

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

May 9, 2022 MINUTES

Mayor Thaddeus J. Kobylarz called the Regular Meeting of the Borough of Chatham's Borough Council to order on Monday, May 09, 2022, at 7:30 P.M. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey and virtually.

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 04, 2022.

ROLL CALL

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

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

Also present were:

- Stephen W. Williams, Borough Administrator
- Steve Kleinman, Borough Attorney

PROCLAMATIONS

Mayor Kobylarz asked Council President Treloar to proceed with Resolution #22-170.

Council President Treloar read Resolution #22-170:

RESOLUTION #22-170

RESOLUTION IN SUPPORT FOR ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH

WHEREAS, Asian American and Pacific Islander (AAPI) Heritage Month originated in 1978 when New York Congressman Frank Horton introduced a bill that called for the first week of each May to be so designated, and with President Jimmy Carter issuing the first presidential proclamation for Asian/Pacific American Heritage Week in March 1979. AAPI Heritage Week was expanded to a commemorative month in 1990 in a bill signed into law by President George H.W. Bush, which had to be reauthorized each year the commemoration received permanent designation each May, in a law enacted in 1992; and

WHEREAS, Congressman Horton was inspired by former Capitol Hill staffer Jeanie Jew, who approached him about the idea in 1976. Jeannie Jew observed that just as Black History Month was decreed by President Ford in 1976, and Hispanic Heritage Week was decreed by President Johnson in 1968, there was a need to provide similar recognition to Asian Americans and Pacific Islanders; and

WHEREAS, Jeanie Jew's great-grandfather, M.Y. Lee, had immigrated to the United States from China in the 1800's and had helped build the Transcontinental Railroad. M.Y. Lee became a prominent California businessman who was later killed in Oregon during a period of anti-Chinese and anti-Asian sentiment in that state; and

WHEREAS, the month of May was selected for two reasons: (1) to commemorate the arrival of the first known Japanese immigrant to the U.S. on May 7, 1843, and (2) to honor the completion of the Transcontinental Railroad on May 19, 1869, which upwards of 20,000 Chinese workers helped to construct; and¹

WHEREAS, as an insidious consequence of the COVID-19 pandemic, the AAPI community in the United States continues to experience anti-AAPI hate crimes and bias incidents, echoing the anti-Asian sentiments that were prevalent in the 1800s that led to the enactment of the Chinese Exclusion Act of 1882, which prohibited Chinese immigration to the United States, and which was not repealed until 1943; and

WHEREAS, in our continued efforts to live up to the American values of freedom, justice and equality for all people, the events of this past year have made evident two principles: first, that institutional and structural racism continues to have insidious consequences on the peace, health and safety of our larger community and nation, and must be dismantled; and second, that it is incumbent upon each of us as individuals to challenge our own biases or assumptions regarding race and become better educated.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Chatham proudly joins in recognizing the annual celebration of Asian American and Pacific Islander

¹ <https://time.com/5592591/asian-pacific-heritage-month-history/>; <https://fapac.org/AAPI-Resources>

History Month and continuing our collective journey, as a community and nation, in honoring and deepening our knowledge of the history and contributions of AAPI members to the American economy, society, culture, freedoms, and values.

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Council President Treloar moved to adopt Resolution #22-170, seconded by Council Member Resto. By a unanimous voice vote, Resolution #22-170 was adopted.

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Resolution #22-171.

Council Member Koronkiewicz read Resolution #22-171:

RESOLUTION #22-171

**DESIGNATING THE WEEK OF MAY 15 – MAY 21, 2022
AS NATIONAL EMERGENCY MEDICAL SERVICES (EMS) WEEK**

WHEREAS, Emergency Medical Services (EMS) are a vital public service, providing lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, the EMS system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, EMS are now firmly established as a key component of the medical care continuum and EMS practitioners serve a vital role in saving lives from sudden cardiac arrest and trauma; in getting people to hospitals best equipped to treat heart attacks and strokes; and in showing care and compassion to their patients in their most difficult moments; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the all-volunteer Chatham Emergency Squad has primary responsibility for responding to medical emergencies in the Chathams and provides CPR training and First Aid training to residents of the Chathams to improve preparedness for medical emergencies; and

WHEREAS, our community is fortunate to be served by such dedicated volunteers who give their time in service of the Chatham Emergency Squad and engage in hundreds of hours of specialized training to enhance lifesaving knowledge and skills; and

WHEREAS, National Emergency Medical Services Week brings together local communities and medical personnel to publicize safety and honor the dedication of those who provide the day-to-day lifesaving services of medicine's "front line."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they do hereby proclaim the week of May 15 – May 21, 2022 as Emergency Medical Services Week in the Borough of Chatham and give a heartfelt thanks to the dedicated volunteers of the Chatham Emergency Squad; and

BE IT FURTHER RESOLVED, that residents are encouraged to join the Chatham Emergency Squad and become part of an organization, which has proudly served the Chathams since 1936.

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Council Member Koronkiewicz moved to adopt Resolution #22-171, seconded by Council Member Dempsey. By a unanimous voice vote, Resolution #22-171 was adopted.

Mayor Kobylarz and Council Member Koronkiewicz expressed their gratitude for the Chatham EMS.

Mayor Kobylarz recognized Captain Mike Lemons, who gave brief remarks and thanked the Mayor and Borough Council.

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #22-172.

Council Member Resto read Resolution #22-172:

RESOLUTION #22-172

RESOLUTION RECOGNIZING MAY 2022 AS MENTAL HEALTH AWARENESS MONTH

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, behavioral health disorders, including major depression, bi-polar disorder, schizophrenia, panic disorders, post-traumatic stress disorder and obsessive-compulsive disorders affect many children and youth every year, regardless of age, gender, race, ethnicity, religion, or economic status; and

WHEREAS, a focus on prevention and early intervention efforts could greatly reduce the number of children and adults experiencing serious mental health conditions; and

WHEREAS, children and adults can recover from mental illness and lead full, productive lives in the community; and

WHEREAS, since 1949, May has officially been recognized as Mental Health Month; and

WHEREAS, the Borough of Chatham, as a Stigma Free community, aims to eradicate the stigma associated with mental illness and substance use disorders and is dedicated to raising awareness of these illnesses by creating an environment where affected individuals are supported in their efforts to achieve wellness and recovery; and

WHEREAS, each elected official, business, government agency, health-care provider, organization and citizen share the burden of mental health issues and has a responsibility to promote mental wellness and support prevention efforts.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Chatham, hereby declare May 2022 as Mental Health Month and thereby request that each resident, citizen and business recommit our community to increasing awareness and understanding of mental health, the steps our children, youth and adults can take to protect their mental health, and the need for appropriate and accessible services for all people, especially children and youth with mental health conditions; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council of the Borough of Chatham implore our legislature to mandate insurance carriers to afford the same breath of insurance coverage to mental illness as they do for physical illnesses.

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Council Member Resto moved to adopt Resolution #22-172, seconded by Council Member Mathiasen. By a unanimous voice vote, Resolution #22-172 was adopted.

Mayor Kobylarz thanked Bob and Valerie Olpp for their community service regarding mental illness events in Chatham.

Mayor Kobylarz asked Council Member Truilo to proceed with Resolution #22-184.

Council Member Truilo read Resolution #22-184:

RESOLUTION #22-184

RESOLUTION PROCLAIMING THE MONTH OF MAY 2022 AS MILITARY APPRECIATION MONTH

WHEREAS, the rights of life, liberty, and the pursuit of happiness, enumerated in our Declaration of Independence, secured by the Constitution and the Bill of Rights, and enjoyed by every citizen of the United States, are secured by the dedication of the members of the United States Armed Forces; and

WHEREAS, the sacrifices made by all members of the United States Armed Forces and their loved ones are to be valued, and the brave men and women of our community who served and enlisted, ready to defend our homeland and safeguard the freedom and values for which we stand, deserve our recognition. Chatham (Borough & Township) residents have a proud history of service in the United States Armed Forces, in times of peace and times of war; and

NOW, THEREFORE, BE IT RESOLVED, that the Chatham Borough Mayor and Council does hereby proclaim the month of May 2022 as “Military Appreciation Month” and encourage all residents and community members to recognize those who have served, or are currently serving, our Nation and thank them for their dedication and contributions.

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Council Member Truilo moved to adopt Resolution #22-184, seconded by Council Member Resto. By a unanimous voice vote, Resolution #184 was adopted.

Mayor Kobylarz recognized Chatham Borough resident and retired Air Force Captain Herb Ramo and thanked him for his service.

RECUSALS

There were none.

ADOPTION OF COUNCIL MEETING MINUTES

Mayor Kobylarz asked Council Member Resto to proceed with Resolution #22-173.

Council Member Resto read Resolution #22-173:

RESOLUTION #22-173

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:

February 14, 2022

#

Council Member Resto moved to adopt Resolution #22-173, seconded by Council Member Mathiasen. By a unanimous voice vote, Resolution #22-173 was adopted.

DISCUSSION ITEMS

Mayor Kobylarz recognized Council Members Mathiasen and Dempsey to give a presentation on the Stanley Hall Resident Survey results.

Council Members Mathiasen and Dempsey presented the results of the resident survey and gave an update on the progress the Borough has made in this project.

Mayor Kobylarz asked a few questions and then opened the floor to other Council Members' input for a short Q&A session.

MAYOR'S REPORT I:

Mayor Kobylarz gave a report on the latest Covid-19 statistics. The Mayor announced two updates on the Library of the Chathams.

MEETING OPEN TO THE PUBLIC

Mayor Kobylarz read the following statement:

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.

No information given

The gentleman made several comments on Stanley Hall and the Borough Calendars.

Rozella Clyde – 33 Carmine Street

Rozella thanked Council Members Mathiasen and Dempsey for their work on Stanley Hall, offered some suggestions on its further development, and commented on the Post Office Plaza redevelopment.

Seeing no one else wished to be heard, Mayor Kobylarz closed this public section.

RESOLUTIONS NON-ROUTINE/NON-CONSENT

Mayor Kobylarz asked Council Member Dempsey to proceed with Resolution #22-174.

Council Member Dempsey read Resolution #22-174 and provided a brief explanation:

RESOLUTION #22-174

RESOLUTION ESTABLISHING THE START TIME FOR BASEBALL AND SOFTBALL ON SUNDAYS AT SHEPARD KOLLOCK PARK

WHEREAS, the Governing Body has undertaken due diligence regarding the use of Shepard Kollock Park on Sundays for organized Spring/Summer Chatham Baseball and/or Softball play and determined the field use starting time could be adjusted based on public comment.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Chatham authorize the use of Shepard Kollock Park by Spring/Summer Chatham Baseball and/or Softball starting at 10:30am; and

BE IT FURTHER RESOLVED, that the forgoing hours of use are subject to weather and lighting conditions for safe play; and

BE IT FURTHER RESOLVED, the Borough Administrator is authorized to adjust the times and dates based on extenuating circumstances; and

BE IT FURTHER RESOLVED, that “NO PETS ARE ALLOWED” on Shepard Kollock Fields, except where specifically designated, and appropriate signage will be placed regarding this prohibition.

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Council Member Dempsey moved to adopt Resolution #22-174, seconded by Council Member Truilo.

Mayor Kobylarz asked Acting Borough Clerk Stephen Williams 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			

By a unanimous Roll Call Vote, Resolution #22-174 was adopted.

Mayor Kobylarz stated that the next resolutions were to adopt the municipal budget and therefore needed a public hearing. Mayor Kobylarz opened the floor to the public.

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

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Resolution #22-175.

Council Member Koronkiewicz read Resolution #22-175 by title and gave a brief explanation:

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RESOLUTION #22-175

RESOLUTION TO AMEND INTRODUCED BUDGET

WHEREAS, the local budget for the year 2022 was approved on the 11th day of April, 2022; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Chatham of the County of Morris that the following amendments to the approved budget of 2022 be made:

GENERAL FUND:

Revenues:	From:	To:
1. Surplus Anticipated	\$2,250,000	\$2,252,000
2. Miscellaneous Revenues – Section A: Local Revenues		
Municipal Court	\$71,000	\$70,000
Parking Meters	\$304,000	\$303,000
Subtotal Local Revenues Section A	\$1,719,700	\$1,717,700
Total General Revenues:	\$16,154,647	\$16,154,647

General Appropriations:	From:	To:
1. Operations – Excluded from the “CAPS”		
Additional Appropriations Offset by Revenues		
Celebration of Public Events – Farmer’s Market	\$24,030	\$12,000
2. Operations – Within “CAPS”		
General Government Functions		
Celebration of Public Events – Farmer’s Market	\$0	\$12,030
Subtotal General Appropriations within “CAPS” – (H-1)	\$10,305,885.90	\$10,317,915.90
Subtotal Operations – Excluded from “CAPS”		

Additional Appropriations Offset by Revenue – (A)	\$24,030	\$12,000
Total General Appropriations:	\$16,154,647	\$16,154,647

OPEN SPACE:

Open Space Revenues:	From:	To:
1. Amount to be Raised by Taxation	\$95,000	\$95,789.59
Total Open Space Revenue:	\$95,000	\$95,789.59
Open Space Appropriations:	From:	To:
1. Reserve for Future Use	\$0	\$789.59
Total Open Space Appropriations:	\$95,000	\$95,789.59

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the local municipal budget so amended.

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Council Member Koronkiewicz moved to adopt Resolution #22-175, 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 #22-175 was adopted.

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Resolution #22-176.

Council Member Koronkiewicz read Resolution #22-176:

RESOLUTION #22-176

**RESOLUTION TO ADOPT THE BOROUGH OF CHATHAM
2022 MUNICIPAL BUDGET**

BE IT RESOLVED, by the Borough Council of the Borough of Chatham, County of Morris that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- \$8,959,009.27 for Municipal Purposes; and
- \$95,789.59 for Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

\$911,069.29 for Minimum Library Tax:

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Council Member Koronkiewicz moved to adopt Resolution #176, seconded by Council Member Mathiasen.

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		X			
Treloar			X			
Resto			X			
Truilo			X			

By a unanimous Roll Call Vote, Resolution #176 was adopted.

ORDINANCE FOR SECOND READING

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Ordinance #22-02.

Council Member Koronkiewicz read Ordinance #22-02 by title and the following statement:

ORDINANCE #22-03

BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF WOODLAND ROAD (FROM LAFAYETTE AVENUE TO THE MADISON BORDER) IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$320,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

BE IT RESOLVED, by the Borough Council of the Borough of Chatham, in the County of Morris, State of New Jersey, as follows:

Section 1. The Borough of Chatham, in the County of Morris, State of New Jersey (the "Borough") is hereby authorized to resurface Woodland Road (from Lafayette Avenue to the Madison border), including curb, sidewalk and drainage improvements, where necessary, in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor. It is hereby determined and stated that said road being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$320,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the State grant appropriated by this

ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$320,000, and (4) \$138,100 of said sum is to be provided by the State grant hereinafter appropriated, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$181,900, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$54,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. The sum of \$138,100 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$181,900 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$181,900 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local

Bond Law, is increased by this ordinance by \$181,900 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose (other than the State grant hereinbefore appropriated which shall be applied to the payment of the cost of such purpose, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction in the amount of bonds authorized), shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes, in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited, and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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Which Ordinance was introduced and passed on first reading at a regular Council meeting held on March 14, 2022.

Mayor Kobylarz asked the Acting Borough Clerk to give a summary of the legal notice.

A legal notice was published indicating that Ordinance #22-03 was introduced and passed on first reading at the March 14, 2022, meeting. A publication in the Daily Record on April 28 indicated the second reading and public hearing would be held at 7:30 pm on May 9, 2022, 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 public hearing on the Ordinance.

Mayor Kobylarz closed the public hearing when no one else wished to be heard.

Council Member Koronkiewicz moved to adopt Ordinance #22-03.

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 Truilo seconded the motion.

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			
Truilo		X	X			

By a unanimous Roll Call Vote, Ordinance #22-03 was adopted on second reading.

Mayor Kobylarz asked Council Member Koronkiewicz to proceed with Ordinance #22-04.

Council Member Koronkiewicz read Ordinance #22-04 by title and the following statement:

ORDINANCE #22-04

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 EXTENSION FOR THE RENTAL OF LUM AVENUE SCHOOL WITH ECLC OF NEW JERSEY, INC.

WHEREAS, the Local Lands and Buildings Law, at N.J.S.A. 40A:12-14(c) authorizes a municipality to enter into a lease with a nonprofit corporation or association for a public purpose without the need for public bidding and at a negotiated price; and,

WHEREAS, pursuant to a Lease Agreement initially dated May 27, 2008, ECLC of New Jersey, Inc. (“ECLC”), a New Jersey non-profit corporation, having its principal office at 100 Passaic Avenue, Chatham, NJ 07928, has leased from the Borough of Chatham property known as the Lum Avenue School, which is located at 21 Lum Avenue, Chatham, New Jersey; and,

WHEREAS, by a Lease Extension Amendment dated June 3, 2014, the term of the Lease was extended through June 30, 2022; and,

WHEREAS, the Borough and ECLC have agreed that they will enter into a further extension of the Lease for a renewal term of five years and one month commencing on July 1, 2022 and terminating on July 31, 2027; and,

WHEREAS, the parties desire to memorialize the extension of the lease agreement through the execution of a suitable contract document.

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

Section 1:

The Mayor and Borough Council hereby authorize an extension of the lease between the Borough and ECLC for use of the Lum Avenue School for a term commencing on July 1, 2022, and terminating on July 31, 2027, pursuant to the attached Lease Extension Amendment attached hereto as Exhibit A and incorporated herein, which also incorporates provisions of the prior lease agreements. The Mayor and Borough Clerk are authorized to execute the Lease Extension Agreement reflecting the foregoing in substantially in the form attached hereto as Exhibit A, subject to such additions, deletions, modifications, or amendments deemed necessary by the Borough Administrator in their discretion in consultation with counsel, which additions, deletions, modifications, or amendments do not alter the substantive rights and obligations of the parties thereto.

Section 2:

The Mayor, Borough Clerk, and Borough Attorney, and any other relevant Borough officials are authorized to take any further necessary actions and execute any further documents necessary to effectuate the intent and purposes of this Ordinance.

Section 3:

ECLC is authorized to utilize the property that is the subject of this lease strictly for non-profit educational purposes consistent with its existing use of the property, and not for any for-profit commercial purpose.

Section 4:

The Borough Administrator is designated as the municipal official responsible for enforcement of the conditions of the lease. As required by the Local Lands and Buildings Law, ECLC shall annually submit a report to the Borough Administrator setting out the use to which the leasehold was put during each year, the activities that the lessee had undertaken in furtherance of the public services for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax-exempt status of the non-profit corporation pursuant to both state and federal law.

Section 5:

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 6:

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of

the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7:

Codification. This Ordinance shall be a part of the Code of the Borough of Chatham though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of Chatham in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeals of existing provisions not intended to be repealed.

Section 8:

This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law. ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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Which Ordinance was introduced and passed on first reading at a regular Council meeting held on March 14, 2022.

Mayor Kobylarz asked the Acting Borough Clerk to give a summary of the legal notice.

A legal notice was published indicating that Ordinance #22-04 was introduced and passed on first reading at the March 14, 2022, meeting. A publication in the Daily Record on April 28 indicated the second reading and public hearing would be held at 7:30 pm on May 9, 2022, 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 public hearing on the Ordinance.

Mayor Kobylarz closed the public hearing when no one else wished to be heard.

Council Member Koronkiewicz moved to adopt Ordinance #22-04.

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 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, Ordinance #22-04 was adopted on second reading.

COUNCIL MEMBER REPORTS

Council President Treloar – Council President Treloar reminded everyone about the date for Fishawack.

Council Member Dempsey – Council Member Dempsey thanked community volunteers for various events. She announced the local food drive reached its second year of service and commended the program and all its participants.

The Mayor thanked Council Members Dempsey and Resto for their effort on the food drive.

Council Member Mathiasen – Council Member Mathiasen had no new business to report on.

Council Member Koronkiewicz – Council Member Koronkiewicz reported on the Shade Tree Commission’s planting events. She announced the Pedestrian Safety Committee’s next meeting and solicited concerns.

Council Member Resto – Council Member Resto reported on the following topics:

- Board of Health’s next in-person meeting
- Food Distribution event and thanked Council Member Dempsey for her remarks and other program sponsors
- Economic Development Advisory Committee’s Local Business Questionnaire
- Open Clerk Position
- Undergrounding Committee’s next meeting
- Senior Citizen Advisory Committee’s Traffic Safety suggestion list and annual paper shred

Council Member Truilo – reported on the Joint Community Garden beginning to plant.

MAYOR 'S REPORT II

Mayor Kobylarz had nothing further to report.

ADMINISTRATOR'S REPORT

Borough Administrator Steve Williams reported on the following topics:

- Morris County Virtual Information Session on the Morris Township Route 24 interchange plans

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.

Resolutions #22-177 through Resolution #22-183 have been placed on the Consent Agenda.

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

There were none.

###

RESOLUTION #22-177

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 #22-178

RESOLUTION TO HIRE SEASONAL EMPLOYEES IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works has a need to hire summer seasonal help; and

WHEREAS, the Borough of Chatham publicly advertised the job opening for the summer seasonal position in the Department of Public Works and solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates, the Director of Public Works found that Declan Curry and Luke Pacchia are the best-qualified candidates and has recommended that they be hired for the seasonal position in the Department of Public Works at the rate of \$15.00 per hour and with an effective starting date of May 16, 2022.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Director of Public Works and hereby approve the hiring of Declan Curry and Luke Pacchia as seasonal employees in the Department of Public Works at the rate of \$15.00 per hour and with the effective starting date of May 16, 2022.

RESOLUTION #22-179

RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO SOLICIT PLAN AND ORGANIZE THE 2022 FISHAWACK FESTIVAL JUNE 11, 2022

WHEREAS, the Fishawack Festival is an annual community event held on the second Saturday in the month of June that has been enjoyed by the community for 50 years; and

WHEREAS, the Borough's Department of Community Services has planned, organized, and conducted the Fishawack Festival for the past five years; and

WHEREAS, the Mayor and Council wish to continue the Fishawack Festival as a public event in 2022 and encourage residents and consumers to Shop Chatham First.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the Department of Community Services is hereby authorized to begin to plan and organize the 2022 Fishawack Festival; 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

RESOLUTION #22-180

RESOLUTION APPROVING A SOCIAL AFFAIRS PERMIT APPLICATION TO DISPENSE AND SERVE ALCOHOLIC BEVERAGES AT THE FISHAWACK FESTIVAL ON JUNE 11, 2022

WHEREAS, Chatham Borough will be hold its Fishawack Festival on June 11, 2022; and

WHEREAS, pursuant to N.J.S.A.33:1-74, the Senior Center of the Chathams will apply to the Division of Alcoholic Beverage Control for a Social Affairs Permit to dispense and serve alcoholic beverages for consumption at this year's Fishawack Festival; and

NOW, THEREFORE, BE IT RESOLVED the mayor and Council of the Borough of Chatham hereby grant permission to the Senior Center of the Chathams to dispense and serve alcoholic beverages for consumption at the Fishawack Festival on June 11, 2022, contingent upon approval of a Social Affairs Permit issued by the Division of Alcoholic Beverage Control; and

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

RESOLUTION #22-181

RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO CLOSE CERTAIN DESIGNATED PARKING LOTS AND ROADS AND TO CONTROL AND TO REGULATE TRAFFIC CONDITIONS CONSEQUENT THERETO FOR THE 2022 CHATHAM FISHAWACK CELEBRATION

WHEREAS, the 2022 Chatham Fishawack celebration is scheduled to be held on June 11, 2022; and

WHEREAS, the Chief of Police has reviewed the traffic conditions created by the Fishawack celebration and has recommended to the Borough Administrator that certain designated parking lots and roads be closed to facilitate public activity created by Fishawack and to control and to regulate traffic conditions consequent thereto; and

WHEREAS, required documentation with Morris County, the Joint Insurance Fund and Fun Services Amusements with completed Hold Harmless Agreements, Certificates of Insurance and Facilities Use Forms appropriately distributed and on file in the Department Community Services; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the Chief of Police to close the following parking lots on June 11, 2022, from 8:00 a.m. to 9:00 p.m. to facilitate the public activity created by the Fishawack celebration:

1. Parking Lot No. 1 or Plaza North Lot
2. Parking Lot No. 2 or Plaza South Lot
3. Parking Lot No. 7 or Firehouse Plaza Lot (for handicap parking)
4. Fairmount Avenue to Red Road
5. Fire House Plaza - Fairmount Avenue to South Passaic for Fire emergency access use; and

BE IT FURTHER RESOLVED, the Chief of Police is hereby authorized to close Fairmount Avenue from Main Street to Red Road, and establish appropriate detour routes and to undertake such traffic measures to control and to regulate traffic conditions created consequent to the closure of the herein referenced parking lots and roads; and

BE IT FURTHER RESOLVED, 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 #22-182

RESOLUTION SUPPORTING “PARENTS WHO HOST, LOSE THE MOST: DON’T BE A PARTY TO TEENAGE DRINKING” CAMPAIGN

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being; and

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety, and legal problems; and

WHEREAS, it is illegal to give or allow your teen’s friends to drink alcohol in your home, even with their parents’ permission, and anyone found guilty of providing alcohol to any underage youth can face up to a \$1,000 fine and six months in prison, in addition to any civil action that can be brought about as a result of damage(s) or injury related to the offense; and

WHEREAS, adults have the authority and responsibility to provide our youth with alternative opportunities by creating alcohol-free activities; and

WHEREAS, the Drug-Free Action Alliance, through the “Parents Who Host, Lose The Most: Don’t be a Party to Teenage Drinking” campaign provides the educational materials to raise community awareness regarding this illegal and unhealthy practice.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby proclaim the month of June 2022 to be the Parents Who Host, Lose The Most: Don’t be a Party to Teenage Drinking in the Borough of Chatham; and

BE IT FURTHER RESOLVED, that Borough officials not only discourage the use of alcohol by those below the legal age of consumption, but also urge all Borough citizens to refuse to provide alcoholic beverages to underage youth and to continue to take the necessary steps to discourage this illegal and unhealthy activity.

RESOLUTION #22-183

RESOLUTION PROCLAIMING MAY 2022 AS BRAIN TUMOR AWARENESS MONTH IN CHATHAM BOROUGH

WHEREAS, an estimated 700,000 people in the United States are living with a primary brain tumor, and approximately 85,000 more will be diagnosed in 2022; and

WHEREAS, brain tumors can be deadly, significantly impact quality of life, and change everything for a patient and their loved ones; and

WHEREAS, brain tumors do not discriminate, afflicting men, women, and children of all races and ethnicities; and

WHEREAS, brain tumors are the most common solid tumor in children ages 0-14; and

WHEREAS, hundreds of non-profit organizations at the local and national level including the American Childhood Cancer Organization and WITH Grace Initiative, are helping children with cancer and their families cope through educational, emotional, and financial support; and

WHEREAS, researchers and healthcare professionals work diligently dedicating their expertise to treat and cure brain tumors; and

WHEREAS, too many are affected by this deadly disease and more must be done to raise awareness and find a cure.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Chatham proudly proclaim May 2022 Brain Tumor Awareness Month in the Borough of Chatham.

###

CONSENT AGENDA VOTE:

Mayor Kobylarz asked Council President Treloar to proceed with the Consent Agenda.

Council President Treloar moved to adopt the Consent Agenda by consent of the Council, seconded by Council Member Resto. By a unanimous voice vote, the resolutions were adopted.

ADJOURNMENT

Having no other business to conduct, Mayor Kobylarz asked Council Member Truilo to proceed with Adjournment. Council Member Truilo moved to adjourn, seconded by Council Member Resto. By a unanimous vote, the meeting was adjourned.

Respectfully submitted on July 11, 2022, by
Stephen W. Williams, Acting Borough Clerk.