

REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL

June 28, 2021 MINUTES

Mayor Thaddeus J. Kobylarz called the virtual Regular Meeting of the Borough of Chatham to order on Monday, June 28, 2021 at 6:02 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 33.6 million Americans who contracted COVID-19, and the more than 604,000 people who have succumbed to the virus. Finally, he acknowledged the ten (10) 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.

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 Council Member Truilo to proceed with Resolution # 21-242.

Council Member Truilo read Resolution # 21-242.

RESOLUTION #21-242

RESOLUTION TO ADJOURN INTO CLOSED SESSION

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

1. Attorney Client Privilege: Post Office Plaza – John Hague

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State, or local statutes and does not fall within the attorney-client privilege. The Borough Council will return to public session after this closed session.

Council Member Truilo motioned to approved Resolution # 21-242.

Council Member Resto seconded the motion.

The Governing Body adjourned into Closed Session at 6:08 p.m.

RETURN TO PUBLIC SESSION

The Governing Body returned to Public Session at 6:55 p.m. The statement of adequate notice was read aloud, and the roll call was taken. All were present.

PROCLAMATIONS

Mayor Kobylarz proceeded with the Mayor's Proclamation commemorating Juneteenth on June 19, 2021.

Mayor Kobylarz read the following Proclamation:

Mayor's Proclamation

DECLARING JUNE 19, 2021 AS A DAY OF CELEBRATION, REFLECTION, AND SERVICE IN RECOGNITION OF "JUNETEENTH", THE NEW FEDERAL HOLIDAY MARKING AMERICA'S TRUE END OF SLAVERY ON JUNE 19, 1865

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation declaring "all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free;" and

WHEREAS, President Lincoln's Emancipation Proclamation, signed on September 22, 1862, became effective on January 1, 1863, thereby freeing slaves of this nation's original sin of human bondage throughout much of the United States of America; and

WHEREAS, Union General Gordon Granger was dispatched to Galveston, Texas to announce the surrender of Confederate General Robert E. Lee and on June 19, 1865 declared the freedom of slaves still held in human bondage in the State of Texas; and

WHEREAS, Juneteenth, also known as Freedom Day, Jubilee Day, Liberation Day, and Emancipation Day, has been celebrated by the African-American community since 1866, and since that time has become widely recognized as an important day of commemoration, and for honoring the history and contributions of African-Americans; and

WHEREAS, in September 2020, the New Jersey Legislature enacted S19, which declares Juneteenth to be an official state holiday in New Jersey; and

WHEREAS, on June 17, 2021, President Joe Biden signed legislation to make Juneteenth a federal holiday, enshrining June 19th as the national day to commemorate the end of slavery in the United States; and

WHEREAS, the Chatham Borough Governing Body believes that it is right and fitting that its residents celebrate Juneteenth with their families and reflect upon the sacrifices made by America's enslaved persons and their descendants in the continuous quest for human freedom and dignity; and

WHEREAS, the Governing Body further believes it appropriate that Chatham residents use Juneteenth as a day for service to benefit our fellow citizens.

NOW, THEREFORE, BE IT RESOLVED, that I, Thaddeus J. Kobylarz, Mayor of the Borough of Chatham, on behalf of myself and the Chatham Borough Council, do hereby declare June 19, 2021 as a day to commemorate the end of slavery in the United States; and

BE IT FURTHER RESOLVED, that I, Thaddeus J. Kobylarz, Mayor of the Borough of Chatham, on behalf of myself and the Chatham Borough Council, call upon our fellow residents to reflect upon the significance of Juneteenth in terms of American history and social justice.

A commemorative copy of the proclamation was presented to the Borough Clerk, Tamar Lawful.

RECUSALS

There were none.

ADOPTION OF COUNCIL MEETING MINUTES

Mayor Kobylarz asked Council Member Resto to proceed with Resolution # 21-243.

Council Member Resto read Resolution # 21-243.

RESOLUTION #21-243

RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

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

May 24, 2021

Council Member Resto motioned to approve Resolution # 21-243, seconded by Council Member Mathiasen. By a unanimous voice vote, Resolution # 21-243 was approved.

DISCUSSION ITEMS

Community Energy Aggregation Program:

Presented by: Vicki Molloy, Torri Van Wie, and Lisa Hibbs

Vicki Molloy, Torri Van Wie, and Lisa Hibbs presented on an energy aggregation program that will move the Borough into a sustainable path while potentially providing savings to Borough residents. To participate in the program, an ordinance must be adopted to permit the Borough to explore program options. If a Borough resident is not satisfied with the program, they have the option to opt-out. The benefits of the program were discussed. The program provides savings to residents, while moving Chatham Borough towards greener, renewable energy.

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 547 residents of the Borough contracted COVID-19 since the start of the pandemic. There have been two (2) reported cases during the month of June. Health Officer Megan Avallone reported that Chatham Borough is a low-risk area.

The State of New Jersey is trending in a downslope direction, with a current 7-day rolling average of 184 cases. Today's daily numbers statewide are under 200 cases per day for the last three weeks. The state-wide transmission rate has been in the 0.90's range for the past few weeks. Morris County is rated moderate risk, with a transmission rate of 0.85.

Governor Phil Murphy announced that 4.7 million adults have been fully vaccinated, which is 70% of the adult population in the State of New Jersey. Trenton has reached its inoculation goal. However, the number of new cases remains mostly among the unvaccinated.

Borough Hall Re-Opening:

Borough Hall will re-open to the public this Thursday, July 1, 2021. However, because of the current transmission rate, safety protocols will be implemented to ensure the safety of everyone. Anyone entering the building is required to wear a mask and to sign in for potential contact tracing. These protocols will

be removed once the transmission rate is below 0.5 and advised by Borough Health Officer Megan Avallone. The Mayor and Council meetings will continue to stream live on the Borough's Facebook Page. The meetings will be hybrid to ensure the public's convenience and safety. Anyone attending the Mayor and Council meetings are required to wear a mask and maintain social distancing. The Council Chambers will be limited to 25 people. The Mayor and Council meeting will resume at its customary 7:30 p.m. start time.

Redesignation of POP Redevelopers:

Resolution # 21-254 listed on the Consent Agenda extends the designation of SV Chatham PO JV, LLC as the redeveloper for the Post Office Plaza Redevelopment Project from July 8, 2021, to October 20, 2021. The redeveloper has been cooperative with the Borough and has modified their redevelopment plan by reducing the proposed structures density, height, and number of units. It was further mentioned that there will be an option to create more space with vegetation at the center of Post Office Plaza. The Borough wants to improve its downtown area but will not compromise the consistency and character of the Borough. If an agreement is not reached by October 20, 2021, other options will be explored. However, if an agreement is reached, the process will be extended with a series of Town Hall meetings to obtain the public's input. The public was reassured that they will be informed on the progress throughout the redevelopment process.

Thursday Evening Summer Music Concert Series

The Thursday evening Spring Serenade is approaching its end. The public was encouraged to participate and enjoy musical performances at Reasoner Park. The next event will be held on July 8, 2021. There will be two (2) more events in August and a final event on September 2, 2021. Mayor Kobylarz encouraged the public to participate in the events and support the downtown eateries.

MEETING OPEN TO THE PUBLIC

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 813 5624 4752) or obtain online access of the meeting using the following URL: <https://us02web.zoom.us/j/81356244752>

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.

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

Mayor Kobylarz proceeded to Ordinances for a second reading.

ORDINANCES FOR SECOND READING

Mayor Kobylarz asked Council Member Treloar to proceed with Ordinance #21-16.

Council Member Treloar read Ordinance #21-16 by title as follows:

ORDINANCE # 21-16

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING A LEASE RENEWAL FOR OFFICE SPACE AT THE BOROUGH'S MUNICIPAL BUILDING WITH COMMUNITY PERSONNEL SERVICES, INC.

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on June 14, 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 # 21-16 was introduced and passed on first reading at the June 14, 2021, meeting and indicated the second reading and public hearing would be held at 6:00 p.m. on June 28, 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 meeting for a public hearing on the 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 Treloar offered Ordinance # 21-16 and moved its adoption:

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

Council Member Resto 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		X			
Resto		X	X			
Truilo			X			

REPORTS

COUNCIL MEMBERS

Council President Dempsey – Council President Dempsey encouraged residents to participate in the Spring Serenade and Summer Concert Series established for the enjoyment and entertainment of the public and to facilitate the support of the downtown area. Asahda's Soul Food Restaurant had its grand opening recently and was welcomed to the Borough of Chatham. The tennis courts and basketball courts at Garden Park are now complete. Residents can now enjoy these amenities.

Council Member Mathiasen – Council Member Mathiasen reported that Resolution # 21-253 on the Consent Agenda establishes the Stanley Hall Advisory Committee and further appoints the Committee Members. Those who were not appointed to the Committee will have other opportunities to provide their input on the building. Residents were encouraged to watch the video tour of the building and to provide their input on how to best utilize the building.

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

Council Member Treloar – Council Member Treloar reported that the Joint Court Committee is scheduled to meet on June 30, 2021 to discuss the appointment of a new legal counsel to represent the Committee for the remainder of 2021. It was further reported that a diversity event will be held the same day to celebrate diversity in the towns. The event will include performances, youth groups, and speakers. The public were encouraged to participate. The event is hosted by Chatham Borough, Chatham Township and Madison Borough. Lastly, the Borough's Annual Fishawack event was rescheduled to September 24, 2021, through September 26, 2021. The Out of the Darkness Suicide Prevention event will be held on September 18, 2021, with more information to follow.

Council Member Resto – Council Member Resto reported that the Economic Development Advisory Committee created various sub-committees to discuss different needs for Borough businesses and how to attract certain businesses as part of the Start-Up Move-Up initiative. As discussed by Council President Dempsey, Asahda's Soul Food Restaurant had a well-attended grand opening over the weekend. The Food Distribution remains in need of non-perishable goods and monetary donations to purchase fresh produce. Residents were reminded that other families in the Borough are still experiencing food insecurity. The Municipal Alliance of the Chathams will conduct its sticker stock campaign by placing stickers on alcoholic beverages to combat underage drinking.

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

MAYOR'S REPORT II

Mayor Kobylarz also congratulated Karima Singleton on the grand opening of Asahda's Soul Food Restaurant. The event was spectacular. Ms. Singleton was saluted for her insight, ingenuity and determination to make her business the success it has become. To open a business during a pandemic can be risky; however, Karima Singleton pulled it off, stated Mayor Kobylarz. We look forward to her and her business presence for years to come.

Mayor Kobylarz announced the traditional cancelation of the second Mayor and Council Meeting in July [July 26, 2021]. There will be one meeting for the month of July and August.

ADMINISTRATOR'S REPORT

Borough Administrator, Stephen Williams reported on the following:

Mr. Williams reported that the Chatham Fire Department Association will conduct its Annual Independence Day Celebration beginning with the flag raising ceremony at Reasoner Park on July 5, 2021, at 9:15 a.m., followed by the alternative parade honoring first responders at 10:00 a.m. The parade route is available on the Borough's website and the Borough's Facebook Page.

Recently, there has been an increasing number of car and bicycle accidents. Residents were asked to be cognizant of bicycles within their periphery when making turns.

The Chief Financial Officer filed all necessary documentation for the federally funded American Rescue Plan. The Borough can anticipate the first allotment in the coming weeks.

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 #21-244 through Resolution #21-254 have been placed on the Consent Agenda.

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

There were none.

PERSONNEL

RESOLUTION # 21-244

RESOLUTION APPOINTING AN ADDITIONAL SUMMER POOL STAFF MEMBER AT MEMORIAL PARK POOL FOR THE 2021 SEASON

WHEREAS, the Chatham Borough Recreation Program has a need to hire summer pool staff for the 2021 season; and

WHEREAS, the Recreation Coordinator recommends hiring the following individual pending completion of all paperwork requirements prior to any employment:

Name	Hourly Rate	Position
Jacquelyn Engel	\$11.10	Substitute Lifeguard

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Recreation Coordinator and hereby approve the hiring of Jacquelyn Engel as summer pool staff for the 2021 season at the respective positions and rates of pay, contingent

upon the Recreation Coordinator verifying that all paperwork requirements have been completed prior to employment; and

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

FINANCE

RESOLUTION #21-245

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 #21-246

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the New Jersey Tax Court imposed a judgment for a refund of overpayment for property taxes for the year 2008, 2009 and 2010 for the herein referenced property; and

WHEREAS, the Tax Collector has further advised that a refund per the New Jersey Tax Court Judgement # 003533-2021 is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
50/10	James Weichert 64 Main Street Chatham, New Jersey 07928	\$1,062.53	2018, 2009 & 2010

***Please make check payable and mail to:**

James & Pamela M. Weichert c/o Skoloff & Wolfe, P.C.
Attorneys-at-Law
293 Eisenhower Parkway
Livingston, NJ 07039

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

RESOLUTION #21-247

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the New Jersey Tax Court imposed a judgment for a refund of overpayment for property taxes for the year 2020 for the herein referenced property; and

WHEREAS, the Tax Collector has further advised that a refund per the New Jersey Tax Court Judgement # 006803-2020 is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
95/5	Robert Jr. & Pamela Chipperfield 146 Fairmount Avenue Chatham, New Jersey 07928	\$6,560.43	2020 / 4 th Qtr.

***Please make check payable and mail to:**

Wolf Vespasiano, LLC (Attorney Trust Account)
Robert N. Jr. and Pamela R. Chipperfield
331 Main Street
Chatham, NJ 07928

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

RESOLUTION #21-248

RESOLUTION APPROVING TAX APPEAL SETTLEMENT

65 HIGHLAND AVENUE

BLOCK 8, LOT 4

DOCKET NOS. 006809-2020 & 006292-2021

WHEREAS, an appeal of the real property tax assessment for the tax years 2020 and 2021 for the property located at 65 Highland Avenue, also known as Block 8, Lot 4 on the Official Tax Map of the Borough of Chatham have been filed by the taxpayer and are pending in the Tax Court of New Jersey bearing Docket No. 006809-2020 and 006292-2021; 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 refund be made within sixty (60) days of the date of entry of Judgment by the Tax Court; and

WHEREAS, as a result of the proposed settlement, the appeal of the real property tax assessment bearing Docket Nos. 006809-2020 and 006292-2021 is reduced as follow:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2020 & 2021	\$1,459,000.00	\$1,150,000.00

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 2020 and 2021 bearing Docket Nos. 006809-2020 and 006292-2021.

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 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 #21-249

RESOLUTION APPROVING TAX APPEAL SETTLEMENT 183 WASHINGTON AVENUE BLOCK 7, LOT 2 DOCKET NOS. 006806-2020 & 006288-2021

WHEREAS, an appeal of the real property tax assessment for the tax years 2020 and 2021 for the property located at 183 Washington Avenue, also known as Block 7, Lot 2 on the Official Tax Map of the Borough of Chatham have been filed by the taxpayer and are pending in the Tax Court of New Jersey bearing Docket No. 006806-2020 and 006288-2021; and

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

WHEREAS, the property owner has agreed to waive pre-judgement interest due to any refund payable as a result of the proposed settlement provided that the refund be made within sixty (60) days of the date of entry of Judgment by the Tax Court; and

WHEREAS, as a result of the proposed settlement, the appeal of the real property tax assessment bearing Docket Nos. 006806-2020 and 006288-2021 is reduced as follow:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2020 & 2021	\$1,550,000.00	\$1,450,000.00

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 2020 and 2021 bearing Docket Nos. 006806-2020 and 006288-2021.

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 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 #21-250

RESOLUTION AUTHORIZING A REFUND FOR A FARMERS' MARKET APPEARANCE AND REGISTRATION FEE

WHEREAS, the Director of the Department of Community Services has advised that a written request has been made seeking a refund for the Farmers' Market Appearance and Registration fee for LuLu's Artisanal Lemonade; and

WHEREAS, the Farmers' Market Advisory Committee recommends that a refund is due as follows:

VENDOR'S NAME/ADDRESS

Lulu's Artisanal Lemonade
Lucienne Coppedge
6 Vincent Place
Montclair, NJ 07042

REFUND AMOUNT

\$925.00 Farmers' Market Appearance and Registration fee
\$60.00 Temporary Food License
\$985.00 TOTAL REFUND AMOUNT

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the refund request for the Farmers' Market Appearance and Registration fee for Lulu's Artisanal Lemonade is hereby granted; and

BE IT FURTHER RESOLVED, the Director of the Department of Community Services 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 # 21-251

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 written request seeking a refund for the 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:
Family Membership	Sara Massler	\$410.00	Credit Card Reversal
Senior Membership	Kathy Massler	\$80.00	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 are 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.

BOARDS, COMMISSIONS & COMMITTEE

RESOLUTION #1 21-252

RESOLUTION APPOINTING IZZY ALBAREZ TO THE CHATHAM BOROUGH FARMERS' MARKET ADVISORY COMMITTEE

WHEREAS, the Chatham Borough Farmers' Market depends on a volunteer force to assist with the set-up and operation of the Farmers' Market, as well as perform tasks as may be directed by the Farmers' Market Manager; and

WHEREAS, Resolution # 21-16, adopted by the Borough Council on January 4, 2021, re-established the Chatham Borough Farmers' Market Advisory Committee; and

WHEREAS, Izzy Alvarez has expressed interest in being appointed to the Chatham Borough Farmers' Market Advisory Committee and has 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 Izzy Alvarez is hereby appointed to the Chatham Borough Farmers' Market 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 #21-253

RESOLUTION ESTABLISHING AND APPOINTING MEMBERS TO THE STANLEY HALL ADVISORY COMMITTEE

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

WHEREAS, through a charitable donation, the Borough secured acquisition of the Stanley Congregational Church United Church of Christ also known as the "Stanley Church", adopted by Ordinance # 20-13 on November 9, 2020; and

WHEREAS, the Mayor and Council wishes to utilize the property for the use and enjoyment of the Chatham community; and

WHEREAS, the Council of the Borough of Chatham has determined that it desires to receive advice with respect to how to best utilize the property for the best interest of the community; and to have participating members support the programs and projects concerning the property.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Stanley Hall Advisory Committee shall hereby be established; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Chatham that the Stanley Hall Advisory Committee shall serve the following purpose to the Mayor and Council:

1. Identify potential community and revenue-generating uses of the building, explore the feasibility and desirability of these uses, and make recommendations for moving forward with its implementation.
2. Make recommendations regarding improvements to the building, its use and disposition of materials bequeathed with the building.
3. As an advisory committee, recommendations will be non-binding, but will be given serious consideration by the Borough Council.
4. Consult and collaborate with related organizations and governments on priority projects, including the school district, library, and senior center and may confer with other Borough committees such as the Senior Citizens Advisory Committee and the Chatham Borough Recreation Advisory Committee.
5. Identify and develop methods of communication to the public concerning the available use of the building.
6. Conduct surveys of residents and investigate how other community buildings operate in New Jersey.

BE IT FURTHER RESOLVED, that the following individuals are hereby appointed to the Stanley Hall Advisory Committee for calendar year 2021:

Stanley Hall Advisory Committee

Melissa Mancuso
Kathleen Ryan
Cece Reali
Thomas Gryta
Monica Trombetta Schaefer
Daniel Thompson
Roubi Staropoulos
Margaret Grady

OTHERS

RESOLUTION # 21-254

RESOLUTION EXTENDING DESIGNATION OF SV CHATHAM PO JV, LLC AS THE REDEVELOPER FOR THE POST OFFICE PLAZA REDEVELOPMENT AREA FROM JULY 8, 2021 TO OCTOBER 20, 2021

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

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; and

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 October 20, 2021 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 July 8, 2021, through October 20, 2021.

CONSENT AGENDA VOTE:

Mayor Kobylarz asked Council Member Treloar to proceed with the Resolutions listed on the Consent agenda, Resolutions #21-244 through #21-254.

Council Member Treloar made a motion to approve Resolutions #21-244 through # 21-254 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 8:40 p.m.

Respectfully Submitted on August 9, 2021 by:

Tamar Lawful, RMC
Borough Clerk
BOROUGH OF CHATHAM