REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL

OCTOBER 12, 2021, MINUTES

Mayor Thaddeus J. Kobylarz called the Regular Meeting of the Borough of Chatham to order on Monday, October 12, 2021, at 7:32 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

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 acknowledged the approximately 44.5 million Americans who contracted COVID-19, and the more than 716,000 who have succumbed to the virus. Finally, he acknowledged the now twelve (12) Chatham Borough residents who have died since the 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, 2021.

VIRTUAL MEETING ACCESS:

Anyone wishing to gain access to the meeting may dial 929-205-6099 (Meeting ID: 857 7010 4454) or obtain online access of the meeting using the following URL: <u>https://us02web.zoom.us/j/85770104454</u>

ROLL CALL

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

	Mayor Thaddeus J. Kobylarz
	Council President Carolyn Dempsey
	Council Member Jocelyn Mathiasen
	Council Member Karen Koronkiewicz
	Council Member Irene Treloar (Attended virtually)
	Council Member Leonard Resto
	Council Member Frank Truilo
Also present were:	
	Stephen W. Williams, Borough Administrator
	Tamar Lawful, Borough Clerk
	Marina V. Stinely, Borough Attorney

Mayor Kobylarz proceeded with the Mayor's Proclamation.

Mayor Kobylarz read the Mayor's Proclamation.

PROCLAMATIONS

Mayor's Proclamation

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

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

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

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

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

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

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

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

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

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

WHEREAS, the 2021 Fire Prevention Week theme, "Learn the Sounds of Fire Safety," effectively serves as a reminder that it is vitally important to learn the different sounds of smoke and carbon monoxide alarms and ensure that they are properly functioning with working batteries.

NOW, THEREFORE, BE IT RESOLVED, that I, Thaddeus J. Kobylarz, Mayor of the Borough of Chatham, do hereby proclaim October 3–9, 2021 as Fire Prevention Week throughout our town, and I urge all residents of Chatham Borough to "Learn the Sounds of Fire Safety" for Fire

Prevention Week 2021, and to support the many public safety activities and efforts of our courageous and highly-dedicated Chatham Borough Volunteer Fire Department.

Mayor Kobylarz provided a commemorative copy of the proclamation to Chatham Borough Fire Chief, Jeff Fricke. Chief Fricke thanked the Mayor and Council for the recognition and the proclamation.

RECUSALS

There were none.

ADOPTION OF COUNCIL MEETING MINUTES

Mayor Kobylarz asked Council Member Resto to proceed with Resolution # 21-337.

Council Member Resto read Resolution # 21-337.

RESOLUTION #21-337

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:

September 13, 2021

Council Member Resto motioned to approve Resolution # 21-337, seconded by Council Member Truilo. By a unanimous voice vote, Resolution # 21-337 was approved.

DISCUSSION ITEMS

There were none.

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 634 residents of the Borough have contracted COVID-19 since the start of the pandemic. There were twelve (12) reported new cases in the last two weeks. The Borough's Health Officer, Megan Avallone, reported that the Borough remains an area of moderate risk. However, Morris County and the State of New Jersey are both categorized "high risk".

The State of New Jersey continues to trend in the wrong direction, with the current 7-day rolling average of 1,410 positive cases. This is a significant increase compared to the July 12, 2021, Mayor's Report, where the 7-day rolling average was 260. However, the statewide transmission rate has decreased to 0.93.

According to public health officials, the high degree of the contagious Delta variant is fueling a resurgence of new cases in New Jersey. The number of cases is expected to increase as the weather cools and people resort to indoor social activities. There continues to be an increase in breakthrough cases. Public health officials are closely monitoring the situation.

To mitigate the spread of the virus, the public was advised not to depend on the vaccine as the only means of protection. Instead, he advised the public to take precaution, wear a mask when indoors, avoid large gatherings, and reduce traveling via public transportation.

Resolution # 21-339 – Extension of the Post Office Plaza (POP) Designation:

Mayor Kobylarz informed the public that the discussion with the redeveloper for the Post Office Plaza Redevelopment Project will continue. Upon reviewing all necessary options, it is warranted to extend the designation of the redevelopment project for an additional three months to permit time to negotiate a mutual consensus that is fitting for the Borough. The improvement of the downtown area is still of interest; however, any improvements must be consistent with the downtown character of the community. The public was asked to be patient during this challenging process and to contact him to discuss any questions or concerns. The public will continue to be updated throughout the process.

FEMA:

FEMA approved New Jersey's petition to extend the Request for Public Assistance (RPA) to help New Jersey homeowners and businesses seeking financial relief from Hurricane Ida. Additional information is available on the Borough's website.

MEETING OPEN TO THE PUBLIC

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 857 7010 4454) or obtain online access of the meeting using the following URL: <u>https://us02web.zoom.us/j/85770104454</u>

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.

Frances Drew – 32 Inwood Road

Mrs. Drew suggested a few mechanisms for the Borough to meet an obligation of 15 new Affordable Housing units to fulfill the Fair Share Housing Obligation in the Borough. She recommended using Stanley Congregational Church. She further suggested building a large building on the green lawn behind the Library of the Chathams or consider the property located at 31 S. Passaic Avenue. She also advocated for more parking.

Freddie Bicknese – 137 N. Hillside Ave.

Mr. Bicknese shared his belief that the community has not heard from the entire Council, especially the incumbents, Council President Dempsey and Council Member Mathiasen, regarding their opinions on the Post Office Plaza Redevelopment Project. Mr. Bicknese stated that redevelopment is a significant

concern to many residents in the Borough. He repeated his belief that the Council should hold Town Hall meetings in a larger venue and conduct a non-binding referendum for the redevelopment projects.

Jack Drew – 32 Inwood Road

Mr. Drew advised the Mayor and Council to postpone the Post Office Plaza Redevelopment Project for at least two years until the pandemic comes to its demise. He criticized the Council's actions on extending the designation despite the monstrosity proposed by the developer almost two years ago. He recommended the Borough finance the Affordable Housing units.

Bob Weber - 99 Summit Ave

Mr. Weber advised the Mayor and Council to postpone the Post Office Plaza Redevelopment Project for at least two years until the pandemic comes to its demise. He criticized the Council's actions on extending the designation despite the monstrosity proposed by the developer almost two years ago. He recommended the Borough finance the Affordable Housing units.

Karen Boroff - 49 Fuller Avenue

Ms. Boroff thanked the Mayor and Council for their time and dedication to the Borough and further thanked the Fire Department for their work. She critiqued the Council for their lack of metrics concerning the Post Office Plaza Redevelopment Project. She inquired about the number of rateables the Borough is seeking and the revenue that would be generated. She recommended incorporating these metrics into the Council's goals, matrix and plans going forward.

Mary English – 380 Main Street

Ms. English explained that she lives in a residential unit. She further stated that the Borough has a number of apartment buildings. From the existing number of apartment buildings, 15 units can be dedicated towards affordable housing. She voiced her disapproval for more residential buildings.

Colleen Truppo – 10 Overlook Road

Mrs. Truppo reported that tree planting for the season is underway. During this time, the Shade Tree Commission, with the assistance of the DPW, will choose the best species of trees to plant and the best location to plant them. She expressed gratitude to the DPW for their continuous assistance. The planting of trees is cost effective with the assistance of the DPW. It also allows the Commission to plant better quality trees in greater quantity.

The public was informed of the following:

- The Shade Tree Commission does not guarantee any specific type of species.
- The Shade Tree Commission does not plant flowering trees. Instead, it plants trees that provide shade.
- Tree diversity protects against pests and bugs, which restricts the number of requests the Commission can fulfill.
- The Shade Tree Commission does not plant trees on private property. Trees are only planted on Borough property and/or the public right-of-way.

Mrs. Truppo reported that the Borough is losing more trees than it is planting. Mayor Kobylarz stated that he would like to budget for more tree planting in 2022.

Mrs. Truppo explained how a resident may request to have a tree planted in front of their property and outlined the process. She further described the services the commission provides.

Brigid McMenamin – 133 Center Ave.

Ms. McMenamin explained that she believes the Council is misleading the public with Resolution #21-339. She stated that the Post Office Plaza Redevelopment Project is on a fast track. She requested Town Hall meetings to discuss the Post Office Plaza Redevelopment Project. She further stated that the public informed her that they were experiencing technical difficulties participating virtually and expressed hope for the remediation of any technical issues.

James McNamy – (address inaudible)

Mr. McNamy inquired about the lifelong cost of redevelopment projects.

Dr. Rozella Clyde – 33 Carmine Street

Dr. Clyde responded to Mrs. Drew's comment concerning the utilization of Stanley Hall to meet the Fair Share Housing affordable housing obligations. She voiced disagreement on using the property as affordable units. The building is better suited for the arts and organizations that would provide creative activities for Borough residents.

Stewart Carr – 3 Crestwood Drive, Chatham Township

Mr. Carr inquired as to a timeline for identifying alternative mechanisms and when those mechanisms would be presented to the public for feedback.

Tricia Finley - 35 Woodland Road

Ms. Finley asked if the public would have an input to amend the Master Plan.

Stephen Williams Response: There will be an opportunity at some point, but there was nothing on the schedule to change the Master Plan.

Mayor Kobylarz Response: Mayor Kobylarz stated that amending the Master Plan is a complex process, but the Borough is currently looking at amending the redevelopment plan.

Ms. Finley inquired if the Council had decided on the number of stories for the Post Office Plaza Redevelopment Project.

Mayor Kobylarz Response: Mayor Kobylarz stated that he cannot legally divulge any information until a tentative decision is made. The overall goal is to reduce the project's density significantly.

Ms. Finley inquired about the timeline for this new redevelopment plan.

Mayor Kobylarz Response: Mayor Kobylarz stated he will respond after Public Comments.

Stewart Carr – 3 Crestwood Road

Mr. Carr stated that he disagrees with Mrs. Drew concerning apartments behind the library. He further requested the Mayor and Council to walk through the Post Office Plaza amended agreement and any financial ramifications.

Valerie Clark – 21 Fern Avenue

Ms. Clark inquired if the Fair Share Housing Center is aware of the 18 to 20 low-income households who will be displaced for 15 affordable units.

Colleen Berry – (Address not provided)

Ms. Berry stated that she finds trees important and expressed her support for a Housing Authority. She further expressed concerns regarding a housing complex on Main Street. She disagreed with conducting Town Hall Meetings in December, when cold and flu are more prevalent. It is also a season in which more people stay home.

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

The Mayor thanked everyone for their input and suggestions. Some of the suggestions are thoughtprovoking and warrant discussion. The Borough and the redeveloper have reached a critical stage in their negotiation. However, legally, he is unable to discuss the matter in detail. Town Hall meetings will be held no earlier than December 2021 or January 2022. More clarity will be provided in the next few weeks. He requested patience from the public.

Mayor Kobylarz proceeded to Ordinances for a second reading.

ORDINANCES FOR SECOND READING

Mayor Kobylarz asked Council Member Resto to proceed with Ordinance # 21-18.

Council Member Resto read Ordinance # 21-18 entitled:

ORDINANCE # 21-18

AN ORDINANCE TO AMEND THE SALARIES AND WAGE RANGES FOR MUNICIPAL POSITIONS OF THE BOROUGH OF CHATHAM

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on September 27, 2021.

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 # 21-18 was introduced and passed on first reading at the September 27, 2021 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on October 12, 2021 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 floor for a public hearing on the Ordinance and any member of the public may be heard.

Robert Weber – 99 Summit Avenue

Mr. Weber stated that the reasoning for the ordinance was not accurately captured by Council Member Resto, as several other salary ranges were widened, besides DPW Director, Tony Torello. Council 10-12-2021 [B] Page 7 of 22 October 12, 2021 – Regular Minutes Member Resto's description would have sufficed if only Mr. Torello's salary range was amended. He further questioned the urgency to amend the salary range in mid-year.

Council Member Mathiasen explained the reasoning for the change in salary. Since the departure of the Borough Engineer, major responsibilities shifted to Mr. Torello, who has taken on such responsibilities without compensation. It is fair, fitting, and responsible to compensate him for his work. Additional context was provided. Council Member Mathiasen voiced her support for Ordinance # 21-18.

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

Council Member Resto 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 Mathiasen seconded the motion.

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

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

Mayor Kobylarz asked Council Member Mathiasen to proceed with Bond Ordinance # 21-19.

Council Member Mathiasen read Bond Ordinance # 21-19 entitled:

ORDINANCE # 21-19

BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF HILLSIDE AVENUE (FROM MAPLE STREET TO WATCHUNG AVENUE) IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$220,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on September 27, 2021.

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 Bond Ordinance # 21-19 was introduced and passed on first reading at the September 27, 2021 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on October 12, 2021 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 floor for a public hearing on the Bond Ordinance and any member of the public may be heard.

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

Council Member Mathiasen offered the following Bond Ordinance and move its adoption:

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

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			Х			
Mathiasen	Х		Х			
Koronkiewicz			X			
Treloar			X			
Resto			X			
Truilo		X	X			

RESOLUTIONS

NON-ROUTINE/NON-CONSENT

Mayor Kobylarz asked Council Member Resto to proceed with Resolution # 21-338.

Council Member Resto read Resolution # 21-338 by title.

RESOLUTION # 21-338

[Requires Roll Call Vote] Majority of Full Membership

RESOLUTION OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS "NOTE RELATING TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK", TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO

\$3,458,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE BOROUGH OF CHATHAM IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK WATER BANK CONSTRUCTION FINANCING PROGRAM

WHEREAS, the Borough of Chatham, in the County of Morris, New Jersey (the "Local Unit"), jointly operates a sanitary sewerage treatment system with the Borough of Madison, in the County of Morris, New Jersey, as members of the Madison-Chatham Joint Meeting (the "Joint Meeting") and the Joint Meeting has determined that there exists a need to, as applicable, acquire, construct, renovate or install a certain project which consists of the improvement of the Joint Meeting's Molitor Water Pollution Control Facility (the "Project"), and it is the desire of the Local Unit to obtain financing for its allocable share of such Project through participation in the environmental infrastructure financing program (the "New Jersey Water Bank") of the New Jersey Infrastructure Bank (the "I-Bank"); and

WHEREAS, the Local Unit has determined to temporarily finance, as applicable, the acquisition, construction, renovation or installation of the Project prior to long-term bond financing through the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the "Construction Loan") to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the "Construction Financing Program"); and

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank its "Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank" in an aggregate principal amount of up to \$3,458,000 (the "Note"); and

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9 allow for the sale of the Note to the I-Bank, without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note (and any renewals thereof) in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinances of the Local Unit, finally adopted on December 10, 2018 and December 19, 2019, respectively and respectively titled: "BOND ORDINANCE TO AUTHORIZE THE FUNDING OF A PORTION OF THE COST OF THE IMPROVEMENT OF THE MADISON-CHATHAM JOINT MEETING'S MOLITOR WATER POLLUTION CONTROL FACILITY IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,730,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE

ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS" and "BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$728,000 FOR THE FUNDING OF A PORTION OF THE COST OF THE IMPROVEMENT OF THE MADISON-CHATHAM JOINT MEETING'S MOLITOR WATER POLLUTION CONTROL FACILITY IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS", at which times quorums were present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

(a) the aggregate principal amount of the Note to be issued shall be an amount up to \$3,458,000;

(b) the maturity of the Note shall be as determined by the I-Bank, and the Note may be renewed from time to time as may be determined by the I-Bank;

- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;

(e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;

(f) the Note shall be issued in a single denomination and shall be numbered "NJWB-CFP-2021-1-JM";

(g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and

(h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer (collectively, the "Authorized Officers") under official seal or facsimile thereof affixed, imprinted, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A, with such additions, deletions, and omissions as may be recommended by the Chief Financial Officer, upon the advice of bond counsel, general counsel, and/or the municipal advisor to the Local Unit, be and is hereby approved.

Section 6. The law firm of Rogut McCarthy LLC is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix, imprint or reproduce the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection the issuance and sale of the Note and the participation of the Local

Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate, instrument or other document by the party authorized hereunder to execute such certificate, instrument or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Rogut McCarthy LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

Council Member Resto motioned to approve Resolution # 21-338.

Council Member Koronkiewicz seconded the motion.

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

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

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Resolution # 21-339.

Council Member Koronkiewicz read Resolution # 21-339.

RESOLUTION # 21-339

RESOLUTION EXTENDING DESIGNATION OF SV CHATHAM PO JV, LLC AS THE REDEVELOPER FOR THE POST OFFICE PLAZA REDEVELOPMENT AREA FROM OCTOBER 20, 2021, TO JANUARY 26, 2022

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented ("LRHL"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in accordance with the LRHL, the Council for the Borough of Chatham (the "Council") designated properties located along Bowers Lane and South Passaic Avenue within the Post Office Plaza, shown on the Borough's Tax Map as Block 121: Lots 10 through 13 and 17, Block 122: Lots 1, 2 and 12 through 18, as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, the Council adopted a Redevelopment Plan by Ordinance No. 19-10, adopted on April 22, 2019, for the Redevelopment Area (the "Redevelopment Plan") which sets forth, inter alia, the plan for the redevelopment of the Redevelopment Area; and

WHEREAS, SV Chatham PO JV, LLC, the Redeveloper, an affiliate of KRE Group, Vertical Realty Capital, and Stolar Capital Group, with an address of 225 Millburn Avenue, Millburn, New Jersey, was designated as redeveloper for the Redevelopment Area by Resolution 2019-238 on July 8, 2019; and

WHEREAS, the designation of Redeveloper was set to expire on January 8, 2020; and

WHEREAS, the developer and the Borough of Chatham entered into an Interim Cost Agreement on October 3, 2019, which was also set to expire on January 8, 2020; and

WHEREAS, both the Redeveloper designation and Interim Cost Agreement were extended from January 8, 2020 to July 8, 2020 by Resolution # 19-355 adopted on December 19, 2019, and further extended from July 8, 2020 to January 8, 2021 adopted by Resolution # 20-185 on June 22, 2020, and further extended by Resolution # 21-89 from January 8, 2021 to July 8, 2021, and further extended by Resolution # 21-254 from July 8, 2021 to October 20, 2021 on June 28, 2021; an

WHEREAS, the Council has approved, and the Mayor has executed a First Amendment dated June 14, 2021 (the "First Amendment") to the November 7, 2016 Settlement Agreement with the Fair Share Housing Center; and

WHEREAS, the First Amendment requires certain revisions to the Redevelopment Plan by January 1, 2022; and

WHEREAS, the First Amendment contemplates that a Redeveloper's Agreement for the Redevelopment Area will be entered into by June 1, 2022; and

WHEREAS, the Council continues to desire that all or a significant portion of the Redevelopment Area be redeveloped by the Redeveloper;

WHEREAS, the Council is authorized to exercise all powers under the LRHL, pursuant to N.J.S.A. 40A:12A-8, including but not limited to the ability to negotiate with redevelopers to undertake redevelopment projects; and

WHEREAS, the Council and the Redeveloper shall have an additional period of time through January 26, 2022, to agree upon modifications to the Redevelopment Plan, the Interim Cost Agreement, and the structure of the Redevelopment Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Council for the Borough of Chatham as follows: (i) the designation of SV Chatham PO JV, LLC as the Redeveloper of the Redevelopment Area shall continue; (ii) the Mayor, and Borough Council's authorization to negotiate a Redevelopment Agreement with the Redeveloper shall continue; (iii) the Interim Cost Agreement shall be extended; (iv) the Mayor and Borough Council are authorized to negotiate revisions to the Redevelopment Plan consistent with the First Amendment; and (v) Staff and consultants to the Borough are hereby authorized and directed to continue to take all other administrative actions to implement this Resolution as may be necessary and appropriate to accomplish its goals and intent.

BE IT FURTHER RESOLVED, that this Resolution shall be effective for the period from October 20, 2021 through January 26, 2022. Council Member Koronkiewicz motioned to approve Resolution # 21-339.

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			Х			
Mathiasen			Х			
Koronkiewicz	X		Х			
Treloar			Х			
Resto			Х			
Truilo		X	Х			

REPORTS

COUNCIL MEMBERS

Council President Dempsey – Council President Dempsey reported that the weekly Food Distribution has seen an increase in families seeking assistance due to food insecurity.

The public was informed that the Stanley Hall Advisory Committee will conduct its second and third meeting to determine ways to utilize the building.

Board of Education Superintendent Dr. LaSusa reported that the school district will serve as a vaccination site if the Pfizer vaccine is approved for children ages 5-11. This effort may facilitate vaccinating younger, qualified children in the community, while providing an additional vaccination site for the public's convenience. 91% of the staff and faculty are vaccinated against COVID-19, while the 9% of unvaccinated individuals are tested weekly. The Board is further considering a shared service agreement with Hanover Park School District to bus students participating in athletic contests.

The Special Education Advocacy Group (SEAG) announced dyslexia awareness month. The organization is partnering with the library to present on "Rethinking Dyslexia" on October 27, 2021.

This weekend is Cougar weekend. She wished the football team a great time.

Council Member Mathiasen – Council Member Mathiasen reported that Doug and Linda Pitney, who dog sit for many residents, also conduct house concerts. The family is scheduled to play at Stanley Hall's first event on October 31, 2021, at 2:00 p.m. Due to COVID-19 protocol, the building capacity will be capped at 100 guests.

As mentioned by Council President Dempsey, the Stanley Hall Advisory Committee will conduct its second meeting to discuss the upgrade of the building's HVAC system and ways to improve its efficiency.

Several outreach mechanisms will be used to obtain the public's feedback on how best to utilize the building.

The Shepard Kollock Dog enclosure area is now fully enclosed to ensure the safety of the public and to avoid dogs from entering beyond the permitted area.

The Environmental Commission is scheduled to meet this week. The public was advised not to rake leaves in the street, as they clog and damage the storm sewer system.

The Budget and Finance Committee will begin to review its 2022 budget request. She informed all commissions in need of a budget to submit their request to the CFO as soon as possible.

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

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

Council Member Resto – Council Member Resto reported on behalf of the Undergrounding Advisory Committee that the financial audit for JCP&L by BPU will be completed by month's end.

On behalf of the Senior Citizen Advisory Committee, Council Member Resto is advocating for automatic doors at the rear of the retail Post Office. The U.S. Postal Service in Washington D.C. responded to his request for automatic doors. Unfortunately, he was informed that there was insufficient funding to accommodate his request. Council Member Resto is now working with the office of Congresswoman Mikie Sherrill to address this matter, in addition to addressing the limited supplies at the Post Office.

The Economic Advisory Committee will meet on October 28, 2021. Members of SCALE will be touring stores in the Borough to inform businesses of the services they provide.

BoxCar was acknowledged for their outstanding contributions and coordination of logistics for the weekly Food Distribution. The company serves as a conduit by which residents can donate food and goods to those in need. The public now has the ability to order boxes of food for donation by visiting the Chatham United Methodist Church website. There is an increase in families visiting the weekly Food Distribution. There is also an increase in the number of senior citizens. He requested the public's assistance in helping those experiencing food insecurity.

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

MAYOR 'S REPORT II

Mayor Kobylarz had nothing further to report.

ADMINISTRATOR'S REPORT

Borough Administrator Stephen Williams reported on the following:

The line drainage break on Edgehill Avenue is being replaced by the Department of Public Works. Repairing the drainage line in-house saves the Borough significant funds. The Director of DPW will be taking over the sidewalk and curbing projects in the Borough.

Glen Turi, the Borough's Zoning Officer and Code Enforcer, has transitioned well into his position and has proven to be an asset to the Borough.

The Borough Engineers are meeting residents and visiting various sites in need of their expertise.

PSE&G crews will be working overnight for the next two weeks on the Roseland-Passaic high tension wire project.

Mr. Williams informed the public that he recommended the increase in salary for DPW Director, Tony Torello, for he has demonstrated expertise in managing the Department of Public Works since becoming Director. He has proven himself to be an asset to the Borough and is deserving of this increase.

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 #21-340 through Resolution #21-348 have been placed on the Consent Agenda.

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

There were none.

FINANCE

RESOLUTION #21-340

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 # 21-341

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

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

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

Membership Type:	Name:	Refund Amount:	Method of Refund:
Senior Membership	G. Cummins	\$75.00	Check

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

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

RESOLUTION #21-342

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM AWARDING A CONTRACT TO PACKETALK THROUGH THE BERGEN COUNTY CO-OP CONTRACT# 19-32 FOR LICENSE PLATE READERS

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

WHEREAS, the Borough of Chatham's Police Department desires to purchase stationary license plate readers through Bergen County Cooperative Bid Contract #19-32, which exceeds the prevailing bid threshold:

VENDOR:	Packetalk
COST:	Not to exceed \$60,800.00

And,

WHEREAS, the Chief Financial Officer has certified the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from capital account C-04-55-921-204.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Chatham, County of Morris, State of New Jersey authorizes the Mayor and the Borough Clerk to enter into a contract with Packetalk., not to exceed \$60,800.00 to purchase stationary license plate readers.

RESOLUTION #21-343

RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT FOR PARTICIPATION IN THE JOINT MUNICIPAL COURT OF MADISON BOROUGH, CHATHAM BOROUGH, CHATHAM TOWNSHIP, AND MORRIS TOWNSHIP, PURSUANT TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT FOR A FOUR (4) YEAR PERIOD BEGINNING JANUARY 1, 2022 AND EXPIRING DECEMBER 31, 2025

WHEREAS, the Borough of Madison, the Borough of Chatham, the Township of Chatham, and the Township of Morris operate a Joint Municipal Court utilizing the court facilities at the Hartley Dodge Memorial Building at Kings Road in Madison; and

WHEREAS, the Borough of Chatham has been a member of the Joint Municipal Court since January 1, 2014, with the current agreement expiring December 31, 2021; and

WHEREAS, the Borough Council of the Borough of Chatham believes that a Joint Municipal Court will result in fiscal savings to its members and further provides for efficient administration of justice; and

WHEREAS, the participation of the Borough of Chatham in the Joint Municipal Court and the Joint Municipal Court Agreement is subject to concurrence by Honorable Stuart A. Minkowitz, Assignment Judge of the Superior Court of New Jersey, Morris County; and

WHEREAS, the Chatham Borough Council deems it appropriate to authorize entry into an agreement for a Joint Municipal Court with the Borough of Madison, the Township of Morris, and the Township of Chatham, for a four (4) year period beginning January 1, 2022 and expiring on December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Chatham, in the County of Morris, State of New Jersey, that the Mayor and Borough Clerk are authorized and directed to execute and deliver the "Agreement" for the operation of a Joint Municipal Court pursuant to the "Uniform Shared Services and Consolidation Act" to the Borough of Madison with copies provided to the Township of Morris, and the Township of Chatham.

RESOLUTION # 21-345

RESOLUTION APPROVING THE LAFAYETTE MINI-MARATHON ON OCTOBER 25, 2021, AND AUTHORIZING STREET CLOSURES

WHEREAS, the Lafayette Avenue School will host a Lafayette Mini-Marathon on Monday, October 25, 2021, from 2:30 p.m. to 4:00 p.m.; and

WHEREAS, the course for the run will be an approximate 1.5-mile loop to include sections of Washington Avenue, Highland Avenue, Longwood Avenue, Dellwood Avenue, Fairview Avenue, and Greenwood Avenue; and

WHEREAS, the event will require the temporary road closure of certain portions of Washington Avenue, Highland Avenue, Longwood Avenue, Dellwood Avenue, Fairview Avenue, and Greenwood Avenue for the safety of the public; and

WHEREAS, the Mayor and Borough Council wish to authorize the road closure of certain portions of the above referenced streets for the safety and protection of the participants and those who are to use those roadways during the event.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that approval is hereby granted for the Lafayette Mini-Marathon to be held on Monday, October 25, 2021 from 2:30 p.m. to 4:00 p.m. and the Chatham Borough Police Department is hereby authorized to close certain portions of Washington Avenue, Highland Avenue, Longwood Avenue, Dellwood Avenue, Fairview Avenue, and Greenwood Avenue during the event to ensure the safety of the public; 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 # 21-344

RESOLUTION AMENDING THE SALARY OF ERMINIO TORELLO, DIRECTOR FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE BOROUGH OF CHATHAM

WHEREAS, Ordinance #21-18, adopted by the Mayor and Council of the Borough of Chatham on October 12, 2021, established the minimum and maximum salaries, as well as wages, for municipal positions in the Borough of Chatham; and

WHEREAS, Erminio Torello has assumed additional responsibilities in addition to his role as Director of the Department of Public Works (DPW); and

WHEREAS, the Mayor and Council wish to raise the annual salary of Erminio Torello to \$140,000.00, retroactive to July 1, 2021.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the salary of Erminio Torello shall be increased to \$140,000.00, retroactive to July 1, 2021, and pro-rated for the remainder of the 2021 calendar year; 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 # 21-346

RESOLUTION APPROVING THE HALLOWEEN COMMUNITY PARADE ON OCTOBER 29, 2021, AND AUTHORIZING STREET CLOSURES

WHEREAS, Washington Avenue School will host a Halloween Community Parade in the Borough of Chatham on Friday, October 29, 2021, from 9:00 a.m. to 11:00 a.m.; and

WHEREAS, the parade course will be held down Washington Avenue to Garden Terrace Nursing Home and back to Washington Avenue to the Washington Avenue School; and

WHEREAS, it is anticipated that the Chatham High School Marching Band will participate in the parade, and may potentially include students from the ECLC School and St. Patrick School; and

WHEREAS, the event will require the temporary closure of a portion of Washington Avenue and certain streets along Washington Avenue for the safety of the public; and

WHEREAS, the Mayor and Borough Council wish to authorize the road closure of the above referenced streets for the safety and protection of participants and those who are to use those roadways during the event.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that approval is hereby granted for the Halloween Community Parade scheduled for Friday, October 29, 2021, from 9:00 a.m. to 11:00 a.m. and the Chatham Borough Police Department is hereby authorized to close a portion of Washington Avenue and certain streets along Washington Avenue during the event for the safety of the public; 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 # 21-347

RESOLUTION APPROVING THE 11th ANNUAL THANKSGIVING "TROT THE MANOR TURKEY TROT" 1-MILE FUN RUN AND 5K RUN ON NOVEMBER 25, 2021

WHEREAS, David Heflin is seeking permission to hold their 11th Annual Thanksgiving "Trot the Manor Turkey Trot" 1-mile Fun Run and 5K Run on Thursday, November 25, 2021 from 8:00 a.m. to 11:00 a.m. and has filed a Facilities Use Permit Application with the Borough; and

WHEREAS, the course for the Fun Run will be a 1-mile loop to include Rowan Road, Kimball Street, Coleman Avenue, and Jackson Avenue; and

WHEREAS, the course for the 5K Run will include Rowan Road, Clark Street, Dunbar Street, Vincent Street, West Coleman Avenue, East Coleman Avenue, Coleman Avenue, Kimball Street and Jackson Avenue; and

WHEREAS, the event will not require the closure of any roads; and

WHEREAS, the Mayor and Borough Council wish to authorize this event for the benefit of our local First Responders and local charities.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that permission is hereby granted to David Heflin to hold the 11th Annual Thanksgiving "Trot the Manor Turkey Trot" 1-mile Fun Run and 5K Run on Thursday, November 25, 2021, from 8:00 a.m. to 11:00 p.m. as herein referenced, contingent upon receipt of proof of insurance coverage as set forth in the Facilities Use Permit Application; and

BE IT FURTHER RESOLVED, that the Chatham Borough Police Department shall monitor certain portions of Rowan Road, Clark Street, Dunbar Street, Vincent Street, West Coleman Avenue,

East Coleman Avenue, Coleman Avenue, Kimball Street and Jackson Avenue during the event to ensure the safety of the public; 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 # 21-348

RESOLUTION APPROVING THE SUNSHINE STRIDERS FUN RUN ON OCTOBER 23, 2021 AND AUTHORIZING STREET CLOSURES

WHEREAS, the Sunshine Striders will host a children's 1-mile Sunshine Striders Fun Run in the Borough of Chatham on Saturday, October 23, 2021 (with a rain date of October 24th) from 3:30 p.m. to 6:00 p.m.; and

WHEREAS, the course for the run will be a 1-mile loop to include Dellwood Avenue, Fairview Avenue, Washington Avenue and Longwood Avenue; and

WHEREAS, following the run, participants will enjoy other activities on a section of Dellwood Avenue; and

WHEREAS, proceeds of the event will be donated to Cycle for Survival, a 501c (3) charity that raises funds for rare cancer research at the Memorial Sloan Kettering Cancer Center; and

WHEREAS, the event will require the temporary closure of certain portions of Dellwood Avenue, Fairview Avenue, Washington Avenue and Longwood Avenue for public safety; and

WHEREAS, the Mayor and Borough Council wish to authorize the closure of certain portions of the above referenced streets for the safety and protection of participants and for those who are to use those roadways during the event.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that approval is hereby granted for the Sunshine Striders Fun Run scheduled for Saturday, October 23, 2021 from 3:30 p.m. to 6:00 p.m.; and the Chatham Borough Police Department are hereby authorized to close certain portions of Dellwood Avenue, Fairview Avenue, Washington Avenue and Longwood Avenue during the event to ensure the safety of the public; 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.

CONSENT AGENDA VOTE:

Mayor Kobylarz asked Council Member Truilo to proceed with the Resolutions listed on the Consent agenda, Resolutions #21-340 through #21-348.

Council Member Truilo made a motion to approve Resolutions #21-340 through # 21-348 on the Consent Agenda. The motion was seconded by Council Member Resto. By a unanimous voice vote, the resolutions were approved.

ADD-ON RESOLUTION[S]

There were none.

ADJOURNMENT

Having no other business to conduct in public session, Council Member Truilo made a motion to adjourn the meeting, seconded by Council Member Koronkiewicz The meeting was adjourned at 9:30 p.m.

Respectfully submitted on November 8, 2021, by:

Tamar Lawful, RMC Borough Clerk BOROUGH OF CHATHAM