

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

**February 22, 2021 MINUTES**

Mayor Thaddeus J. Kobylarz called the February 22, 2021 virtual Regular Meeting of the Borough of Chatham to order on Monday, February 22, 2021 at 6:01 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

Mayor Kobylarz and the Borough Council led the assembled in the Pledge of Allegiance.

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 further acknowledged the 28.7 million Americans who contracted COVID-19, and the more than 500,000 people who have died from the disease; and 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)

## **PROCLAMATION**

Mayor Kobylarz asked Council Member Treloar to proceed with Resolution # 21-119.

Council Member Treloar read Resolution # 21-119 as follows:

### **RESOLUTION #21-119**

#### **CELEBRATING NATIONAL NUTRITION MONTH® IN THE MONTH OF MARCH**

**WHEREAS**, National Nutrition Month® is a nutrition, education, and information campaign created annually in March by the Academy of Nutrition and Dietetics to focus attention on the importance of making informed food choices and developing sound eating and physical activity habits; and

**WHEREAS**, National Nutrition Month® encourages us to achieve the numerous benefits healthy eating habits offer, and it also urges us to find ways to cut back on food waste; and

**WHEREAS**, the Mayor's Wellness Advisory Committee was established to work with Mayors and key leaders to promote healthy behaviors and shape healthier lifestyles for the men, women and children in their communities; and

**WHEREAS**, the Mayor's Wellness Advisory Committee recognizes that food is the substance by which life is sustained and the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

**WHEREAS**, there is a need for continuing nutrition education and a wide-scale effort to encourage healthy eating practices.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham, together with the Mayor's Wellness Advisory Committee, encourage all citizens to celebrate National Nutrition Month® during the month of March and in doing so, become more informed about their food choices and nutrition, and develop sound eating and physical activity habits to achieve optimum health for both today and tomorrow.

###

Council Member Treloar moved to approve Resolution # 21-119 seconded by Council Member Resto. By a unanimous voice vote, Resolution # 21-119 was approved.

Mayor Kobylarz provided a commemorative copy of the resolution to the Director of Community Services, Janice Piccolo.

## **RECUSALS**

Recusals or abstentions submitted for the record.

There were none.

## **RESOLUTION #21-120**

### **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 25, 2021

Council Member Resto moved to approve Resolution # 21-120, seconded by Council Member Mathiasen. By a unanimous voice vote, Resolution # 21-120 was approved.

### **DISCUSSION ITEMS**

Chatham SEPAG (Special Education Parent Advisory Group):

Presented By: Bonnie Press and Aimee Reali

Council President Dempsey and Council Member Treloar introduced Bonnie Press and Aimee Reali who both gave brief histories of themselves and how they became involved in the, Special Education Parent Advisory Group (SEPAG).

Formally known as CHASE, SEPAG was established in 1998. The program is mandated to be implemented by the Board of Education for students with disabilities. 1 in 5 students are likely to be classified as a child with special needs. Ms. Press discussed the biggest challenges of the program.

Mayor Kobylarz stated that stigmatization is a significant reason that prevents families from reaching out for assistance. He, too, has family members who are diagnosed with ADHD but are high functioning. Ms. Press explained that there is no correlation between people with special needs and low academic abilities, as they are on different trajectories. However, stigmatization is often based on false presumptions. If one admits to special needs assistance, it changes other's perception of them. The learning process is complex, and stigmatization is widespread throughout the country. As per Council Member Resto, children with special needs whose second language is English may experience greater challenges.

Aimee Reali spoke about her experience with her daughter who suffers from dyscalculia and how she was introduced to SEPAG. She explained that most parents realize at a late stage that their child suffers from a learning disability. Diagnosis typically happens between the 4<sup>th</sup> and 8<sup>th</sup> grade. She stressed that early diagnosis or detection can make a positive impact.

SEPAG is advocating for the following:

- Increasing Teacher Knowledge Base: Offer full certification to teachers based on the science of reading, using Wilson Certified.
- Improving Data-Based Decision Making: Request data audit to evaluate assessment practices in the classroom and in the evaluation process. Look at tiered support in terms of NJDOE.
- Dyslexia Task Force: Partner with parents and teachers to solve problems.

Ms. Reali discussed the group's goals, priorities, and initiatives. She further stated that children with learning differences are often highly creative and successful in areas of the arts, music, business, mathematics, design, and finance, to name a few. However, during this existential pandemic, many children are struggling to learn. The change to virtual learning is more challenging for those with learning disabilities. COVID-19 has created a significant learning loss in many school-aged children. Forty percent (40%) of first graders are significantly behind in literacy skills. Data has further shown an increase of students scoring below grade level (by 27-40%) since COVID-19.

Members of the Governing Body each commented and thanked the group for the informative presentation and the outstanding efforts and resources available for those in need.

### **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 402 residents of the Borough have thus far contracted COVID-19. Last week the Borough saw nine (9) new cases. The daily infection rate has plateaued, but the fluctuation has been considerable. New Jersey is trending in a gradual downslope direction, with the current 7-day rolling average of positive cases being 2,711. Last week, it was 3,000. The transmission rate is now 0.91, which indicates we are progressing in the right direction. However, new variants of the virus may complicate the pandemic. He encouraged residents to get vaccinated to reduce the rapid spread of the virus. As per Health Officer Megan Avallone, New Jersey is now exceeding expectations by vaccinating 1.5 million people per day.

However, with the new variants, the infection rates can increase. Therefore, it is vital to remain vigilant. As a community, to mitigate the spread of the virus, we must adhere to the protective measures of washing hands, maintaining social distance, wearing masks, cooperating with contact tracing, and getting vaccinated when authorized by a physician.

#### COVID-19 Remembrance Service

The COVID-19 Remembrance Service held last night was deeply moving. The number of people who succumbed to the virus is immensely difficult to comprehend. However, we hope that last night's service will help with the healing process. Mayor Kobylarz thanked the weekly Mayors Roundtable participants. He also thanked the President of the Library of the Chathams, Karen Brodsky and Director Andy Hollander. He further acknowledged Chatham Police Chief Brian Gibbons and Police Sergeant Wayne Shivers, and DPW Director Tony Torello and his staff.

#### Chatham Chinese Association and the Library of the Chathams:

Mayor Kobylarz acknowledged the Chinese New Year celebration in Chatham Borough. The event was organized and well structured. He thanked the organizers for a wonderful event.

## MEETING OPEN TO THE PUBLIC

*Residents wishing to make public comments may dial 929-205-6099 (Meeting ID:852 2450 4444) or obtain online access of the meeting using the following URL:*

<https://us02web.zoom.us/j/8522450444>

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.

## ORDINANCE FOR SECOND READING

Mayor Kobylarz asked Council Member Mathiasen to proceed with Ordinance # 21-04.

Council Member Mathiasen read Ordinance # 21-04 entitled:

### ORDINANCE # 21-04

## ORDINANCE APPROVING THE EXECUTION OF A FINANCIAL AGREEMENT WITH CHATHAM RIVER ROAD URBAN RENEWAL, LLC.

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on February 8, 2021.

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

The Borough Clerk stated a legal notice was published indicating that Ordinance # 21-04 was introduced and passed on first reading at the February 8, 2021 meeting and indicated the second reading and public hearing would be held at 6:00 p.m. on February 22, 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 Mathiasen offered the following Ordinance and move 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		X			

Koronkiewicz			X			
Treloar			X			
Resto		X	X			
Truilo			X			

Mayor Kobylarz declared this Ordinance adopted and finally passed and requested the Borough Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

Mayor Kobylarz proceeded to the Reports from the Borough Council Members.

## REPORTS

### COUNCIL MEMBERS

**Council President Dempsey** – Council President Dempsey reported that Chatham Borough representative Michael Valenti had resigned from the Board of Education. The Board will vote on a replacement on March 1, 2021.

Council Member Mathiasen created a survey for residents pertaining to recreational facilities within the Borough to obtain feedback on what residents would like to see within the Borough and improvements they recommend.

Council President Dempsey thanked all donors to the food distribution program. There was a record number of people who came to the distribution line on Wednesday.

Morris County's "Navigating Hope" van will return to the Borough on February 24, 2021 at Firehouse Plaza from 12:00 p.m. to 4:00 p.m. "Navigating Hope" moves around the county to reach and inform the public about different long and short-term assistance programs available to the public (e.g. cash assistance, housing assistance, utilities etc.). Residents were encouraged to take advantage of the available services.

**Council Member Mathiasen** – Council Member Mathiasen reported that the Budget & Finance Committee met and discussed the short-term financial struggles ahead with respect to the Borough's budget. Increases in healthcare and mandated changes in retirement plans among other things have created a budget challenge. The loss of revenue in certain areas due to the pandemic, such as parking, also contributed to the financial challenge. However, the Borough remains fiscally strong. The Budget & Finance Committee will meet and discuss the budget of each department. The public is encouraged to attend the budget hearing when it is held to understand the dynamics of the Borough's municipal budget.

**Council Member Treloar** – Council Member Treloar reported that the MyChathamNJ Advisory Committee met on Friday, February 19, 2021. The committee wants to remind residents that the Annual Spring-Cleaning date is on the Borough's calendar and anyone wishing to volunteer should contact Community Services.

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

**Council Member Resto** – Council Member Resto reported on the food distribution program at the Chatham United Methodist Church. He thanked everyone for coming together to facilitate in helping our neighbors. There was a record number of vehicles that showed up for assistance, 63 vehicles. Some vehicles had to collect for others. Seven (7) vehicles were new, and several families

stated they have exhausted their savings, while others expressed embarrassment in obtaining assistance.

The Board of Health met on February 11, 2021. Kay Kaiser was appointed President and Robert Weber was appointed Vice President. Anyone interested in joining the Board of Health should contact him for information on how to volunteer.

The Undergrounding Advisory Committee is working on forming a working group of municipalities with JCP&L. The BPU ordered JCP&L to begin studying undergrounding wiring, especially in high-risk areas.

Lastly, the Senior Citizen Advisory Committee will propose ideas for consideration by the Mayor and Council and potentially conduct Town Hall meetings to permit senior residents to voice their concerns.

**Council Member Truilo** – Council Member Truilo reported that the Historic Preservation Commission met and nominated John and Marie Perry of 12 Washington Avenue for its Flag Award. The Perry family were delighted to receive this nomination.

Council Member Truilo further reported that the Planning Board approved a hot yoga studio on N. Passaic Avenue.

## **MAYOR'S REPORT II**

Mayor Kobylarz had nothing further to report.

## **ADMINISTRATOR'S REPORT**

Business Administrator Steven Williams reported as follows:

- Mr. Williams asked residents to keep sidewalks clear, and for properties with a fire hydrant to clear a 3-foot perimeter around the hydrant to ensure it is clear of snow in the event of an emergency.
- PSE&G will begin construction in March to replace the old high-tension towers in the Borough.
- Residents were encouraged to visit the Borough's website and register with the Borough's Constant Contact List.

## **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 #21-121 through Resolution #21-125 have been placed on the Consent Agenda.

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

There were none.

**APPOINTMENTS**

**RESOLUTION #21-121**

**RESOLUTION RE-APPOINTING CHERI MORRIS AS THE REGISTRAR OF VITAL  
STATISTICS FOR THE BOROUGH OF CHATHAM PURSUANT TO N.J.S.A. 26:8-14**

**WHEREAS**, there is a need for the Borough of Chatham to appoint a Certified Municipal Registrar of Vital Statistics; and

**WHEREAS**, in accordance with N.J.S.A. 26:8-14, Cheri Morris is a Certified Municipal Registrar and had indicated her willingness to be re-appointed to serve a 3-year term as the Borough's Registrar of Vital Statistics.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Cheri Morris is hereby re-appointed as the Registrar of Vital Statistics for the Borough to serve a 3-year term effective March 17, 2021 through March 17, 2024, pursuant to state law; 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.

**FINANCE**

**RESOLUTION #21-122**

**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.

**OTHER**

**RESOLUTION # 21-123**

**RESOLUTION AUTHORIZING THE SPRING CLEAN INITIATIVE FOR THE YEAR  
2021 AND AUTHORIZING THE SOLICITATION OF CHARITABLE DONATIONS**

**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, May 1, 2021 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.

**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.

#### **RESOLUTION #21- 124**

#### **RESOLUTION ACCEPTING THE RESIGNATION OF BENJAMIN ZINN AS A FIREFIGHTER OF THE BOROUGH OF CHATHAM FIRE DEPARTMENT**

**WHEREAS**, Benjamin Zinn has tendered his resignation as a firefighter of the Borough of Chatham Fire Department.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby accept the resignation of Benjamin Zinn as a firefighter of the Borough of Chatham Fire Department, effective February 17, 2021; and

**BE IT FUTHER RESOLVED**, that the Mayor and Council thank Benjamin Zinn for his services to this community and wish him well in his future endeavors; and

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

#### **RESOLUTION # 21-125**

#### **RESOLUTION AUTHORIZING THE MAYOR AND COUNCIL LIAISON TO THE MUNICIPAL ALLIANCE COMMITTEE OF THE CHATHAMS TO EXECUTE A MUNICIPAL ALLIANCE GRANT APPLICATION FOR GRANT YEAR OCTOBER 2020 – JUNE 2021 [FORM 1B]**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the Borough of Chatham, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem across all communities in our society and amongst people of all ages; and

**WHEREAS**, the Borough of Chatham further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough of Chatham and the Township of Chatham have combined efforts and established the Municipal Alliance Committee of the Chathams; and,

**WHEREAS**, the Municipal Alliance Committee of the Chathams was approved for Municipal Alliance grant funding for the previous Grant Year October 2020 - June 2021; and

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse has agreed to make a \$6,035.00 grant fund allocation available to the Municipal Alliance Committee of the Chathams for Grant Year October 2020 - June 2021, contingent upon meeting the Municipal Alliance Committee of the Chathams contribution of 25% Cash Match (\$1,508.75) and a 75% In-Kind Match (\$4,526.25) for a total Budget of \$12,070.00; and

**WHEREAS**, the Borough of Chatham and Township of Chatham will equally contribute the Cash Match and In-Kind Match required for the grant funding as referenced in Form 1B, which is attached and made part of this Resolution.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that it does hereby authorize the Mayor and the Council liaison to the Municipal Alliance Committee of the Chathams to execute the Municipal Alliance Grant Application for Grant Year October 2020 - June 2021 [Form 1B]; and

**BE IT RESOLVED**, that the Mayor is permitted to execute any supplement or amendment to the Municipal Alliance Grant Application that increases the grant funding allocation; and

**BE IT 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.

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

Mayor Kobylarz asked Council Member Resto to proceed with the Resolutions listed on the Consent agenda, Resolutions #21-121 through #21-125.

Council Member Resto made a motion to approve Resolutions #21-121 through # 21-125 on the Consent Agenda. The motion was seconded by Council Member Treloar. By a unanimous voice vote, the aforementioned resolutions were approved.

## **ADD-ON RESOLUTION[S]**

There were none.

## **ORDINANCES FOR FIRST READING**

Mayor Kobylarz asked Council Member Mathiasen to introduce Ordinance #21-05.

Council Member Mathiasen introduced Ordinance #21-05 by title as follows:

### **ORDINANCE #21-05**

#### **BOROUGH OF CHATHAM PROPOSED AMENDMENTS TO LAND USE ORDINANCE CHAPTER 165 ARTICLE XIV STORMWATER MANAGEMENT AND CONTROL**

Council Member Mathiasen explained the purpose of the Ordinance and moved for introduction on First Reading.

Council Member Mathiasen read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on February 22, 2021.

**BE IT RESOLVED**, that at the Council meeting to be held on March 8, 2021 at 6:00 p.m. prevailing time, at Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Council Member Mathiasen offered Ordinance #21-05 and moved its adoption on first reading.

Council Member Truilo seconded the motion.

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

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

## **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 8:02 p.m.

Respectfully Submitted on March 22, 2021 by:

Tamar Lawful, RMC  
Borough Clerk  
BOROUGH OF CHATHAM