopment Report to be posted on the Borough's website and to identify the amended areas. He further inquired about the amended proposal to permit payment in lieu of taxes for open space and questioned how the payment amount will be calculated. Lastly, the River Road Redevelopment Plan stated that any person or entity seeking an amendment is required to pay a non-refundable fee of \$10,000. He inquired if the fee has been collected from the redeveloper for these amendments.

Annie Hindenlang responded that a memo was provided which delineates the 10 changes made to the River Road Redevelopment Plan. With respect to the fee calculation, the payment will be calculated based on the percentage of the area the developer provides and the sale relevant to the property improvement. To address the last question, there will be a \$10,000 fee for any amendments.

Dr. Rozella Clyde – 33 Carmine Street

Dr. Clyde stated that the amendments to the River Road Redevelopment Plan should be detailed for the public to view. She complimented Tamar Lawful on the Black History Month resolution. She also inquired whether the renovation project of the library will no longer continue because the proper funding was not secured. She encouraged the library to find other means to execute the renovation project as the library is a valuable resource for both the Borough and the Township. Lastly, she acknowledged and complimented Karen Brodsky, Andy Hollander and the library staff for their hard work and efforts during this challenging time.

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

Mayor Kobylarz proceeded to the Reports from the Borough Council Members.

REPORTS

COUNCIL MEMBERS

Council President Dempsey – Council President Dempsey reported that the Board of Education announced that nurses have begun receiving COVID-19 vaccinations. We hope that the

vaccination of teachers will follow. In-person learning continues; however, securing a full-time staff remains a challenge. Jill Weber was recently elected President of the Board of Education. To conclude her report on the Board of Education, Council President Dempsey stated that the Council continues to communicate with the Board of Education with respect to the River Road Redevelopment Project.

At the most recent Joint Recreation Committee meeting, the Township decided to permit the use of the Mountain View Gymnasium for recreational basketball. The school district will provide an update on this use by February 1, 2021.

Morris County's "Navigating Hope" van visited Chatham Borough, today. "Navigating Hope" moves around the county to reach and inform the public about different long and short-term assistance programs available to the public (e.g. SNAP, housing assistance, utilities etc.). "Navigating Hope" will return to the Borough on February 24, 2021. Residents were encouraged to take advantage of the available services.

Council Member Mathiasen – Council Member Mathiasen reported that the Borough's CFO, Karen Fornaro, is putting together a draft budget. Departments were asked to work on a fiscally conservative budget, especially due to the pandemic and the substantial increases by the state in employee benefits and retirement costs that goes beyond the usual 2% cap limit. The public is encouraged to attend the budget hearing when it is held to understand the dynamics of our municipal budget. The Governing Body will be working on its annual goals and objectives, including any goals and objectives for our various Boards and Commissions.

Pet licensing and alarm permits are available online. SDL is a user-friendly system. Other licenses and permits will be moved online in the near future.

With respect to the Environmental Commission, in the past, the Borough considered the possibility of entering into an agreement for electricity generation. Municipalities can enter an auction and potentially get a better price for electricity and a higher mix of renewable or green electricity for the use of its residents. In order to move forward, an ordinance is required, and a consultant will be needed at no cost to the Borough, and no obligation going forward. The Environmental Commission is also working on proposing new regulations on solar energy for multi-family dwellings. The proposal will be submitted by the Environmental Commission to the Planning Board for discussion. Finally, we are looking into another Borough-wide yard sale event. Last year the Borough held a yard sale in conjunction with the Borough of Madison, at no cost. A date in April is being considered for the event and the yard sale will be held in conjunction with Chatham Township and Madison Borough. Any proceeds for participating in the event will be donated to the Great Swamp or perhaps another similar organization.

Council Member Koronkiewicz – Council Member Koronkiewicz had nothing new to report.

Council Member Treloar – Council Member Treloar reported that the Borough's contribution towards the Joint Municipal Court will be reduced by \$59,000 for the current fiscal year [2021]. The Joint Court Agreement is up for renewal in 2022 and there might be some discussion amongst other municipalities concerning a different budget allocation program.

Council Member Resto – Council Member Resto reported that the food distribution at Chatham United Methodist Church takes place every Wednesday from 3:00 p.m. to 4 p.m. He thanked residents for their generosity as there is a growing number of residents in need of assistance.

As previously discussed by Council President Dempsey, "Navigating Hope" provides various

assistance programs to the public, such as paying utilities, housing assistance, rental assistance, cash assistance, to name a few. They will return to the Borough on February 24th.

The Board of Health recently met and discussed vaccinations. On behalf of the Mayor and Council, we express our deepest sympathy for the passing of Dr. Norman Schaefer. Services for Dr. Schaefer will take place once the pandemic subsides.

The Economic Development Advisory Committee meets on a weekly basis. The outreach sub-committee is putting forth great effort to assist businesses to stay afloat during this challenging time. The Start-Up, Move-Up Chatham sub-committee will conduct its meeting tomorrow.

With respect to the Undergrounding Advisory Committee, a hearing by the Board of Public Utilities will be held on Friday, January 29, 2021 at 10:00 a.m. regarding the utilities in the State of New Jersey and their response to Hurricane Isaias.

The Municipal Alliance Committee met last week. Stickers will be placed on liquor bottles and beer to discourage underage drinking.

The Board of Health anticipates a surge in positive COVID-19 cases from the Super Bowl and urged the public to practice the proper safety measures as mentioned by the Mayor.

Council Member Truilo – Council Member Truilo reported on the Historic Preservation Commission Design Guidelines, originally completed in 1994 and has been available in Borough Hall for developers and new merchants moving into the historic preservation district. The document has been updated and digitized and eventually will be available on the Borough's website. The Design Guidelines were created in 1994 and have not changed, as good design guidelines are timeless. However, the format was updated with new photographs of good structural representation to inspire or replicate. In February the Commission will vote on the Flag Award for 2021 to commemorate an outstanding renovation of a historic structure that has incorporated the timeless characteristics of Chatham Borough.

MAYOR'S REPORT II

Mayor Kobylarz had nothing further to report.

ADMINISTRATOR'S REPORT

Business Administrator Steven Williams reported as follows:

He acknowledged the passing of Dr. Norman Schaefer, a longtime resident, Board of Health volunteer, and medical practitioner in the Borough.

Residents experiencing delays, missed mail delivery, or not receiving mail can find information on how to submit a complaint to the Postal Service district office on the Borough's website or the Borough's Facebook page.

The New Jersey Department of Health has implemented a COVID-19 vaccination hotline which enables the public to register and ask questions if they do not have access to a computer or experienced challenges registering for an appointment.

On January 13, 2021, NJ.com ran an article entitled “20 Great N.J. Food Towns No One Knows about” and Chatham Borough was on the list.

Lastly, Council President Dempsey reported that DPW began working on the western tennis courts in Garden Parks a few weeks ago. This is the first phase of the renovation of the court. Fencing was removed and posts were taken down. The removal of asphalt and preparation of the base is the final step to complete the new tennis court for this coming Spring.

Mayor Kobylarz proceeded with his Mayoral appointments as follows:

MAYORAL APPOINTMENTS

As Mayor, I, Thaddeus J. Kobylarz hereby made the following appointments:

STATUTORY BOARDS & COMMISSIONS

Environmental Commission [Regular Member appointments only]

<u>Name</u>	<u>Position</u>	<u>Term</u>
Ernest E. Dorflinger	Regular Member	01/01/2019 to 12/31/2021 unexpired term

Shade Tree Commission

<u>Name</u>	<u>Position</u>	<u>Term</u>
George H. Sweetin unexpired term	Regular Member	01/01/2018 to 12/31/2022

Historic Preservation Commission

<u>Name</u>	<u>Position</u>	<u>Term</u>
Lynn D. Magrane	Regular Member	01/25/2021 to 12/31/2023

ADVISORY COMMITTEE

Joint Recreation Advisory Committee

<u>Name</u>	<u>Position</u>	<u>Term</u>
Suzanne Jenks	Regular Member	01/01/2021 to 12/31/2023
Patrick Grady	Alternate Member	01/25/2021 to 12/31/2021

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 #21-93 through Resolution #21-109 have been placed on the Consent Agenda.

**RESOLUTION[S] REMOVED FROM THE CONSENT AGENDA
FOR DISCUSSION AND VOTE
RESOLUTION #21-**

There were none.

APPOINTMENTS

RESOLUTION #21-93

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROCESS
PROFESSIONAL SERVICES CONTRACT TO KENDRA LELIE OF T AND M
ASSOCIATES, AS THE PROFESSIONAL PLANNER TO THE BOROUGH OF CHATHAM**

WHEREAS, there exists a need to enter into a non-fair and open professional services contract for a Borough planner for the year 2021 pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a); and

WHEREAS, the Borough Council finds that it would be in the best interests of the Borough to enter into a professional services agreement with Kendra Lelie of the firm planning T and M Associates, 1455 Broad Street, Suite 250, Bloomfield, NJ 07003 upon the firm's expertise and experience; and

WHEREAS, such services constitute a professional service as defined by the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) and N.J.S.A. 19:44A-20.5, which may be awarded without advertisement for bids and the required services must be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, of the performance of which requires knowledge of an advanced and specialized type; and

WHEREAS, the Chief Financial Officer has certified that funds are currently available for the purpose of awarding this contract in an amount not to exceed \$5,000.00 from Current Fund Account 1-01-21-180-2245 for the year 2021.

BE IT RESOLVED, by the Council of the Borough of Chatham that a non-fair and open professional services contract is hereby awarded to Kendra Lelie of the firm T and M Associates as the Planner for the Borough of Chatham for calendar year 2021 and that the Mayor is hereby authorized to execute a professional services contract with same on behalf of the Borough.

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 #21-94

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.

LAW AND PUBLIC SAFETY

RESOLUTION #21-95

RESOLUTION TO ACCEPT THE RETIREMENT OF CROSSING GUARD NANCY RENZULLI FROM THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, Nancy Renzulli has submitted written notification to the Borough of Chatham that she will be retiring from the Chatham Borough Police Department, effective December 31, 2020; and

WHEREAS, Nancy Renzulli began her employment as a Crossing Guard in the Chatham Borough Police Department on January 1, 1986; and

WHEREAS, throughout her almost 35 years of service to the Borough, she has demonstrated to be well-qualified and dedicated to her job and will truly be missed for her exemplary work and service to the Borough.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Nancy Renzulli's retirement is hereby accepted with an effective date retroactive to December 31, 2020; and

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby extend their sincere and grateful appreciation to Nancy Renzulli for her almost 35 years of outstanding service to the Borough of Chatham and congratulate her on her well-earned retirement and wish her happiness and good health in the years to come.

RESOLUTION #21-96

RESOLUTION TO ACCEPT THE RETIREMENT OF FOREMAN STAN SERBANICA FROM THE CHATHAM BOROUGH DEPARTMENT OF PUBLIC WORKS

WHEREAS, Stan Serbanica has submitted written notification to the Borough of Chatham that he will be retiring from the Chatham Borough Department of Public Works, effective February 1, 2021; and

WHEREAS, Stan Serbanica began his employment as a Foreman for Roads and Parks in the Chatham Borough Department of Public Works on June 8, 1992; and

WHEREAS, throughout his 28 years of service to the Borough, he demonstrated great work-ethics and dedication to his duties and the Borough. He also devoted innumerable hours, working enthusiastically as the Chatham Borough Recycling Coordinator and Chatham Borough Safety Coordinator. Stan Serbanica will truly be missed for his exemplary work and service to the Borough.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Stan Serbanica's retirement is hereby accepted with an effective date of February 1, 2021; and

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby extend their sincere and grateful appreciation to Stan Serbanica for his 28 years of outstanding service to the Borough of Chatham and congratulate him on his well-earned retirement and wish him happiness and good health in the years to come.

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #21-97

RESOLUTION APPOINTING JOSEPH CONLAN AND WILLIAM CONLAN AS MEMBERS OF THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE FOR CALENDAR YEAR 2021

WHEREAS, the Council of the Borough of Chatham has created the Economic Development Advisory Committee to advise on ways to establish and preserve a flourishing economic and commercial sector in the Borough of Chatham; and

WHEREAS, the Mayor and Council of the Borough of Chatham desire to appoint additional members to the Economic Development Advisory Committee; and

WHEREAS, Joseph Conlan and William Conlan have expressed interest in being appointed to the Economic Development Advisory Committee for calendar year 2021; and

WHEREAS, the Mayor and Council of the Borough of Chatham have considered the Volunteer Applications of Joseph Conlan and William Conlan.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Joseph Conlan and William Conlan are hereby appointed to the Economic Development Advisory Committee for calendar year 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:9-2a and the Code of the Borough of Chatham, Chapter 3, §3.3.

RESOLUTION #21-98

RESOLUTION APPOINTING PATRICK GRADY TO THE CHATHAM BOROUGH RECREATION ADVISORY COMMITTEE FOR CALENDAR YEAR 2021

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

WHEREAS, the Mayor and Council of the Borough of Chatham desire to appoint an additional member to the Chatham Borough Recreation Advisory Committee; and

WHEREAS, Patrick Grady has expressed interest in being appointed to the Chatham Borough Recreation Advisory Committee and submitted a Volunteer Application to the Mayor and Borough Council for consideration.

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Chatham that Patrick Grady is hereby appointed to the Chatham Borough Recreation Advisory Committee; 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 #21-99

RESOLUTION APPOINTING ROBERT WEBER TO THE CHATHAM BOROUGH BOARD OF HEALTH AS A REGULAR MEMBER

WHEREAS, N.J.S.A. 26:3-5 sets forth that regular members of the Board of Health shall be appointed by the Mayor with the advice and consent of the Council and in the event of a vacancy; and

WHEREAS, due to the resignation of Lisbeth Bringgaard, there currently exists a vacancy for a regular member on the Chatham Borough Board of Health; and

WHEREAS, Robert Weber has expressed interest in being appointed to the Chatham Borough Board of Health as a regular member; and

WHEREAS, Mayor Thaddeus J. Kobylarz wishes to appoint Robert Weber to the Chatham Borough Board of Health for the unexpired term of the current vacancy, with such term expiring on December 31, 2021.

BE IT RESOLVED, by the Council of the Borough of Chatham that Robert Weber is hereby appointed to the Chatham Borough Board of Health, as a regular member for the expiring term of December 31, 2021.

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.

RESOLUTION #21-100

RESOLUTION APPOINTING JOSEPH TRELOAR AS ALTERNATE NO. 1 MEMBER OF THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF CHATHAM

WHEREAS, there exists a vacancy on the Zoning Board of Adjustment for the Borough of Chatham for Alternate No. 1 Member; and

WHEREAS, N.J.S.A. 40:55D-69 and §165-153 of the Borough Code sets forth that members of the Zoning Board of Adjustment shall be appointed by the Governing Body; and

WHEREAS, Joseph Treloar has expressed interest in serving on the Zoning Board of Adjustment and has submitted a Volunteer Application to the Borough Clerk in accordance with Chapter 3, §3-6 of the Borough Code; and

WHEREAS, Joseph Treloar is willing to serve on the Zoning Board of Adjustment as an Alternate No. 1 Member.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Joseph Treloar is hereby appointed as the Alternate No. 1 Member on the Zoning Board of Adjustment to fill the vacancy for a 2-year term, with such term expiring December 31, 2022.

RESOLUTION #21-101

RESOLUTION APPOINTING DAVID DEGIDIO AS ALTERNATE NO. 2 MEMBER OF THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF CHATHAM

WHEREAS, there exists a vacancy on the Zoning Board of Adjustment for the Borough of Chatham for Alternate No. 2 Member; and

WHEREAS, N.J.S.A. 40:55D-69 and §165-153 of the Borough Code sets forth that members of the Zoning Board of Adjustment shall be appointed by the Governing Body; and

WHEREAS, David DeGidio has expressed interest in serving on the Zoning Board of Adjustment and has submitted a Volunteer Application to the Borough Clerk in accordance with Chapter 3, §3-6 of the Borough Code; and

WHEREAS, David DeGidio is willing to serve on the Zoning Board of Adjustment as an Alternate No. 2 Member.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that David DeGidio is hereby appointed as the Alternate No. 2 Member on the Zoning Board of Adjustment to fill the vacancy for a 2-year term, with such term expiring December 31, 2022.

RESOLUTION #21-102

RESOLUTION TO APPOINT DR. ROZELLA CLYDE, JOSEPH CONLAN, AND WILLIAM CONLAN TO THE UNDERGROUNDING ADVISORY COMMITTEE FOR CALENDAR YEAR 2021

WHEREAS, the Undergrounding Advisory Committee was established by the Mayor and Borough Council on January 25, 2019; and

WHEREAS, Dr. Rozella Clyde submitted a Volunteer Application and was appointed a member on April 22, 2019; and

WHEREAS, Dr. Clyde has expressed interest in continuing to serve as a member of the Undergrounding Advisory Committee for calendar year 2021; and

WHEREAS, Joseph Conlan and William Conlan also expressed interest in being appointed to the Undergrounding Advisory Committee for calendar year 2021; and

WHEREAS, the Mayor and Council of the Borough of Chatham have considered the Volunteer Applications of Joseph Conlan and William Conlan.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following members are hereby appointed to the Undergrounding Advisory Committee for calendar year 2021:

Undergrounding Advisory Committee

Dr. Rozella Clyde
Joseph Conlan
William Conlan

RESOLUTION #21-103

**RESOLUTION APPOINTING MEMBERS TO THE CHATHAM BOROUGH
RECREATION ADVISORY COMMITTEE FOR CALENDAR YEAR 2021**

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

WHEREAS, Resolution # 21-12 re-established and appointed members to the Chatham Borough Recreation Advisory Committee for calendar year 2021; and

WHEREAS, the Mayor and Council of the Borough of Chatham wishes to amend the members listed on Resolution # 21-12.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following individuals be appointed to the Chatham Borough Recreation Advisory Committee:

Borough Recreation Advisory Committee

Bill Karpowic
Douglas Herbert
Amy Nauta
Suzanne Jenks
Patrick Grady

OTHER

RESOLUTION #21-104

**RESOLUTION FOR THE RETURN OF THE CASH PERFORMANCE BOND TO
FRAMEWORK DEVELOPERS, LLC, FOR WORK COMPLETED AT 174 WESTON
AVENUE**

WHEREAS, Framework Developers, LLC submitted to the Borough of Chatham a Cash Bond in the amount of \$1,000.00 to complete grading work at 174 Weston Ave., pursuant to the Borough Engineer’s requirements; and

WHEREAS, Framework Developers, LLC submitted a request to the Chatham Borough Engineer to release the \$1,000 Cash Performance Bond based on the work being completed; and

WHEREAS, the Chatham Borough Engineer has reviewed the request and determined that Framework Developers has completed all of the remaining items set forth by the Chatham Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Chatham Borough Council that the Cash Performance Bond in the amount of \$1,000.00 be released to Framework Developers, LLC by form of an escrow check.

RESOLUTION #21-105

RESOLUTION TO PARTICIPATE IN THE LEAP CHALLENGE GRANT

WHEREAS, the State of New Jersey has allocated \$150,000 within each county for a statewide total of \$3,150,000 in Local Efficiency Achievement Program (LEAP) funds to promote innovation among peer local units across New Jersey; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

WHEREAS, the LEAP Challenge Grant exists to challenge municipalities and counties to collaborate on more extensive partnerships and collaborations to produce efficiencies through shared services; and

WHEREAS, Chatham Borough, Chatham Township, Madison Borough, Morris Plains Township, Morris Township, and Morristown, have determined that they should apply for a LEAP Challenge Grant through the State of New Jersey Local Efficiency Achievement Program in the amount of \$150,000; and

WHEREAS, Morris Township has agreed to be the lead agency in the grant application; And

WHEREAS, the State of New Jersey has made LEAP grants available to assist local units to study, develop and implement new shared services initiatives; and

WHEREAS, the purpose of the project submitted in this grant application is intended to provide benefits to the participating local units operations which will in turn save costs and improve services for residents through the sharing of certain public works equipment as well as equipment maintenance and repair activities for public works and fire/rescue equipment.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Chatham, that the Mayor and Council hereby join with Morris Township in applying for a LEAP challenge grant to support undertaking this endeavor.

RESOLUTION #21-106

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO MASER CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE PARROTT MILL PUMP STATION IMPROVEMENT PROJECT

WHEREAS, the Borough of Chatham has a need to maintain and improve the sanitary sewer system; and

WHEREAS, there exists a need to contract for professional engineering design services for the Parrott Mill Pump Station Improvement Project; and

WHEREAS, requests for proposals were solicited from three (3) firms, in which two (2) firms responded; and

WHEREAS, because the anticipated contract amount is less than the Borough's bid threshold of \$44,000.00, but 15% or more of that amount, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires the Borough to solicit at least two (2) competitive quotations for said work; and

WHEREAS, Maser Consulting submitted the lowest, qualified, responsible bid in the amount of \$28,350.00; and

WHEREAS, upon the recommendation of the Borough Engineer and the Borough's Qualified Purchasing Agent, the Borough Council wishes to authorize a contract with Maser Consulting in accordance with the scope of work and contract amount set forth in its proposal dated March 27, 2020; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Capital Fund Account # C-04-55-919-505 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a contract with Maser Consulting for engineering design services for the Parrott Mill Pump Station Improvement Project in the amount of \$28,350.00, in accordance with the specifications upon which the quotation was received; 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.

RESOLUTION #21-107

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO BRIGHT VIEW ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE HILLSIDE AVENUE ROAD IMPROVEMENT PROJECT

WHEREAS, the Borough obtained a grant from the NJDOT through the Local Aid Program for the Hillside Avenue Improvement Project; and

WHEREAS, there exists a need to contract for professional engineering design services for the Hillside Avenue Improvement Project; and

WHEREAS, proposals were solicited from four (4) professional firms, and all four (4) responded to the request; and

WHEREAS, because the anticipated contract amount is less than the Borough's bid threshold of \$44,000.00, but 15% or more of that amount, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires the Borough to solicit at least two (2) competitive quotations for said work; and

WHEREAS, Bright View Engineering submitted the lowest responsible bid in the amount of \$13,495.00; and

WHEREAS, upon the recommendation of the Borough Engineer and the Borough's Qualified Purchasing Agent, the Borough Council wishes to authorize a contract with Bright View Engineering in accordance with the scope of work and contract amount set forth in its proposal dated December 8, 2020; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in the Capital Fund Account # C-04-55-919-006 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a contract with Bright View Engineering for engineering design services for the Hillside Avenue Improvement Project in the amount of \$13,495.00, in accordance with the specifications upon which the quotation was received; 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.

RESOLUTION #21- 108

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DYNAMIC ENGINEERING CONSULTANTS, P.C. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE WASHINGTON AVENUE ROAD IMPROVEMENT PROJECT

WHEREAS, the Borough of Chatham has obtained a grant from the NJDOT through the Local Aid Program for the Washington Avenue Road Improvement Project; and

WHEREAS, there exists a need to contract for professional engineering design services for the Washington Avenue Road Improvement Project; and

WHEREAS, the Borough Engineer solicited proposals from four (4) engineering firms and all four (4) firms responded with proposals; and

WHEREAS, because the anticipated contract amount is less than the Borough's bid threshold of \$44,000.00, but 15% or more of that amount, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires the Borough to solicit at least two (2) competitive quotations for said work; and

WHEREAS, Dynamic Engineering Consultants, PC submitted the lowest, qualified, responsible bid in the amount of \$16,700.00; and

WHEREAS, upon the recommendation of the Borough Engineer and the Borough's Qualified Purchasing Agent, the Borough Council wishes to authorize a contract with Dynamic Engineering Consultant, P.C. in accordance with the scope of work and contract amount set forth in its proposal dated December 8, 2020; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds are available in Account # C-04-55-920-006 for the award of this contract.

BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a contract with Dynamic Engineering Consultants, P.C. for engineering design services for the Washington Avenue Road Improvement Project in the amount of \$16,700.00, in accordance with the specifications upon which the quotation was received; 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.

RESOLUTION #21-109

A RESOLUTION ACCEPTING A CHARITABLE CHECK DONATION FROM TROT THE MANOR TO THE CHATHAM BOROUGH POLICE DEPARTMENT

WHEREAS, Trot the Manor graciously offered to donate \$1,000.00 to the Chatham Borough Police Department; and

WHEREAS, the funds collected will be used towards various activities for the Chatham Borough Police Department; and

WHEREAS, it is in the Borough's best interests to accept this donation.

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

- (1) The Borough accepts the check donation for the purposes set forth above and thank Trot the Manor for its generous donation to the Borough.

CONSENT AGENDA VOTE:

Mayor Kobylarz asked Council President Dempsey to proceed with the Resolutions listed on the Consent agenda. Resolutions #21-93 through #21-109.

Council President Dempsey made a motion to approve Resolutions #21-93 through # 21-109 on the Consent Agenda. The motion was seconded by Council Member Resto. By a unanimous voice vote, the resolutions aforementioned were approved.

ADD-ON RESOLUTION[S]

There were none.

ORDINANCES FOR FIRST READING

Mayor Kobylarz asked Council Member Koronkiewicz to introduce Ordinance #21-01.

Council Member Koronkiewicz introduced Ordinance #21-01 by title as follows:

ORDINANCE #21-01

ORDINANCE OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 165 OF THE CODE OF THE BOROUGH OF CHATHAM TO ADD A NEW SECTION RELATED TO CERTIFICATES OF CONTINUED OCCUPANCY AND ZONING PERMITS AND ESTABLISHING BONDING AND FEE PROVISIONS FOR LAND DISTURBANCE PERMITS

Council Member Koronkiewicz explained the purpose of the Ordinance and moved for introduction on First Reading.

Council Member Koronkiewicz read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on January 25, 2021.

BE IT RESOLVED, that at the Council meeting to be held on February 8, 2021 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 Koronkiewicz offered Ordinance #21-01 and moved its adoption on first reading.

Council Member Resto seconded the motion.

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

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

Mayor Kobylarz asked Council Member Resto to introduce Ordinance #21-02.

Council Member Resto introduced Ordinance #21-02 by title as follows:

ORDINANCE #21-02

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 79, ENTITLED “ANIMAL AND RABIES CONTROL” OF SECTION 16 THEREOF ENTITLED “FEES”

Council Member Resto explained the purpose of the Ordinance and moved for introduction on First Reading.

Council Member Resto read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on January 25, 2021.

BE IT RESOLVED, that at the Council meeting to be held on February 8, 2021 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 Resto offered Ordinance #21-02 and moved its adoption on first reading.

Council Member Truilo seconded the motion.

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

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

Mayor Kobylarz asked Council Member Mathiasen to introduce Ordinance #21-03.

Council Member Mathiasen introduced Ordinance #21-03 by title as follows:

ORDINANCE #21-03

ORDINANCE ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE RIVER ROAD REDEVELOPMENT AREA BLOCK 135, LOTS 9, 10 AND 11 IN THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY

Council Member Mathiasen explained the purpose of the Ordinance and moved for introduction

on First Reading.

Council Member Mathiasen read:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on January 25, 2021.

BE IT RESOLVED, that at the Council meeting to be held on February 8, 2021 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 Mathiasen offered Ordinance #21-03 and moved its adoption on first reading.

Council Member Resto seconded the motion.

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

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

ADJOURNMENT

Having no other business to conduct in public session, Council Member Resto made a motion to adjourn the meeting, seconded by Council Member Koronkiewicz. The meeting was adjourned at 8:01 p.m.

Respectfully Submitted on February 22, 2021 by:

Tamar Lawful, RMC
Borough Clerk
BOROUGH OF CHATHAM