

**REGULAR MEETING OF THE  
MAYOR AND BOROUGH COUNCIL  
NOVEMBER 8, 2021, MINUTES**

Mayor Thaddeus J. Kobylarz called the Regular Meeting of the Borough of Chatham to order on Monday, November 8, 2021, at 7:35 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 46.4 million Americans who contracted COVID-19, and the more than 754,000 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: 816 8818 0612) or obtain online access of the meeting using the following URL: <https://us02web.zoom.us/j/81688180612>

**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 (*Joined the meeting virtually at 8:40 p.m.*)  
Council Member Irene Treloar (*Attended virtually*)  
Council Member Leonard Resto  
Council Member Frank Truilo (*Attended virtually*)

Also present were:

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

Mayor Kobylarz asked Council Member Resto to proceed with Resolution # 21-359.

Council Member Resto read Resolution # 21-359.

**RESOLUTION #21-359**

**RESOLUTION CELEBRATING SATURDAY NOVEMBER 27, 2021, AS SMALL BUSINESS SATURDAY®**

**WHEREAS**, small businesses are the cornerstone of our free enterprise system and since the birth of our country have represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

**WHEREAS**, small business owners who work long hours, juggle family and business responsibilities and serve as community volunteers, are integral to our country's prosperity and to the vibrancy of our community; and

**WHEREAS**, small businesses create more than two-thirds of the net new jobs and generate close to half of the private gross domestic product; and

**WHEREAS**, 99 percent of United States consumers believe it's important to support the local small businesses they value in their community and agree that locally owned independent businesses contribute positively through providing jobs and paying taxes; and

**WHEREAS**, the Borough of Chatham enthusiastically supports our local businesses and recognizes the important contributions they make in creating jobs, boosting our local economy and preserving our neighborhoods; and

**WHEREAS**, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby celebrate Saturday, November 27, 2021, as Small Business Saturday® and encourage all Borough residents to support our community's small businesses and merchants on Small Business Saturday® and throughout the year.

###

Council Member Resto moved to approve Resolution # 21-359, seconded by Council President Dempsey. By a unanimous voice vote, Resolution # 21-359 was approved.

A commemorative copy of Resolution # 21-359 was provided to Council Member Resto as Chair of the Economic Development Advisory Committee.

Council Member Resto thanked the Mayor and Council for the proclamation and spoke a few words about the importance of the committee and what it did to assist small businesses in 2020 during the pandemic. Businesses are in a better place this year, but many are experiencing a shortage in workers and supply chain issues. Residents were encouraged to support the community by supporting local merchants. He encouraged residents to purchase gift certificates from local merchants which could be donated to the Food Distribution for Christmas.

Mayor Kobylarz asked Council Member Treloar to proceed with Resolution # 21-360.

Council Member Treloar read Resolution # 21-360.

**RESOLUTION #21-360**

**RESOLUTION ACKNOWLEDGING THE MONTH OF NOVEMBER AS FAMILY COURT AWARENESS MONTH**

**WHEREAS**, the mission at One Mom's Battle (OMB) and the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children; and

**WHEREAS**, the mission at the FCAMC is to increase awareness of the importance of education and training on domestic violence, childhood trauma and post separation abuse for all professionals working within the family court system; and

**WHEREAS**, the mission at the FCAMC is to educate judges and other family court professionals on the empirical data and research that is currently available. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACE) Study (CDC-Kaiser Permanente), Saunder's Study (Us Department of Justice), The Meier Study: Child Custody Outcomes in Cases Involving Abuse Allegations, and the Santa Clara Law Study (Confronting the Challenge of High-Conflict Personality in Family Court); and

**WHEREAS**, the mission at the FCAMC is fueled by the desire for awareness and change in the family court system while honoring the 100(+) children in the United States who have been murdered by a parent after a custody court rejected the other parent's plea for protection (Source: Center for Judicial Excellence).

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Chatham hereby proclaim the month of November as Family Court Awareness Month.

###

Council Member Treloar moved to approve Resolution # 21-360, seconded by Council Member Resto. By a unanimous voice vote, Resolution # 21-360 was approved.

A commemorative copy of Resolution # 21-360 was given to Tina Swithin, founder of One Mom's Battle. Ms. Swithin, who attended virtually, thanked the Mayor and Council for the recognition and the proclamation on this important matter. The mission of One Mom's Battle aims to raise awareness on the impact of post separation abuse and the effect Family Court plays in the lives of children and parents battling through a divorce.

A commemorative copy of the resolution was also provided to Jennifer Galinsky.

Mayor Kobylarz asked Council President Dempsey to proceed with Resolution # 21-361.

Council President Dempsey read Resolution # 21-361.

## **RESOLUTION #21-361**

### **RESOLUTION OBSERVING THE FESTIVAL OF DIWALI ON NOVEMBER 4, 2021 IN THE BOROUGH OF CHATHAM**

**WHEREAS**, the Hindu American Foundation and over one billion celebrants worldwide reverently observe the festival of Diwali, the “Festival of Lights” symbolizing the victory of dharma, and good over evil; and

**WHEREAS**, Diwali is one of the most celebrated festivals of great significance to Hindus, Sikhs, Jains, and Buddhists; and

**WHEREAS**, Diwali falls on Thursday, November 4, 2021, this year in accordance with the lunar calendar, and brings together families, friends, and communities here in the United States and around the globe in goodwill, peace, and a shared sense of renewal; and

**WHEREAS**, the U.S. Congress officially passed unanimous resolutions since 2007 recognizing the religious and historical significance of Diwali; and

**WHEREAS**, celebrants renew their commitment to upholding values of truth, non-harming, and restraint through their thoughts, words, and actions; and

**WHEREAS**, Diwali is a time for dana (charitable giving) and seva (selfless service) by bringing light in the form of wisdom, knowledge, nourishment, and shelter in order to alleviate the tangible forms of suffering, such as hunger, disease, and poverty; and

**WHEREAS**, the shared Indian holiday of Diwali signifies a special time of peace and serenity with the hope of building bridges of understanding and tearing down barriers of intolerance; and

**WHEREAS**, Diwali is celebrated by many Hindus as a day of thanksgiving for the homecoming of Lord Rama and the beginning of the new year for many Hindus; and

**WHEREAS**, Diwali is a festival of lights during which celebrants light diyas, small oil lamps, place them around the home, and pray for knowledge, peace, and universal well-being; and

**WHEREAS**, for Sikhs, Diwali is celebrated as the day that the sixth founding Sikh Guru, or revered teacher, Guru Hargobind, was released from captivity by the Mughal Emperor Jahangir; and

**WHEREAS**, for Jains, Diwali marks the anniversary of the attainment of moksha, or liberation, by Mahavira, the last of the Tirthankaras (the great teachers of Jain dharma), at the end of his life in 527 B.C.; and

**WHEREAS**, for Buddhists, especially Newar Buddhists, Diwali is commemorated as Ashok Vijayadashami, the day the great Emperor Ashoka embraced Buddhism as his faith.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham does hereby recognize the religious and historical significance of Diwali, the Festival of Lights and Diwali’s message of tolerance, compassion, and the victory of good over evil which resonates with the American spirit; and

**BE IT FURTHER RESOLVED**, that the Brough of Chatham proudly expresses its deepest respect for Indian Americans and South Asian Americans throughout the world and here in the Borough of Chatham, and all those who celebrate the Festival of Diwali on November 4, 2021 and likewise encourages all the people of the Borough to join in recognizing the contributions of all Hindu, Sikhs, Jains, and Buddhists in our society.

###

Council President Dempsey moved to approve Resolution # 21-361, seconded by Council Member Resto. By a unanimous voice vote, Resolution # 21-361 was approved.

Council President Dempsey and Mayor Kobylarz provided five (5) commemorative copies of Resolution # 21-361 to Borough residents, Minati O'Connell, Sejal Shah, Kalpana Tumu, Tanu Kumar and Neelima Adusemilli.

Ms. Minati O'Connell thanked the Mayor and Council for the recognition and gave a brief speech on the importance of Diwali and the tradition of making makgeolli cocktail.

### **RECUSALS**

There were none.

### **ADOPTION OF COUNCIL MEETING MINUTES**

Mayor Kobylarz asked Council Member Resto to proceed with Resolution # 21-362.

Council Member Resto read Resolution # 21-362.

### **RESOLUTION #21-362**

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

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

October 12, 2021

And,

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

August 9, 2021, and September 13, 2021

Council Member Resto motioned to approve Resolution # 21-362, seconded by Council Member Truilo. By a unanimous voice vote, Resolution # 21-362 was approved.

## **DISCUSSION ITEMS**

### **Best Practices Inventory**

By: Karen Fornaro, CFO

Mrs. Fornaro reviewed the Chatham Borough 2021 Best Practices Inventory. She explained how the state scores municipalities during the survey process and announced that the Borough of Chatham scored 20.5 points out of 23 total points.

The Borough received a reduction in points on the following:

1. Failure for a legal counsel to review boilerplate language for bid documents;
2. Not having public charging stations for electric vehicles in the Borough; and
3. Repeat audit findings.

The Borough scored well on its Best Practices Inventory and will not have any interruptions in receiving state aid. However, municipalities that score less than 15 points risk losing state aid.

Mayor Kobylarz read a few questions from the survey to give the public better perspective of the types of questions asked.

## **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 660 residents of the Borough have contracted COVID-19 since the start of the pandemic. There were fifteen (15) reported new cases in the last two weeks, and 38 reported infections in the month of October. The Borough's Health Officer, Megan Avallone, reported that the Borough remains an area of "moderate risk". Morris County and the State of New Jersey are also categorized as "moderate risk", with the exceptions of Middlesex County, Monmouth County, and Ocean County.

The state of New Jersey's current 7-day rolling average was reduced from 1,161 to 1,058 confirmed positive cases. Despite the gradual improvements in the transmission of the virus, the current 7-day rolling average is significant compared to the July 12, 2021, Mayor's Report, where the 7-day rolling average was 260. The statewide transmission rate has increased to 1.02.

According to public health officials, the high degree of the contagious Delta variant is fueling a resurgence of new cases in New Jersey as of July 2021. The number of cases is expected to increase as the weather cools and people begin to return to indoor social activities. The state anticipates a plateau effect or an increase in cases due to the upcoming Thanksgiving Holiday.

To mitigate the spread of the virus and breakthrough cases, the public was advised to take sensible precautions, wear a mask when indoors, avoid large gatherings, and limit travel via public transportation until the pandemic improves significantly or come to its demise.

### Pediatric Vaccination:

On Friday, November 5, 2021, the Lafayette School hosted its first free pediatric COVID-19 clinic in which 150 Pfizer vaccines were administered to children 5 to 11 years of age. The Chatham Health Department will continue to offer more pediatric vaccination clinics through the end of the year. Additional information will be announced in the coming weeks.

### **MEETING OPEN TO THE PUBLIC**

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 886 8818 0612) or obtain online access of the meeting using the following URL: <https://us02web.zoom.us/j/88688180612>

Public participating by phone: To raise your hand, press \*9. To speak, press \*6 to be unmuted.

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 explained the cause of the continuous traffic congestion in the Borough. Chatham Borough provides the only entrance and exit to Route 24 within a certain radius. She requested that Madison Mayor Conley permit an entrance from one of its five bridges onto Route 24, to filter traffic congestion.

Mrs. Drew further stated that she provided the Mayor and Council a resolution to save the Glimmer Glass Bridge in Manasquan, Monmouth County. The bridge is listed on the National Register of Historic Places and the New Jersey Register of Historic Places. It is the only bridge of its kind in the world today. She asked the Borough to write a resolution to preserve and protect the bridge.

Council Member Resto added that New Jersey Preservation categorized the bridge as endangered. He stated that the bridge is a historic treasure worth saving. However, due to its infrastructure, Monmouth County is seeking to demolish the existing structure in place of a wider bridge.

#### **Valerie Clark – 21 Fern Avenue**

The Planning Board met on August 18, 2021 and heard the investigation report for areas in need of redevelopment. The Board voted affirmatively to accept the report for areas in need of redevelopment, although it did not qualify Block 136 Lots 1- 4. However, a comment was made by the redevelopment planner and the redevelopment attorney to include Block 136 Lots 1-4 to make the redevelopment more effective. She voiced feeling perplexed by the decision. The areas consist either of green space or high-tension wires, and, therefore, does not seem efficient nor effective to include in the redevelopment plan. She further stated that some lots on the east side of River Road qualify for redevelopment due to poorly placed downspouts.

#### **Bill Heap – 108 Hillside Avenue**

He commented that he admired the enthusiasm and effort of mothers working towards rebuilding a new skatepark. Anecdotally, he stated that skateboarding as a sport has decreased in popularity. The scarcity

of lighting at the area may attract more crowds. With respect to financing, the Borough may not have sufficient revenue to facilitate funding the project.

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

Mayor Kobylarz stated that he shares Mrs. Drew frustration with respect to traffic conditions in the Borough. He reminded her of the meeting she attended with Mayor Conley to discuss this matter. The Borough has been lobbying the NJDOT aggressively to address this issue, but with little progress. Council Member Resto mentioned his suggestion to the NJDOT for a fly-over ramp onto JFK Parkway to shunt traffic to Columbia Turnpike which moves at the speed limit during peak hours.

The delineation of certain blocks and lots on River Road as “Areas in Need of Redevelopment” is a protective, defensive measure to preserve the historic, traditional character of the designated area. The Borough does not intend to promote additional residential units. The aim is to maintain the status quo but make it better.

## **RESOLUTION**

### **NON-ROUTINE/NON-CONSENT**

Mayor Kobylarz asked Council Member Truilo to proceed with resolution # 21-363.

Council Member Truilo read Resolution # 21-363 by title:

#### **RESOLUTION # 21-363**

[Requires Roll Call Vote]

Majority of Full Membership

### **RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY DELINEATING CERTAIN AREAS IN THE BOROUGH OF CHATHAM AS AREAS IN NEED OF REDEVELOPMENT**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “Redevelopment Law”) empowers local governments to promote the advancement of the community’s interest through programs of redevelopment for the expansion and improvement of commercial, industrial, residential, and civic facilities; and

**WHEREAS**, the Redevelopment Law empowers the Chatham Borough Mayor and Council to delineate an area or areas within the Borough as an area in need of redevelopment if the area qualifies under the criteria enumerated under N.J.S.A. 40A:12-3 and N.J.S.A. 40A:12A-5; and

**WHEREAS**, through the direction of the Mayor and Council by Resolution # 20-214, the Planning Board was directed to conduct an investigation to determine whether the following areas qualify as areas in need of redevelopment under the criteria set forth in the Redevelopment Law:



<b>Block</b>	<b>Lots</b>
135	1, 2, 3, 4, 5, 6, 7 and 8
136	1, 2, 3, 4, 5 and 6
137	1, 2, 3, 4 and 5
138	1, 2, 3, 4, 5, 6 and 7
139	1, 2, 3, 4, 5, 6 and 7
140	1, 2, 3, 4, 5, 6, 7.01, 7.02, 8, 9, 10, 13, 14, 15, 16 and 17

And,

**WHEREAS**, Professional Planners Francis Reiner and Daniel Hauben of DMR Architects were directed by the Chatham Borough Planning Board to conduct an investigation of certain areas in the Borough of Chatham, (the Study Area) as qualified areas in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, DMR Architects conducted such investigations and prepared a report entitled “Preliminary Investigation for Determination of an Area in Need of Redevelopment and Rehabilitation” (the “Report”); and

**WHEREAS**, the Report concludes that the River Road Study Areas exhibits conditions which conform with various redevelopment criteria under Sections 3 and 5 of the Redevelopment Law as specially set forth in the Report; and

**WHEREAS**, on August 18, 2021, the Planning Board conducted a duly noticed public hearing, pursuant to N.J.S.A. 40A:12A-6, at which time it heard a presentation of the Report prepared by Francis Reiner and Daniel Hauben, as well as comments from members of the public in attendance; and

**WHEREAS**, based upon the Report, the testimony concerning the Redevelopment Investigation Report by Mr. Reiner and Mr. Hauben, and the comments made by the public on August 18, 2021, the Planning Board concluded that the following Blocks and Lots in the “Study Area” meet the criteria to be designated as an area in need of redevelopment (non-condemnation) under the Redevelopment Law, and recommend by Resolution adopted August 18, 2021 that the Mayor and Council designate the following areas as shown in the Report, as an area in need of redevelopment (non-condemnation), pursuant to the Redevelopment Law:

<b>Block</b>	<b>Lots</b>
135	1, 2, 3, 4, 5, 6, 7 and 8
136	1, 2, 3, 4, 5 and 6
137	1, 2, 3, 4 and 5
138	1, 2, 3, 4, 5, 6 and 7
139	1, 2, 3, 4, 5, 6 and 7
140	1, 2, 3, 4, 5, 6, 7.01, 7.02, 8, 9, 10, 13, 14, 15, 16 and 17

And,

**WHEREAS**, the Mayor and Council accept the conclusions of the Redevelopment Investigation Report and the Planning Board’s recommendation and wish to designate the above referenced blocks and lots as a non-condemnation area in need of redevelopment.

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

1. Based upon the facts reported in the Report and the recommendation of the Planning Board, the Mayor and Council accepts the conclusion of the Report and the Planning Board's recommendation and wish to designate the Study Area, as referenced above, as an area in need of redevelopment (non-condemnation) to promote an overall development of the Study Area in accordance with the requirements of N.J.S.A. 40A:12A-8.
2. The Mayor and Council hereby delineate the Study Area and all the properties therein as an area in need of redevelopment (non-condemnation), in which such delineation allows the Mayor and Council to adopt a redevelopment plan for the redevelopment area, enter into a redevelopment agreement with the developer, and adopt an ordinance pursuant to N.J.S.A. 40A:12A-7, 8, and 9.
3. A copy of this Resolution shall be submitted to the Commission of the Department of Community Affairs in accordance with the Redevelopment Law.
4. All Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Council Member Truilo motioned to approve Resolution # 21-363.

Council President Dempsey seconded the motion.

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

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

Mayor Kobylarz asked Council Member Mathiasen to proceed with resolution # 21-364.

Council Member Mathiasen read Resolution # 21-364 by title:

**RESOLUTION #21-364**

[Requires Roll Call Vote]

Majority of Full Membership

**RESOLUTION OF THE BOROUGH COUNCIL OF CHATHAM BOROUGH AUTHORIZING BUDGET APPROPRIATION TRANSFER FOR THE YEAR 2021**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham, County of Morris, and State of New Jersey, that the 2021 Budget Appropriations Transfers totaling **\$50,000** are to be made in the following manner:

<b>FROM:</b>	<b>AMOUNT</b>
Planning Board Salaries	\$5,000
Gasoline / Diesel	\$5,000
Engineering Salaries	\$10,000
Municipal Court Operating Expenses	\$30,000
<b>TOTAL</b>	<b>\$50,000</b>
<b>TO:</b>	<b>AMOUNT</b>
Legal Operating Expenses	\$30,000
Engineering Operating Expenses	\$15,000
Clerk Operating Expenses	\$5,000
<b>TOTAL</b>	<b>\$50,000</b>

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Chatham, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with provision N.J.S.A. 40A:4-58, part of the surplus in the accounts heretofore mentioned be and the same is hereby transferred to the accounts mentioned as being insufficient and directs the Chief Financial Officer to execute this transfer transaction.

Council Member Mathiasen motioned to approve Resolution # 21-364.

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			

*Council Member Koronkiewicz joined the meeting virtually at 8:40 p.m.*

## **REPORTS**

### **COUNCIL MEMBERS**

**Council President Dempsey** – Council President Dempsey reported that a member of the Board of Education for the township has resigned effective immediately. The Board is now taking applications to appoint someone to fill the seat.

The pediatric vaccination clinic at Lafayette School was a success. The school district was very pleased with the turnout and how well the vaccination clinic was conducted. Health Officer, Megan Avallone, was acknowledged and thanked for her work.

The final Joint Recreation Advisory Committee will meet tomorrow, November 9, 2021.

**Council Member Mathiasen** – Council Member Mathiasen reported that she attended the Bluegrass band Mile Twelve concert at the newly refurbished Stanley Center, formerly Stanley Congregational Church, on Sunday, October 31, 2021. The event was well-attended. The concert was the first public event held since the building was donated to the Borough. The Department of Public Works was recognized for cleaning and restoring the property before and after the event. More research and outreach are underway on how best to utilize the building. Members of the Governing Body will meet with various groups, including the library, to discuss other ways to utilize the building. A survey for residents is 90% complete.

**Council Member Koronkiewicz** – Council Member Koronkiewicz reported that the Shade Tree Commission has been planting 50 trees around the community to increase the tree canopy throughout the Borough.

**Council Member Treloar** – Council Member Treloar reported that she attended the pediatric vaccination clinic at the Lafayette School and was impressed by the turnout. She attended with her two children, ages 6 and 11. The event was very successful and convenient. She thanked the School District and the Department of Health for organizing the event.

The Mayor's Wellness Committee invites the public to attend a luncheon at the Madison YMCA on November 19, 2021, from 11:30 a.m. to 1:00 p.m. The purpose of the luncheon is to educate the public on advance care planning and its significance.

**Council Member Resto** – Council Member Resto reported on behalf of the Undergrounding Advisory Committee. The committee has not met, but he wants to schedule a meeting in December to assess where the committee stands.

The Senior Citizen Advisory Committee will meet virtually on November 18, 2021.

The Economic Development Advisory Committee (EDAC) will meet on November 18, 2021. The committee will discuss its mission going forward now that the pandemic appears to be improving. The committee's focus is to continue to help businesses stay in business and facilitate in their growth and success.

The Chatham Health Department in Westfield is offering booster shots to senior citizens. To ensure convenience, someone will visit the homes of each senior citizen to administer the booster shot. He asked any senior resident who is homebound to make themselves known so the Health Department can get them placed on the waiting list.

Council Member Resto informed the public that there is no shame in attending the weekly Food Distribution. The Food Distribution completed its 78<sup>th</sup> week last week. On average, there are 30 to 45 vehicles that visit the Food Distribution each week. A box of produce contains fresh fruit, vegetables, a

gallon of milk, and a dozen eggs. Fleur de Sel has also been providing milk and butter. Panera has been providing bread. Each box costs \$40. The public can order a box of food for donation by visiting the Chatham United Methodist Church website. There has been an increase in senior citizens visiting the Food Distribution. Additionally, there are people without vehicles who walk to the center with carts for assistance. The Food Distribution is funded by donations and will continue to be available so long as the public continues to assist financially. For this coming Thanksgiving, the public was asked to provide donations, if possible. The Food Distribution will collect food donations this Saturday, added Council President Dempsey.

**Council Member Truilo** – Council Member Truilo reported that the Historic Preservation Commission (HPC) awarded its Flag Award to the Perry family, for their beautiful 1800 home, located at 120 Washington Avenue. This has been the first Flag Award issued in several years. He encouraged residents to nominate any residential or commercial property that has been restored by visiting the Commission’s website. Any nominations will be considered for the Flag Award in 2022 by the Historic Preservation Commission.

## **MAYOR ’S REPORT II**

Mayor Kobylarz congratulated Council President Dempsey and Council Member Mathiasen on their re-election.

## **ADMINISTRATOR’S REPORT**

Borough Administrator Stephen Williams reported on the following:

The Borough is working on hosting its second COVID-19 pediatric clinic. Residents may also make an appointment at CVS and Walgreens Pharmacy. The Cherry Creek School District in the City of Summit will host several vaccine clinics for families who choose to vaccinate their children, ages 5-11.

Sustainable Jersey has notified the Borough of its silver-level certification. The award will be issued at the League of Municipalities Convention next week. Janice Piccolo and Margie Lowe of Community Services were acknowledged and thanked for their efforts in working with the Green Team, chaired by Dr. Rozella Clyde, and the Environmental Commission on maintaining the Borough’s silver-level certification.

PSE&G continues to work on high tension wires. The crew began drilling through bedrock this afternoon. The drilling has caused some vibration, which many residents found to be concerning. Vibration monitoring equipment is on-site during the drilling process. The vibration monitoring equipment did not detect any concerning levels of vibration caused by drilling. PSE&G will limit its drilling until tomorrow morning. PSE&G encourages residents to call its hot line to report any issues or concerns.

The New Jersey Department of Transportation (NJDOT) upgraded and resynchronized the traffic light left turn arrows on Passaic Avenue and Lafayette Avenue. The length of time to cross was increased from 7 seconds to between 12 and 15 seconds, at each intersection.

There have been manufacturing delays of large greens bags. Large supplies of bags in all sizes should be available by early next week. Residents may also obtain green bags from ShopRite and Dreyer's Lumber and Hardware.

Council President Dempsey and Mr. Williams informed residents not to rake leaves into the street to avoid clogging the sewer system. Leaves should be placed on the curb line on the right-of-way. The DPW collects leaves once a week.

## **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 #21-365 through Resolution #21-367 have been placed on the Consent Agenda.

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

There were none.

## **FINANCE**

### **RESOLUTION #21-365**

#### **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 #21-366**

#### **RESOLUTION APPROVING TAX APPEAL SETTLEMENT**

**166 WASHINGTON AVENUE**

**BLOCK 11, LOT 10**

**DOCKET NO. 005976-2021**

**WHEREAS**, an appeal of the real property tax assessment for the tax year 2021 for the property located at 166 Washington Avenue, also known as Block 11, Lot 10 on the Official Tax Map of the Borough of Chatham have been filed by the taxpayer and is pending in the Tax Court of New Jersey bearing Docket No 005976-2021; and

**WHEREAS**, a settlement has been negotiated with the taxpayer resolving the tax appeal; and

**WHEREAS**, the property owner has agreed to waive pre-judgment interest due to any refund payable as a result of the proposed settlement provided that the tax refund is credited at the next quarter after the receipt of the Tax Court Judgment; and

**WHEREAS**, as a result of the proposed settlement, the appeal of the real property tax assessment bearing Docket No. 005976-2021 reduced as follow:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2021	\$1,608,800	\$1,475,000

**WHEREAS**, upon the recommendation of the Borough Tax Assessor and Borough Appraisal Consultant, the Borough Council believes that this settlement is in the best interest of the Borough and secures fairness and uniformity in the assessment process.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that the Borough Council hereby approves the above settlement of the real property tax appeal for 2021 bearing Docket No. 005976-2021.

**BE IT FURTHER RESOLVED**, by the Borough Council that the Borough Tax Counsel is hereby authorized and directed to enter into a Stipulation of Settlement, and to file the Stipulation and such other documents as required to implement this settlement with the Tax Court of New Jersey.

**BE IT FURTHER RESOLVED**, upon receipt of the Tax Court Judgement, the Borough Tax Collector is hereby authorized to apply the appropriate refund for 2021 in the form of a credit against future taxes.

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

#### **RESOLUTION #21-367**

#### **RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS TO CHATHAM BOROUGH REQUIRED BY N.J.S.A. 40A:5-29**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, the State of New Jersey, Department of Community Affairs promulgate regulations under N.J.S.A. 40A:5-29 et seq for Acceptance of bequests, legacies, gifts; and

**WHEREAS**, N.J.S.A.40A:5-29 provides for receipt of donations from Chatham River Road Urban Renewal as a Community Contribution by the Borough of Chatham to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A: 4-39 provides the dedicated revenues anticipated from the Chatham River Road Urban Renewal donation be accounted for in the Chatham Borough General Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.

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

1. The Governing Body hereby request permission of the Director of the Division of Local Government Services to pay expenditures of General Trust Fund from Chatham River Road Urban Renewal Donation required by N.J.S.A 40A5-29.
2. The Clerk of the Borough of Chatham, County of Morris is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

Mayor Kobylarz asked Council President Dempsey to proceed with the Resolutions listed on the Consent agenda, Resolutions #21-365 through #21-367.

Council President Dempsey made a motion to approve Resolutions #21-365 through # 21-367 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 Resto. The meeting was adjourned at 9:19 p.m.

Respectfully submitted on November 22, 2021, by:

Tamar Lawful, RMC  
Borough Clerk  
BOROUGH OF CHATHAM