

**REGULAR MEETING OF THE
MAYOR AND BOROUGH COUNCIL
JANUARY 24, 2022 MINUTES**

Mayor Thaddeus J. Kobylarz called the Regular Meeting, held virtually, of the Borough of Chatham to order on Monday, January 24, 2022, at 7:35 P.M. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

Mayor Kobylarz led those attending in the Pledge of Allegiance and asked for a moment of silence to honor those who have given their lives for our country, the healthcare professionals working during the pandemic, and the victims of Covid-19.

STATEMENT OF ADEQUATE NOTICE

Stephen Williams, Acting 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 02, 2022.

ROLL CALL

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

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

Also present were:

Stephen W. Williams, Borough Administrator	
Steve Kleinman, Borough Attorney	Attended Virtually

PROCLAMATIONS

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #22-91.

Council Member Resto read Resolution #22-91.

RESOLUTION # 22-91

RESOLUTION CELEBRATING THE MONTH OF FEBRUARY AS NATIONAL BLACK HISTORY MONTH

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

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

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

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

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

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

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

WHEREAS, recent years have brought forth a new and auspicious movement for justice and equality in America, a period that is compelling people of every conceivable race, nationality, ethnicity,

creed, and set of moral beliefs to unite in recognition of all that is good, just, and right in the timeless proposition articulated by Dr. King that we must judge not by the color of one's skin but by the content of one's character; and

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

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

NOW THEREFORE, BE IT RESOLVED, that the Borough of Chatham joins in recognizing the annual celebration of National Black History Month and commemorates the contributions of African Americans to this nation's history, society, economy, culture, freedoms, and values.

#

Council Member Resto moved to adopt Resolution #22-91, seconded by Council Member Koronkiewicz. By a unanimous vote, Resolution #22-91 was adopted.

Mayor Kobylarz invited Judy-Ann Hargrove to say a few words concerning the celebration of Black History Month.

Judy-Ann Hargrove gave a brief speech about Black History Month and thanked the Borough Council.

Mayor Kobylarz asked Council President Treloar to proceed with Resolution #22-92.

Council President Treloar read Resolution #22-92.

RESOLUTION #22-92

RESOLUTION SUPPORTING THE MAYOR'S WELLNESS ADVISORY COMMITTEE IN CELEBRATING THE MONTH OF FEBRUARY AS AMERICAN HEART MONTH AND OBSERVING FRIDAY, FEBRUARY 4, 2022, AS NATIONAL WEAR RED DAY®

WHEREAS, maintaining a strong heart is key to a long and healthy life; and

WHEREAS, cardiovascular disease is the number one killer of men and women in the United States and is responsible for one out of every four deaths; and

WHEREAS, while anyone can develop heart disease, those with high blood pressure or high cholesterol, as well as those who smoke, are at greater risk. Risk factors like diabetes, obesity, poor diet, physical inactivity, and excessive alcohol use can also increase the likelihood of developing heart disease; and

WHEREAS, the volunteers of the Mayor's Wellness Advisory Committee remain committed in their efforts to increase awareness in our community of the importance of cardiovascular health by promoting healthy habits, such as getting regular exercise, eating diets rich in fruits and vegetables and low in salt, saturated fat, and cholesterol, and not smoking to help reduce one's risk of developing cardiovascular disease; and

WHEREAS, the month of February is American Heart Month; and

WHEREAS, the first Friday in February is National Wear Red Day®, a day when many people wear red to show their support for the awareness of heart disease.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, that they hereby support and join the Mayor's Wellness Advisory Committee in their efforts to increase awareness of

cardiovascular health in the Borough by celebrating the month of February as American Heart Month and encourage all citizens to show their support and solidarity for those struggling with heart disease by wearing red on National Wear Red Day®.

#

Council President Treloar moved to adopt Resolution #22-92, seconded by Council Member Resto. By a unanimous vote, Resolution #22-92 was adopted.

Mayor Kobylarz offered brief remarks concerning the good work Chairman Brian George and the Mayor's Wellness Committee were doing.

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #22-93.

Council Member Resto read Resolution #22-93.

RESOLUTION #22-93

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY SUPPORTING THE SAVING OF THE GLIMMER GLASS BRIDGE IN MANASQUAN, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, the Glimmer Glass Bridge in Manasquan, NJ was built in 1883, and in 1938, the 34- foot drawbridge was added as a cable lift bascule bridge using a rolling counterweight design, making it architecturally significant as an example of moveable bridge technology for transportation of vehicular traffic over navigable waterways; and

WHEREAS, the Glimmer Glass Bridge is a “one of kind” bridge in the world, and we are fortunate to have it in New Jersey; and

WHEREAS, the Glimmer Glass Bridge is on the National Register of Historic Places and the New Jersey Register of Historic Places; and

WHEREAS, the preeminent organization for historic preservation-Preservation New Jersey- has listed the Glimmer Glass Bridge on its 10 most endangered Historic Places, which spotlights irreplaceable historic, architectural, cultural, and archaeological resources in New Jersey that are in imminent danger of being lost forever; and

WHEREAS, as a “one of kind” bridge in the world, such a historic structure should be saved as during its entire existence, there has not been an accident on the bridge.

BE IT RESOLVED, that the Council of the Borough of Chatham in Morris County, New Jersey expresses its support to save the Glimmer Glass Bridge from destruction and joins with all other organizations attempting to save the bridge in calling for the saving of this historic gem.

#

Council Member Resto moved to adopt Resolution #22-93, seconded by Council Member Truilo. By a unanimous vote, Resolution #22-93 was adopted.

Mayor Kobylarz invited Fran Drew to give remarks on Resolution #22-93 and her efforts to preserve the bridge.

Fran Drew gave a brief speech about the historical significance of Glimmer Glass Bridge and her efforts to preserve it.

RECUSALS

There were none.

ADOPTION OF COUNCIL MEETING MINUTES

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #22-94.

Council Member Resto read Resolution #22-94.

RESOLUTION #22-94

RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

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

January 3, 2022

Council Member Resto moved to adopt Resolution #22-94, seconded by Council Member Koronkiewicz. By a unanimous vote, Resolution #22-94 was adopted.

DISCUSSION ITEMS

Police Reaccreditation Award Presentation:

Presented by: Harry Delgado, NJSACOP Accreditation Program

Mayor Kobylarz recognized Police Chief Gibbons and asked him to give a brief overview of Chatham Police's history with the accreditation program and current compliance efforts.

Chief Gibbons gave a brief speech regarding the police accreditation program and the Police Department's compliance efforts. Police Chief Gibbons introduced Harry Delgado to speak about the accreditation program.

Harry Delgado gave an overview of the accreditation process and requirements.

MAYOR'S REPORT I:

Mayor Kobylarz gave a report on the latest Covid-19 statistics. The Mayor encouraged everyone to get a vaccine booster in order to prevent illness, as per the Borough Health Officer.

MEETING OPEN TO THE PUBLIC

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 828 6831 8684) or obtain online access of the meeting using the following URL: <https://us02web.zoom.us/j/89837526887>

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.

Rozella Clyde – 33 Carmine Street

Dr. Clyde commended the Council for the wording of Resolution #22-91. She thanked the Council for passing Resolution #22-93. Dr. Clyde thanked former Borough Clerk, Tamar Lawful, for her years of service to the Borough.

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

RESOLUTIONS NON-ROUTINE/NON-CONSENT

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Resolution #22-100.

Council Member Koronkiewicz read Resolution #22-100 by title and provided a brief explanation.

RESOLUTION #22-100

RESOLUTION APPROVING THE FINANCE AGREEMENT TO PURCHASE A 2018 FREIGHTLINER MODEL 114SD CHASSIS WITH VAC-CON SEWER CLEANER THROUGH LEASING 2, INC.

WHEREAS, The Borough of Chatham publicly opened bids on January 5, 2022, for the purchase of a used nine-yard truck mounted combination sewer cleaner or equivalent, model year 2018 or later; and

WHEREAS, one bid was received from Eagle Equipment, Inc. d/b/a Peirce Equipment Co. in the amount of \$281,937.00 for a 2018 Freightliner Model 114SD Chassis with Vac-Con Sewer Cleaner; and

WHEREAS, the Borough of Chatham wishes to enter into a lease agreement with Leasing 2, Inc. to finance the 2018 Freightliner Model 114SD Chassis with Vac-Con Sewer Cleaner; and

WHEREAS, the lease term is five years, with the first payment due September 1, 2022, in the amount of \$61,694.98; and

WHEREAS, as this is a multi-year lease agreement, for the additional calendar years it is contingent upon the adoption of temporary and/or permanent budgets for those years; and

WHEREAS, the Chief Financial Officer has confirmed that sufficient funds will be made available in the 2022 Current Fund and Water Utility Budgets.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Chatham, that the Business Administrator is hereby authorized to execute a lease agreement with Leasing 2, Inc. in accordance with this Resolution and the substance and form of the lease agreement shall be acceptable to the Borough Attorney; 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.

###

Council Member Koronkiewicz moved to adopt Resolution #22-100, seconded by Council Member Resto.

Mayor Kobylarz asked Acting Borough Clerk Stephen Williams for a Roll Call Vote.

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

By a unanimous Roll Call Vote, Resolution #22-100 was adopted.

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #22-102.

Council Member Resto read Resolution #22-102.

RESOLUTION # 22-102

RESOLUTION TO ADJUST THE ANNUAL RATE OF COMPENSATION FOR GLEN TURI, ZONING OFFICIAL AND CODE ENFORCEMENT OFFICER

WHEREAS, Ordinance #21-18, adopted by the Mayor and Council of the Borough of Chatham on October 12, 2021, established the minimum and maximum rate of pay for the various positions in the Borough of Chatham; and

WHEREAS, specific rates of pay must be established for each individual employee of the Borough; and

WHEREAS, it is the recommendation of the Borough Administrator that Glen Turi move from working twenty (20) hours per week to working twenty-nine (29) hours per week; and

WHEREAS, the Mayor and Council of the Borough of Chatham believes it is in the best interest of Borough to make this adjustment and supports the recommendation of the Borough Administrator; and

WHEREAS, Glen Turi will be eligible for benefits according to the Borough of Chatham's Personnel Manual.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following rate of pay shall be adjusted:

Zoning Official/Code Enforcement	Turi, Glen	\$ 40,000.00
---	-------------------	---------------------

And,

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

#

Council Member Resto moved to adopt Resolution #22-102, seconded by Council Member Mathiasen.

Council Member Mathiasen explained the reasoning for Resolution #22-102, citing Glen Turi's current projects and increased responsibilities.

Mayor Kobylarz asked Acting Borough Clerk Stephen Williams 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			

By a unanimous Roll Call Vote, Resolution #22-102 was adopted.

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Resolution #22-104.

Council Member Koronkiewicz read Resolution #22-104.

RESOLUTION #22-104

A RESOLUTION OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE CHATHAM BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN THE POLICE ASSISTED ADDICTION AND RECOVERY INITIATIVE (PAARI)

WHEREAS, the Chatham Borough Police Department (“CBPD”) wishes to participate in a new initiative, the Hope One Police Assisted Addiction and Recovery Initiative (“PAARI”); and

WHEREAS, the mission of the PAARI is to aid those actively seeking police assistance when struggling with opiate or other substance use disorders to obtain resources and access to treatment; and

WHEREAS, the CBPD PAARI will enable Borough police officers to immediately offer a pathway to recovery by providing a Certified Peer Recovery Specialist and a safe, private environment to discuss the help needed; and

WHEREAS, non-judgmental support and immediate and ongoing assistance by a professional Certified Peer Recovery Specialist will have a positive impact on the recovery and healing of individuals and their families; and

WHEREAS, the CBPD, partnered with the Borough school district and inter-faith leaders recognize the disease of addiction as a nationwide epidemic; and

WHEREAS, the Mayor and Borough Council play a vital role in assisting the CBPD through joint crime, drug and violence prevention efforts in the Borough and wish to support the PAARI; and

WHEREAS, it is essential that all citizens of the Borough be aware of the importance of drug addiction and crime prevention programs and the impact that addiction recovery and advocacy will have on their quality of life, as well as reducing crime, drugs, and violence in the Borough.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham, in the County of Morris and State of New Jersey, fully support the CBPD and community groups partnering with them in their implementation of the PAARI and for taking a leadership role in creating a positive impact on individuals and their families struggling with addiction, thus, providing a clear path to recovery.

#

Council Member Koronkiewicz moved to adopt Resolution #22-104, seconded by Council Member Resto.

Mayor Kobylarz invited Police Chief Brian Gibbons, Lieutenant Colatrella, and Sergeant Jaremba to explain the PAARI program.

Lieutenant Colatrella gave a brief overview of the PAARI program's mission.

The Mayor commended the Police department and expressed his support for the program. Council Member Dempsey praised the Borough Police Department, referencing the previous discussion item, and Resolution #22-104.

Mayor Kobylarz asked Acting Borough Clerk Stephen Williams for a Roll Call Vote.

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

By a unanimous Roll Call Vote, Resolution #22-104 was adopted.

REPORTS

COUNCIL MEMBERS

Council President Treloar – Council President Treloar gave an update on the productive first meeting of the Diversity, Equity, and Inclusion Committee, citing the successful MLK Day of Service. The Council President promoted two upcoming community events: Lunar New Year and Holocaust Remembrance Day.

Council Member Dempsey – Council Member Dempsey reported on Borough recreation sports, including current basketball and wrestling programs and upcoming Spring sports registration. Council Member Dempsey complimented the Diversity, Equity, and Inclusion and the MyChathamNJ Advisory Committees.

Council Member Mathiasen – Council Member Mathiasen reported the Environmental Commission was focusing on reducing the Borough's carbon footprint. She introduced the new Borough website and features available to residents. Council Member Mathiasen advertised the Stanley Hall community survey and progress that was made on the project.

Council Member Koronkiewicz – Council Member Koronkiewicz praised the Borough Police Department regarding the great work they are doing and urged residents to reach out to the Police Department should they struggle with addiction.

Council Member Resto – Council Member Resto thanked the High School Key Club for participating in the MLK Day of Service event and reported on the following:

- The Undergrounding Committee’s project with JCP&L.
- The Board of Health’s reorganization meeting and advised of the Board of Health’s at home Covid-19 Booster shot program.
- Thanked Council Member Mathiasen for reaching out to the Senior Citizens Advisory Committee regarding Stanley Hall activities.
- Further reported his efforts to lobby the Morris County Board of Transportation to make bus lines more frequent and friendly to seniors.
- Lastly, advised of the weekly food drive would continue next week.

Council Member Truilo – Council Member Truilo reported the Historic Preservation Commission unanimously voted to deny T.M. Ward’s application.

MAYOR ’S REPORT II

Mayor Kobylarz had nothing further to report.

ADMINISTRATOR’S REPORT

Borough Administrator Stephen Williams reported that PSE&G will continue work on January 29th on right-of-way adjacent to Division Avenue. He cautioned there would be a helicopter involved. Administrator Williams announced the Hope 1 program would be in the Borough on February 9th. He reported the budget preparation process and interviews for the Clerk position and have both begun.

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 #22-95 through Resolution #22-99, #22-101, #22-103, #22-105, and #22-106 have been placed on the Consent Agenda.

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

There were none.

RESOLUTION #22-95

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 #22-96

RESOLUTION APPROVING TAX APPEAL SETTLEMENT

**170 MAIN STREET
BLOCK 55, LOT 28
DOCKET NO. 006761-2017**

WHEREAS, an appeal of the real property tax assessment for the tax year 2017 for the property located at 170 Main Street, also known as Block 55, Lot 28 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. 006761-2017; 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 paid within 60 days 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. 006761-2017 reduced as follow:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2017	\$1,000,300	\$965,000

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 appeals bearing Docket No. 006761-2017.

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 Judgment, the Borough Tax Collector is hereby authorized to refund the amount due upon receiving the Judgment of the Court 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 #22-97

**RESOLUTION APPROVING TAX APPEAL SETTLEMENT
15 FAIRVIEW AVENUE
BLOCK 9, LOT 11.02
DOCKET NOS. 005867-2019; 006805-2020; 006284-2021**

WHEREAS, an appeal of the real property tax assessment for the tax years 2019, 2020, and 2021 for the property located at 15 Fairview Avenue, also known as Block 9, Lot 11.02 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 Nos. 005867-2019; 006805-2020; 006284-2021; 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 Nos. 005867-2019; 006805-2020; 006284-2021 reduced as follow:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2019-2021	\$1,100,000	\$960,000

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 2019, 2020, and 2021 bearing Docket Nos. 005867-2019; 006805-2020; 006284-2021.

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 2019, 2020 and 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 #22-98

RESOLUTION APPROVING TAX APPEAL SETTLEMENT
3 AMHERST ROAD
BLOCK 10, LOT 3.01
DOCKET NOS. 006804-2020 & 006282-202

WHEREAS, an appeal of the real property tax assessment for the tax years 2020 and 2021 for the property located at 3 Amherst Road, also known as Block 10, Lot 3.01 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 Nos. 006804-2020 & 006282-2021; 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 Nos. 006804-2020 & 006282-2021 reduced as follow:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2020-2021	\$1,604,500	\$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 2020 and 2021 bearing Docket Nos. 006804-2020 & 006282-2021.

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 2020 and 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 #22-99

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 property taxes for the year 2019, 2020, and 2021 for the herein referenced property; and

WHEREAS, the Tax Collector has further advised that a refund per the New Jersey Tax Court Judgement #005871-2019 in the amount of \$2,630.00, Judgement #006808-2020 in the amount of \$2,648.75, and Judgement #006290-2021 in the amount of \$2,671.25 is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
11/19	Ranshous, Douglas & Masino, Diane 27 Oak Drive Chatham, New Jersey 07928	\$7,950.00	2019, 2020, & 2021

*Please make check amount of \$7,950.00 payable and mail to:
Wolf Vespasiano Attorney Trust Account & Douglas W Ranshous & Diane Masino
331 Main Street
Chatham, NJ 07928

NOW THEREFORE, 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 #22-101

RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO EAGLE EQUIPMENT, INC. DBA PEIRCE EQUIPMENT CO.

WHEREAS, The Borough of Chatham publicly opened bids on January 5, 2022, for the purchase of a used nine-yard truck mounted combination sewer cleaner or equivalent, model year 2018 or later; and

WHEREAS, one bid was received from Eagle Equipment, Inc. d/b/a Peirce Equipment Co. in the amount of \$281,937.00 for a 2018 Freightliner Model 114SD Chassis with Vac-Con Sewer Cleaner; and

WHEREAS, Eagle Equipment, Inc. d/b/a Peirce Equipment Co. is deemed to be responsive and responsible, and their bid has been duly reviewed and analyzed by the Qualified Purchasing Agent; and

WHEREAS, the bid received by Eagle Equipment, Inc. d/b/a Peirce Equipment Co. has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the purpose of awarding this contract through a financing contract through Leasing 2, Inc. in which the first payment will be included in the 2022 Current Fund and Water Utility Budget; and

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

1. The Borough Council hereby awards a contract to Eagle Equipment, Inc. d/b/a Peirce Equipment Co. of Branchburg, New Jersey in the amount not to exceed \$283,937.00.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract with Eagle Equipment, Inc. d/b/a Peirce Equipment Co. in accordance with its bid for 2018 Freightliner Model 114SD Chassis with Vac-Con Sewer.
3. This resolution and contract shall be available for public inspection in the office of the Borough Clerk.

RESOLUTION #22-103

RESOLUTION APPOINTING SARAH LOWE TO THE CHATHAM BOROUGH FARMERS' MARKET ADVISORY COMMITTEE FOR CALENDAR YEAR 2022

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 # 22-16, adopted by the Borough Council on January 3, 2022, re-established the Chatham Borough Farmers' Market Advisory Committee; and

WHEREAS, Sarah Lowe was previously a member of the Committee and wishes to remain a member for calendar year 2022.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Chatham that Sarah Lowe 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 #22-105

RESOLUTION AUTHORIZING AN INTERNSHIP PROGRAM FOR THE BOROUGH OF CHATHAM FOR CALENDAR YEAR 2022

WHEREAS, internships help individuals gain experience, develop skills, make connections, strengthen their resumes, learn about a professional or vocational field, and assess their interest and abilities, which facilitates a positive future; and

WHEREAS, internships have helped the Borough take advantage of short-term support to effectively manage workflow to accomplish immediate objectives; and

WHEREAS, internships help Borough staff to be more productive and frees them up to accomplish more creative tasks or those tasks requiring higher-level strategic thinking or expertise.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize an internship program for the Borough of Chatham for calendar year 2022 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 #22-106

RESOLUTION AUTHORIZING THE SPRING CLEAN INITIATIVE FOR THE YEAR 2022 AND AUTHORIZING THE SOLICITATION OF CHARITABLE DONATION

WHEREAS, Spring Clean is a Borough-wide day of volunteerism in honor of Earth Day that is focused on litter removal and neighborhood beautification in the Borough; and

WHEREAS, this year, the MyChathamNJ Advisory Committee, in conjunction with the Department of Community Services, will organize and hold the annual Spring Clean initiative on Saturday, April 30, 2022, from 8:00 a.m. to 1:00 p.m.; and

WHEREAS, by Resolution #14-88 adopted on January 6, 2014, the Borough established a dedication by rider trust fund for donations received to support the Spring Clean program in the Borough; and

WHEREAS, N.J.S.A. 40A:5-29 permits the Borough to use dedicated revenues anticipated during the budget year from charitable contributions in support of purposes to which contributions are made.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby support the Spring Clean local initiative organized by the MyChathamNJ Advisory Committee in conjunction with the Department of Community Services; and

BE IT FURTHER RESOLVED, that no elected or appointed official for the Borough of Chatham, nor any Borough employee or volunteers appointed to any Borough Boards, Commissions or Committees shall be involved in the direct solicitation of any monetary or in-kind donations for the event, except for a general mailing seeking participation; and

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

###

CONSENT AGENDA VOTE:

Council President Treloar made a motion to adopt the Consent Agenda, seconded by Council Member Truilo. By a unanimous vote, the resolutions were adopted.

ADD-ON RESOLUTION[S]

There were none.

ORDINANCES FOR FIRST READING

Mayor Kobylarz asked Council President Treloar to introduce Ordinance #22-01 for first reading.

Council President Treloar introduced Ordinance # 22-01:

ORDINANCE #22-01

AN ORDINANCE OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A PORTION OF A PAPER STREET KNOWN AS “WELLESLEY STREET”

WHEREAS, there exists in the Borough of Chatham (“Borough”) a paper street known as Wellesley Street, which was established in a map offered by the Chatham Realty and Development Company entitled “Chatham Terrace at Chatham, New Jersey,” dated January 12, 1924, and approved by the Chatham Borough Council at its meeting of February 4, 1924, with said map attached hereto as Exhibit A; and,

WHEREAS, the Borough has never accepted Wellesley Street and as such it has remained a “paper street” for the entirety of its existence and currently serves no public purpose; and,

WHEREAS, a portion of the paper street known as Wellesley Street is situated in the Borough between 153 Center Avenue (Block 34, Lots 60 and 61 on the Borough’s Tax Map) and 157 Center Avenue (Block 34, Lot 62 on the Borough’s Tax Map); and,

WHEREAS, the property owners of 153 Center Avenue and 157 Center Avenue have requested that the paper street between their properties be vacated by the Borough and the appropriate escrow fee has been submitted to the Borough to cover the costs attendant thereto; and,

WHEREAS, this portion of Wellesley Street is more particularly described in Exhibit B to this Ordinance, entitled “Schedule A, Road Vacation, Wellesley Street, Borough of Chatham, N.J.,” prepared by John J. Vogel P.L.S. and dated October 6, 2016, and the accompanying map thereto; and,

WHEREAS, N.J.S.A. 40:67-1b and N.J.S.A. 40:67-19 empowers the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any public street, and to vacate any street, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any part, has been actually opened or improved; and,

WHEREAS, the Borough Council of the Borough of Chatham has considered the matter and has concluded that the portion of Wellesley Street to be vacated is not needed by the general public as a public thoroughfare and lends itself to higher and better use than as and for a public thoroughfare and for use by the general public, and the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Borough may have in and to the aforementioned portion of Wellesley Street; and,

WHEREAS, the public right-of-way to be vacated shall revert to the corresponding property owners of the properties identified as Block 34, Lots 60 and 61 and Block 34, Lot 62, in accordance with law; and,

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, as follows:

Section 1:

Subject to the conditions set forth herein, the rights of the public and the Borough of Chatham in and to the portion of the paper street known as Wellesley Street, as described in the vacation map and survey attached as Exhibit B to this Ordinance, are hereby extinguished.

Section 2:

As required by N.J.S.A. 40:67-1(b), expressly reserved and excepted from the portion of this Ordinance relating to the vacation of the portion of Wellesley Street as described in Exhibit B to this Ordinance are all rights and privileges heretofore possessed by public utilities as defined in N.J.S.A. 48:2-13, and any cable television company as defined in the "Cable Television Act," N.J.S.A. 48:5A-1, et seq., to maintain or repair their existing facilities adjacent to, over and under the street to be vacated. A perpetual easement, if the same is required, is reserved for the benefit of public utility companies for the purpose of ingress and egress over and upon the same in order to maintain, repair or replace existing utility facilities, if any, including water lines, gas lines and telephone, electric and cable television wires and poles that may be located beneath the surface of the foregoing premises or above the same. The foregoing specifically includes, but is not limited to, any required easement necessary to service a thirty (30) inch trunk sewer line currently owned and/or operated by the Madison Chatham Joint Meeting that transverses Wellesley Street as set forth on the Tax Assessment Map of Chatham Borough dated January 30, 2015 and attached as Exhibit C to this Ordinance.

Section 3:

Upon the vacation of the portion of Wellesley Street as described in Exhibit B to this Ordinance, in accordance with New Jersey law, said property shall revert back to the ownership of the adjacent property owners. Said conveyance shall be in a strictly "as is" condition.

Section 4:

At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy hereof, together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Borough Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

Section 5:

The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by him/her under the seal of the municipality to be a true copy thereof, together with a proof of publication thereof, in the office of the Clerk of the County of Morris in accordance with the provisions of N.J.S.A. 40:67-21.

Section 6:

Repeal of Inconsistent Provisions. All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 7:

The Mayor, Borough Administrator, Borough Clerk and/or Borough Attorney be and hereby are authorized to prepare and execute such documents and take such further action as may be reasonably required to effect the intent and purpose of this Ordinance.

Section 8:

This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law.

#

Council President Treloar explained the area referred to in Ordinance #22-01 and moved to adopt Ordinance #22-01 on first reading, seconded by Council Member Mathiasen.

Mayor Kobylarz asked the Acting Borough Clerk for a Roll Call Vote.

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

By a unanimous Roll Call Vote, Ordinance #22-01 was adopted on first reading.

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. By a unanimous vote, the meeting was adjourned at 9:18 pm.

Respectfully submitted on January 28th, 2022, by
Stephen Williams, Acting Borough Clerk.