

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

**July 12, 2021, MINUTES**

Mayor Thaddeus J. Kobylarz called the virtual Regular Meeting of the Borough of Chatham to order on Monday, July 12, 2021 at 6:05 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

Mayor Kobylarz asked for a moment of silence for those who have given their lives for our country. He also gave recognition to those protecting our lives during the current health pandemic caused by coronavirus, COVID-19. He acknowledged the 33.8 million Americans who contracted COVID-19, and the more than 606,000 people who have succumbed to the virus. Finally, he acknowledged the ten (10) Chatham Borough residents who have died since the pandemic.

**STATEMENT OF  
ADEQUATE NOTICE**

Tamar Lawful, Borough Clerk, read the following statement of adequate notice:

Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the official bulletin board on the main floor of Borough Hall, emailed to the Daily Record, the Star-Ledger, the Chatham Courier, the Chatham Patch, and TAPinto Chatham and was filed with the Borough Clerk, all on January 08, 2021.

**ROLL CALL**

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

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

Also present were:

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

## PROCLAMATIONS

Mayor Kobylarz proceeded to read the Mayor's Proclamation in honor of Reverend Mary Davis.

Mayor Kobylarz read the following Proclamation:

### *Mayor's Proclamation*

#### **MAYOR'S PROCLAMATION HONORING REVEREND MARY DAVIS FOR HER EXEMPLARY SERVICE TO THE COMMUNITY AND DECLARING WEDNESDAY, JULY 14, 2021 "REVEREND MARY DAVIS DAY" IN CHATHAM BOROUGH**

**WHEREAS**, Chatham Borough is home to St. Paul's Episcopal Church, which serves the Episcopal community of the Chathams and surrounding communities; and

**WHEREAS**, Reverend Mary Davis has served St. Paul's Episcopal Church for the past ten years as its Rector; and

**WHEREAS**, Rev. Davis has proven to be a spiritual leader, counselor, friend, and confidant to her parishioners, as well as to many individuals outside the St. Paul's Episcopal Parish; moreover, she has shown herself to be a concerned and compassionate leader not just within her local church, but among and for the entire Chatham community; and

**WHEREAS**, Rev. Davis's service to the greater Chatham community has nowhere been demonstrated more compellingly than during the 2020-2021 Covid-19 Global Pandemic as a regular participant in the weekly "Mayor's Roundtable" meetings convened for the purpose of communicating vital information concerning the ongoing health crisis between Chatham Borough officials and the local clergy, as heads of their respective congregations and local church communities; and

**WHEREAS**, Rev. Davis's participation in these weekly discussions helped provide significant insight to Borough officials on the physical and emotional impact of this devastating virus within a key segment of the Borough's population, allowing them to make and adjust policy decisions based on an increasingly nuanced understanding of the local effects of the pandemic; and

**WHEREAS**, an invaluable outcome of these roundtable discussions was the effort early on to institute the "Chatham Food Drive", conducted weekly at the Chatham United Methodist Church, a project of which Reverend Davis was a significant contributor; and

**WHEREAS**, it is with great sadness that Bishop Carlyle Hughes accepted Rev. Davis's request for retirement effective July 11, 2021; and

**WHEREAS**, Rev. Davis is looking forward to exploring the lush mountains outside of Knoxville, Tennessee, her new home, and spending time cheering on the athletic exploits of her beloved University of Tennessee; and

**WHEREAS**, Rev. Davis's hope upon her arrival in Chatham Borough ten years ago was to grow a community of faith, which she has undoubtedly achieved; and

**WHEREAS**, Chatham has been blessed by her dedicated service to this community for each and every day she has been here among us; and

**WHEREAS**, in recognition of Rev. Davis's commitment and service to the residents of Chatham Borough we wish her the very best in her retirement and all of the blessings that come with it.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Thaddeus J. Kobylarz, Mayor of the Borough of Chatham, on behalf of myself and the Chatham Borough Council, do hereby express our profound gratitude to Rev. Davis, from the bottom of our hearts, for her exemplary commitment and tireless service to the greater Chatham community; and

**BE IT FURTHER RESOLVED**, that I, Thaddeus J. Kobylarz, Mayor of the Borough of Chatham, on behalf of myself and the Chatham Borough Council, do hereby proclaim, as a way to honor Rev. Davis, that July 14, 2021, be forever known as "Reverend Mary Davis Day" in the Borough of Chatham.

Mayor Kobylarz thanked Reverend Davis for her dedication and hard work in the Borough of Chatham and provided a commemorative copy of the Proclamation.

Reverend Davis gave a brief speech and thanked the Governing Body.

## **PROCLAMATIONS**

Mayor Kobylarz asked Council Member Truilo to read Resolution #21-255.

Council Member Truilo read Resolution # 21-255.

## **RESOLUTION #21-255**

### **RESOLUTION IN SUPPORT AND CELEBRATION OF NATIONAL DISABILITY INDEPENDENCE DAY ON JULY 26, 2021 IN THE BOROUGH OF CHATHAM**

**WHEREAS**, July 26, 2021 commemorates 31 years since the signing of the Americans with Disabilities Act (ADA); and

**WHEREAS**, President George H.W. Bush signed the Americans with Disabilities Act into law on July 26, 1990, which became a landmark piece of the civil rights legislation; and

**WHEREAS**, the Americans with Disabilities Act of 1990 prohibits discrimination against all individuals with disabilities in areas of public life such as employment, education, transportation, and accessibility to all public and private places that are open to the general public; and

**WHEREAS**, the intent of this historic piece of legislation is to grant the same rights and opportunities to people with disabilities as those enjoyed by everyone else; and

**WHEREAS**, the Americans with Disabilities Act has also mandated that building codes incorporate minimum standards of accessibility in both new and existing structures, and to remove barriers in existing buildings wherever feasible; and

**WHEREAS**, business owners should make reasonable modifications to accommodate those with disabilities; and

**WHEREAS**, research has shown that exclusion of people with disabilities can have a variety of psychological and sociological impacts often increasing the likelihood of prejudice, stereotyping, stigmatizing, and avoidance of such persons; and

**WHEREAS**, despite the progress made for those with disabilities, more remains to be done to ensure accessibility, accommodation, inclusion, and integration.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Chatham proudly joins in recognizing and celebrating the 31<sup>st</sup> anniversary of National Disability Independence Day on July 26, 2021; and further celebrates and supports the integration, inclusion, and accommodation of all individuals with disabilities in the Borough of Chatham, despite one's age, ethnicity, race, mental, emotional, and/or physical disability.

Mayor Kobylarz thanked Council Member Truilo for proposing the proclamation.

#### **RECUSALS**

There were none.

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

Mayor Kobylarz asked Council Member Resto to proceed with Resolution # 21-256.

Council Member Resto read Resolution # 21-256.

#### **RESOLUTION #21-256**

#### **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:

June 14, 2021

And,

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

June 14, 2021

Council Member Resto motioned to approve Resolution # 21-256, seconded by Council Member Truilo. By a unanimous voice vote, Resolution # 21-256 was approved.

## **DISCUSSION ITEMS**

There were none.

### **MAYOR'S REPORT I:**

Mayor Kobylarz delivered a portion of his Mayor's Report as follows:

#### Statistical Update on the Coronavirus:

Mayor Kobylarz reported that 547 residents of the Borough contracted COVID-19 since the start of the pandemic. Thus far, there are zero (0) reported cases for the month of July.

The State of New Jersey is trending in the wrong direction, with a current 7-day rolling average of 260 positive cases. This is an increase of 41% from three weeks ago. The statewide daily infection cases are a result of the new Delta variant, which is responsible for 41% of newly confirmed cases. The statewide transmission rate is now 0.95. 73% of New Jersey residents have been fully vaccinated. However, the number of new transmissions is mostly among the unvaccinated.

#### An expression of gratitude:

Mayor Kobylarz provided a statement of gratitude for the diversity celebration held on June 30, 2021, and the July 4, 2021, parade. He thanked the following departments for organizing both events: the Fire Department, Police Department, Department of Public Works, Emergency Squad, Borough Administrator Stephen Williams, and Community Services Director Janice Piccolo. Mayor Kobylarz further acknowledged Council President Dempsey, Council Member Treloar, June Quan (founder of the Chatham Asian Americans and Pacific Islanders with allies), Shirley Wu (founder of the Chatham Chinese Association) and Zandie Sutton, a resident who proposed the idea of conducting an event to celebrate diversity in the Borough.

#### National Night Out:

"National Night Out" hosted by the Chatham Borough Police Department will be held at Memorial Park on Tuesday, August 3, 2021, from 5:00 p.m. to 8:00 p.m. The community event will include free ice cream, giveaways, food trucks, live music, a dunk tank, tug of war, swimming, a basketball shootout, and frisbee toss, among other fun activities.

#### Mayor Kobylarz Absent:

Mayor Kobylarz announced his absence from July 15, 2021, through July 30, 2021, to assist the Boys Scouts as an Assistant Scoutmaster in New Mexico. During his absence, Council President Dempsey will serve as Acting Mayor for any event requiring the physical presence or input of the Mayor. During the absence of Council President Dempsey, Council Member Mathiasen will assume the role of Acting Mayor from July 23, 2021, to July 30, 2021.

## **MEETING OPEN TO THE PUBLIC**

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 828 4012 0206) or obtain online access of the meeting using the following URL: <https://us02web.zoom.us/j/82840120206>

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.

**Fran Drew - 32 Inwood Rd.**

Mrs. Drew presented a plan for the Post Office Plaza Redevelopment Project. She advised that the proposed plan provides ample parking, retail stores, and a park-like area. She asked the Governing Body to consider the proposed plan. She further voiced her opposition to the current redevelopment plan.

**Jack Drew - 32 Inwood Rd.**

Mr. Drew requested the Governing Body to review and discuss the plan presented by Mrs. Drew.

**Michael Dean - 181 N. Passaic Avenue**

Mr. Dean inquired about Resolution # 21-264 and requested additional information concerning the Borough's interest in hiring a Special Redevelopment Planner. He further inquired about the developer's cost, and the number of proposed residential and commercial units. He stated that residents of the Borough have voiced their disapproval of the redevelopment project and hopes the Governing Body will take their concerns into consideration.

**Brigid McMenamin - 133 Center Avenue**

Ms. McMenamin stated the Mayor's action is inconsistent with his promise to consider the public's input prior to making a final decision on the Post Office Plaza Redevelopment Project.

Mayor Kobylarz stated that a decision has not been made and will not be made until a full comprehensive vetting of the public's input is executed.

**Joyce Martinsen - 64 Hillside Avenue**

Ms. Martinsen voiced her opposition to the redevelopment project and asked the Mayor to consider a new redevelopment idea, such as the one proposed by Mrs. Drew.

**Robert Penn - 165 N. Passaic Avenue**

Mr. Penn thanked the Governing Body for how they handled the COVID-19 pandemic in the Borough. He voiced his opposition to the Post Office Plaza Redevelopment Plan and asked the Governing Body to consider the idea presented by Mrs. Drew. He further asked the Governing Body to consider the traffic impact a redevelopment project would have on the Borough. He proposed a memorial for residents who have supported the community in its place.

Mayor Kobylarz stated that throughout the pandemic, the Governing Body tried to ensure residents were protected by making informed decisions and obtaining professional guidance. He thanked Mr. Penn for his acknowledgement. He also informed Mr. Penn that the Governing Body will continue to listen to the public's concerns and take them into consideration prior to making a final decision. The Governing Body may further explore different options for a redevelopment project.

Council Member Truilo stated that the Governing Body is committed to exploring all possibilities for the Post Office Plaza Redevelopment Project and will make the best decision for the community and its residents.

*Mayor Kobylarz proposed changing the current name of the Post Office Plaza Redevelopment Project.*

**Joyce Martinsen - 64 Hillside Avenue**

Ms. Martinsen voiced her opposition to changing the name of the redevelopment project from Post Office Plaza.

**Brigid McMenamin - 133 Center Avenue**

Ms. McMenamin stated her disapproval of the Mayor's statement on changing the name of the Post Office Plaza Redevelopment Project.

**Michael Dean - 181 N. Passaic Avenue**

Mr. Dean also voiced his opposition to the name change of the redevelopment project.

**Stuart Carr - 3 Crestwood Drive, Chatham Township**

Mr. Carr stated his disapproval of the Post Office Plaza Redevelopment Project and requested the Governing Body to consider the plan proposed earlier by Mrs. Dew. He questioned what would happen to the 3 ½ acres of private land if Post Office Plaza remained the same. Finally, he thanked the Mayor for keeping residents informed about the redevelopment plan prior to making a final decision.

**Tricia Finley - 35 Woodland Road**

Ms. Finley spoke against the Post Office Plaza Redevelopment Project. She also inquired whether the newly proposed concept implies that the Governing Body intends to sell its land to the redeveloper. She asked the Governing Body to consider not selling its land, as ownership of the land gives the Borough control over the building.

Mayor Kobylarz stated that the land at Post Office Plaza is an ongoing matter of discussion.

**Freddie Bicknese - 137 N. Hillside Ave.**

Mr. Bicknese voiced his opinion that the Post Office Plaza Redevelopment Project should be built small or not at all.

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

Mayor Kobylarz proceeded to Council Member Reports.

## **REPORTS**

### **COUNCIL MEMBERS**

**Council President Dempsey** – Council President Dempsey reported that Community Services and the Department of Public Works met and discussed outdoor activities that will be available during the summer and reminded the community of the current ongoing events in the Borough of Chatham.

The Farmers' Market is held every Saturday from 8:00 a.m. to 1:00 p.m. Spring Serenades continue on Thursdays at 6:30 p.m. with an opening act and a main-stage act. The Garden Club and the Department of Community Services are changing the downtown planters to maintain the beautification of the downtown area. The Municipal Pool is now open. It will also be open for "National Night Out" scheduled for Tuesday, August 3, 2021. The Fishawack Festival will be held in September. Additional information

will be available in the near future. Finally, Council President Dempsey thanked the Department of Public Works for their hard work and advised that the tennis courts and basketball courts at Garden Park have been completed and are ready for the enjoyment and use of the public.

Council President Dempsey thanked Council Member Treloar and the founder of the Chatham Chinese Association, Shirley Wu, for their work and effort on the diversity celebration event.

**Council Member Mathiasen** – Council Member Mathiasen reported that the Communication and Technology Advisory Committee had not met but acknowledged the hard work of Melanie Politi on the website and social media. She advised that Council Member Resto, the Board of Health, and the Environmental Commission met to discuss gasoline powered leaf blowers and their health effects. The group will be working on an educational campaign about the benefits of switching to electric leaf blowers.

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

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

**Council Member Resto** – Council Member Resto reported on the press release requesting donations to the food pantry. He thanked residents for their generous donations.

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

## **MAYOR 'S REPORT II**

Mayor Kobylarz had nothing further to report.

## **ADMINISTRATOR'S REPORT**

Borough Administrator Stephen Williams reported the following:

Mr. Williams reported that road resurfacing on Carmine Street and Burgess Street will begin on Tuesday, July 13, 2021. Milling of Chandler Road will begin on Wednesday, July 14, 2021 followed by paving.

PSE&G will begin milling Chatham Street on Tuesday, July 13, 2021 followed by paving.

## **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 #21-257 through Resolution #21-270 have been placed on the Consent Agenda.

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



## **RESOLUTION #21-**

There were none.

## **FINANCE**

### **RESOLUTION #21-257**

#### **RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

**WHEREAS**, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

### **RESOLUTION # 21-258**

#### **RESOLUTION AUTHORIZING THE SUSPENSION OF APPLICATION FEES FOR THE 2021 RETRO FISHAWACK FESTIVAL SCHEDULED ON SEPTEMBER 24, 2021 THROUGH SEPTEMBER 26, 2021**

**WHEREAS**, the Department of Community Services and the MyChathamNJ Committee was authorized by the Borough Council through Resolution # 21-269, adopted July 12, 2021, to conduct a Retro Fishawack Festival on September 24, 2021 through September 26, 2021; and

**WHEREAS**, the pandemic caused by coronavirus, COVID-19 inflicted economical strain on many businesses globally, including businesses in the Borough of Chatham; and

**WHEREAS**, the 2021 Retro Fishawack Festival was orchestrated by the Borough to facilitate the support of the downtown area impacted by the pandemic; and

**WHEREAS**, the Mayor and Council desire to waive any Borough application fees associated with the 2021 Retro Fishawack Festival.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham waives the following applications fees for vendors participating in the three (3) day 2021 Retro Fishawack Festival:

- Fishawack Registration fee:
  - Business \$125
  - Crafters Artisan \$125
  - Fine Arts Exhibitor \$125.00
  - Food Vendor \$ 225.00
  - Non-Profit \$50.00
- Board of Health one day event application fee: \$40.00
- Fire Permit application fee in the amount of \$ 54.00

**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 #21-259**

**RESOLUTION EXTENDING THE PAYMENT OF THE THIRD QUARTER PROPERTY TAX BILLS FROM AUGUST 1, 2021 TO SEPTEMBER 3, 2021**

**WHEREAS**, N.J.S.A. 54:4-64 requires municipal property tax bills to be mailed at least 47 days prior to August 1<sup>st</sup> of each year; and

**WHEREAS**, the state Division of Local Government Services is experiencing a backlog in reviewing and approving municipal budgets, causing a delay in the certification of the Borough's tax rate by the Morris County Board of Taxation and the delay in the mailing of the 2021 tax bills by the Chatham Borough Tax Collector;

**WHEREAS**, N.J.S.A. 54:4-64 further mandates that property taxpayers shall be given adequate notice of the date when taxes are due before interest is charged on delinquent tax payments; and

**WHEREAS**, by law, taxpayers have 25 days from the date of mailing of the tax bill to pay property taxes due without interest or penalty; and

**WHEREAS**, the taxpayer would have less than the required 25-day period from the date of mailing the tax bill to the third quarter August 1, 2021 due date to pay property taxes without interest or penalty; and

**WHEREAS**, the Tax Collector has recommended that payments for the third quarter property taxes should be extended from August 1, 2021 to September 3, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby concur with the Tax Collector's recommendation and authorize to extend the payment of the third quarter property taxes from August 1, 2021 to September 3, 2021; and

**BE IT FURTHER RESOLVED**, that the payment of property taxes shall be considered delinquent after September 3, 2021, after which date interest will be charged from August 1, 2021 to the date of payment.

**RESOLUTION #21-260**

**RESOLUTION TO RETURN CASH PERFORMANCE BOND TO DEVINNE BRAVOCO FOR CONSTRUCTION CONDUCTED AT 71 N. SUMMIT AVENUE**

**WHEREAS**, Devinne Bravoco submitted to the Borough of Chatham a Cash Performance Bond in the amount of \$1,500.00 for construction work conducted at 71 N. Summit Avenue, pursuant to the requirements of the Borough Engineer; and

**WHEREAS**, Devinne Bravoco submitted a request to the Chatham Borough Engineer to release the Cash Performance Bond in the amount of \$1,500.00 based on the completion of the work; and

**WHEREAS**, the Chatham Borough Engineer has reviewed the request and determined that Devinne Bravoco has completed all items set forth in his requirements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that the Cash Performance Bond in the amount of \$1,500.00 be released to Devinne Bravoco in the form of an escrow check.

## **CONTRACTS**

### **RESOLUTION #21-261**

#### **RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO SIGN A LETTER OF INTENT WITH THE NEW JERSEY TRANSIT CORPORATION FOR THE CONTINUED LEASE OF A PARCEL OF LAND IN CHATHAM BOROUGH**

**WHEREAS**, New Jersey Transit Corporation (NJ Transit) owns a rectangular parcel of land in the Borough of Chatham (the “Borough”) that is approximately 7,525 square feet along the Morristown Line, M.P. 23.00, adjacent to 102 Summit Avenue, which the Borough uses as a recycling center (the “Licensed Area”); and

**WHEREAS**, the Borough engaged in a Lease Agreement [# L1427-2300-08] with NJ Transit for the use of land in accordance with the terms and conditions of the license agreement, adopted by Resolution #17-177 on May 8, 2017; and

**WHEREAS**, the current lease agreement will expire on June 30, 2022, and action is required by the Borough to affirm its intent to continue the use of the land under a new License Agreement with NJ Transit.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Borough Administrator Stephen Williams is hereby authorized to execute a letter affirming the Borough’s intent to continue the lease of the aforementioned land upon the expiration of the current agreement.

### **RESOLUTION #21-262**

#### **RESOLUTION AUTHORIZING THE BOROUGH OF CHATHAM TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Hunterdon County Educational Services Commission, hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

**WHEREAS**, on July 12, 2021 the Governing Body of the Borough of Chatham, County of Morris, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that the Borough is authorized to enter into a Cooperative Pricing Agreement with the Lead Agency, and the Lead Agency shall be responsible for complying with the provisions of the Local Public

Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) and all other provisions of the revised statutes of the State of New Jersey.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized and directed to execute the Cooperative Pricing Agreement with the Lead Agency.

**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.

#### **RESOLUTION # 21-263**

#### **RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM AWARDING SCHIFANO CONSTRUCTION CORPORATION THROUGH THE MORRIS COUNTY CO-OP CONTRACT# 6 – ROAD RESURFACING NOT TO EXCEED \$90,000**

**WHEREAS**, the Borough of Chatham, pursuant to N.J.S.A. 40A:11-11(5), may, by resolution and without advertising for bids, award contracts for the purchase of any goods or services and that were procured through the cooperative purchasing agreements; and

**WHEREAS**, the Borough of Chatham desires to mill and pave Carmine Street, Burgess Street and Chandler Street through Morris County Cooperative Bid Contract # 6, which exceeds the prevailing bid threshold:

**VENDOR:** Schifano Construction Corporation of Middlesex, New Jersey  
**COST:** Not to Exceed \$90,000

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from accounts C-04-55-920-002, C-04-55-916-006, C-04-55-917-005, C-04-55-919-101, C-04-55-920-005.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Chatham, County of Morris, State of New Jersey authorizes the Mayor and the Borough Clerk to enter into a contract with Schifano Construction Corporation of Middlesex County, New Jersey, not to exceed \$90,000 for milling and paving of Carmine Street, Burgess Street and Chandler Road.

**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 #21-264**

#### **RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROCESS PROFESSIONAL SERVICES CONTRACT TO FRANCIS REINER OF DMR ARCHITECTS AS A SPECIAL/ REDEVELOPMENT PLANNER FOR THE BOROUGH OF CHATHAM FOR THE YEAR 2021**

**WHEREAS**, there exists a need to enter into a non-fair and open contract for a professional special/redevelopment planner for the remainder of the calendar year 2021; and

**WHEREAS**, the Borough Council finds that it would be in the best interests of the Borough to enter into a professional services agreement with Francis Reiner of DMR Architects, 777 Terrace Avenue, Suite 67, Hasbrouck Heights, NJ 07604 based upon the firm's expertise and experience; and

**WHEREAS**, Francis Reiner of DMR Architects submitted to the Borough a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to any political or candidate committee in the Borough in the one (1) year preceding the award of this contract and that the contract will prohibit Mr. Reiner and its representing firm, DMR Architects, from making any reportable contributions through the term of the contract; and

**WHEREAS**, such services constitute a professional service as defined by the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) and N.J.S.A. 19:44A-20.5, which may be awarded without advertisement for bids and the required services must be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, of the performance of which requires knowledge of an advanced and specialized type; and

**WHEREAS**, the Chief Financial Officer has certified that funds are currently available for the purpose of awarding this contract in an amount not to exceed \$25,000.00 from Current Fund Account 1-01-20-100-301 for the year 2021.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it hereby authorizes a non-fair and open professional services contract with Francis Reiner of DMR Architects as Special/ Redevelopment Planner for the Borough of Chatham in the amount not to exceed \$25,000.00.

**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.

## **PERSONNEL**

### **RESOLUTION #21-265**

#### **RESOLUTION TO HIRE JUSTIN SQUASHIC TO THE POSITION OF EQUIPMENT OPERATOR (STEP # 12) IN THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Director of Public Works posted the job opening for the position of Equipment Operator (Step # 12) in the Department of Public Works and notice of the vacancy was posted on the Union bulletin board in accordance with Article XXII and applications were solicited from interested employees in the Chatham Borough Public Works Department; and

**WHEREAS**, Justin Squashic, who is currently employed with the Borough as a Serviceman in the Department of Public Works since September 17, 2012, applied for the position and was interviewed by the selection committee to determine his qualifications; and

**WHEREAS**, the selection committee agreed that Justin Squashic exhibits the knowledge and experience and met all qualifications and work requirements to perform the duties required for the

position and further recommended his hire to the position of Equipment Operator (Step # 12) in the Department of Public Works, effective July 16, 2021; and

**WHEREAS**, the starting salary for this position shall be \$87,269.89, pro-rated for the remainder of the 2021 calendar year.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the selection committee and hereby authorize the hire of Justin Squashic to the position of Equipment Operator (Step # 12) in the Department of Public Works, effective July 16, 2021 at the starting annual salary of \$87,269.89, pro-rated for the remainder of the 2021 calendar year; 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.

#### **RESOLUTION #21-266**

#### **RESOLUTION TO HIRE CRISTIAN CAMPOS TO THE POSITION OF EQUIPMENT OPERATOR (STEP # 9) IN THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Director of Public Works posted the job opening for the position of Equipment Operator (Step # 9) in the Department of Public Works and notice of the vacancy was posted on the Union bulletin board in accordance with Article XXII and applications were solicited from interested employees in the Chatham Borough Public Works Department; and

**WHEREAS**, Cristian Campos, who is currently employed with the Borough as a Serviceman in the Department of Public Works since October 16, 2015, applied for the position and was interviewed by the selection committee to determine his qualifications; and

**WHEREAS**, the selection committee agreed that Cristian Campos exhibits the knowledge and experience and met all qualifications and work requirements to perform the duties required for the position and further recommended his hire to the position of Equipment Operator (Step # 9) in the Department of Public Works, effective July 16, 2021; and

**WHEREAS**, the starting salary for this position shall be \$71,223.00, pro-rated for the remainder of the 2021 calendar year.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the selection committee and hereby authorize the hire of Cristian Campos to the position of Equipment Operator (Step # 9) in the Department of Public Works, effective July 16, 2021 at the starting annual salary of \$71,223.00, pro-rated for the remainder of the 2021 calendar year; 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.

#### **RESOLUTION # 21-267**

#### **RESOLUTION APPOINTING ADDITIONAL SUMMER POOL STAFF MEMBERS AT MEMORIAL PARK POOL FOR THE 2021 SEASON**

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

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

<b>Name</b>	<b>Hourly Rate</b>	<b>Position</b>
Michael Culleton	\$11.10	Lifeguard
Leo Mannino	\$11.10	Lifeguard
Dylan Mulligan	\$11.10	Lifeguard
Casey Delsandro	\$11.10	Lifeguard

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Recreation Coordinator and hereby approve the hiring of all individuals aforementioned as summer pool staff members for the 2021 season at the respective position and rate of pay, contingent upon the Recreation Coordinator verifying that all paperwork requirements have been completed prior to employment; and

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

#### **LAW AND PUBLIC SAFETY**

#### **RESOLUTION #21-268**

#### **RESOLUTION AUTHORIZING THE POLICE COMMANDING OFFICER TO CLOSE CERTAIN DESIGNATED PARKING LOTS AND ROADS AND TO CONTROL AND REGULATE TRAFFIC CONDITIONS CONSEQUENT THERETO FOR THE 2021 CHATHAM RETRO FISHAWACK CELEBRATION**

**WHEREAS**, the 2021 Chatham Retro Fishawack Celebration is scheduled to be held on the following dates:

<b>Fishawack Celebration Dates</b>	<b>Time</b>
September 24, 2021	4:00 p.m. to 7:00 p.m.
September 25, 2021	10:00 a.m. to 7:00 p.m.
September 26, 2021	4:00 p.m. to 7:00 p.m.

And,

**WHEREAS**, the Police Commanding Officer has reviewed the traffic conditions that may be created by the 2021 Chatham Retro Fishawack Festival and has recommended to the Borough Administrator and the Director of the Department of Community Services that certain designated parking lots and roads should be closed in order to facilitate public activity created by the 2021 Chatham Retro Fishawack Celebration, and to control and regulate traffic conditions consequent thereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the Police Commanding Officer to close the following parking lots

on September 24, 2021 through September 26, 2021 from 8:00 a.m. to 8:00 p.m. to facilitate the public activity created by the 2021 Chatham Retro Fishawack Celebration:

1. Post Office Plaza Parking Lot
2. S. Passaic Avenue from Main Street to the entrance of the Post Office Plaza Parking Lot
3. Firehouse Plaza from Fairmount Avenue to the end of Reasoner Park at the Firehouse entrance
4. Bowers Lane Parking Lot
5. Jaycees Roadway Foot Race Route

And,

**BE IT FURTHER RESOLVED**, that the Police Commanding Officer is hereby authorized to close South Passaic Avenue to the entrance of Post Office Plaza, and establish appropriate detour routes and to undertake such traffic measures to control and regulate traffic conditions created consequent to the closure of the herein referenced roads and parking lots; 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.

## **OTHER**

### **RESOLUTION #21-269**

#### **RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES AND THE MYCHATHAMNJ VOLUNTEERS TO PLAN AND ORGANIZE THE 2021 RETRO FISHAWACK CELEBRATION**

**WHEREAS**, the Department of Community Services of the Borough of Chatham is requesting authorization to plan, organize and conduct its annual Fishawack Celebration, an event enjoyed by the community for many years; and

**WHEREAS**, there is an existential pandemic caused by COVID-19 that has resulted in delays and cancellation of many celebratory events throughout the nation; and

**WHEREAS**, a large percentage of New Jersey residents and a greater percentage of Chatham Borough residents have been inoculated against the virus, resulting in a decrease in transmission rates and illnesses, prompting the MyChathamNJ Committee to pursue its Annual Fishawack Festival but to deviate from the traditional third week of June and instead conduct a weekend-long celebration featuring local business retail shops, local services, and eateries to *Keep Chatham Thriving* on the following dates in September:

<b>Fishawack Celebration Dates</b>	<b>Time</b>
September 24, 2021	4:00 p.m. to 7:00 p.m.
September 25, 2021	10:00 a.m. to 7:00 p.m.
September 26, 2021	4:00 p.m. to 7:00 p.m.

And,

**WHEREAS**, the Borough's Department of Community Services has planned, organized, and conducted past Fishawack Festival celebrations, comprising of youth activities,



entertainment and community organization displays; and

**WHEREAS**, the Mayor and Borough Council wishes to continue the Fishawack Festival as a public event in 2021 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 plan and organize the 2021 Retro 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 # 21-270**

#### **RESOLUTION OF THE BOROUGH OF CHATHAM APPOINTING WILLIAM T. SMITH AS ARBITRATION ATTORNEY FOR THE BOROUGH OF CHATHAM**

**WHEREAS**, Harding Township has formally requested the appointment of an arbitrator to determine their appropriate 2021 budget allocation to fund the Joint Court; and

**WHEREAS**, the Joint Court Operating Committee appointed the Hon. Peter F. Bariso, Jr. A.J.S.C (ret) as an arbitrator for this purpose; and

**WHEREAS**, Madison Borough, Chatham Township, Morris Township, and Chatham Borough wish to also independently hire William T. Smith, Esq. to represent them in this matter; and

**WHEREAS**, Madison Borough, Chatham Borough, Chatham Township, and Morris Township will equally share the costs associated with hiring William T. Smith, Esq.; and

**WHEREAS**, to simplify billing from and payments to, William T. Smith, Esq., Chatham Borough, Chatham Township and Morris Township will pay their share of the costs to Madison Borough, and Madison Borough in turn will make payments to William T. Smith, Esq.

**WHEREAS**, the Chief Financial Officer has certified that funds are currently available for the purpose of awarding this contract from Current Fund Account 1-01-43-490-299.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that William T. Smith, Esq. is hereby appointed as arbitration attorney for the Borough of Chatham, for Joint Municipal Court matters, at the hourly rate of \$150.00/hr. with costs to be equally shared with Madison Borough, Chatham Township, and Morris Township.

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

Mayor Kobylarz asked Council Member Resto to proceed with the Resolutions listed on the Consent agenda, Resolutions #21-257 through #21-270.

Council Member Resto made a motion to approve Resolutions #21-257 through # 21-270 on the Consent Agenda. The motion was seconded by Council Member Koronkiewicz. By a unanimous voice vote, the resolutions were approved.

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

There were none.

## **EXECUTIVE SESSION**

Mayor Kobylarz asked Council Member Truilo to proceed with Resolution # 21-271.

Council Member Truilo read Resolution # 21-271.

## **RESOLUTION #21-271**

### **RESOLUTION TO ADJOURN INTO CLOSED SESSION**

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

1. Personnel Matter: Stephen Williams and Council Member Leonard Resto

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

Council Member Truilo motioned to approved Resolution # 21-271.

Council Member Koronkiewicz seconded the motion.

## **ADJOURNMENT**

Having no other business to conduct in public session, Council Member Truilo made a motion to adjourn the meeting, seconded by Council Member Resto. The meeting was adjourned at 9:20 p.m.

Respectfully Submitted on September 13, 2021 by:

Tamar Lawful, RMC  
Borough Clerk  
BOROUGH OF CHATHAM