

AGENDA
Monday, February 28, 2022
7:30 PM

Mayor & Council Regular Meeting
Mayor & Borough Council

Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928

CALL MEETING TO ORDER

The meeting will be called to order at 7:30 p.m.

SALUTE TO FLAG

MOMENT OF SILENCE

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 4th, 2022.

ROLL CALL

Mayor Thaddeus J. Kobylarz
Council President Irene Treloar
Council Member Jocelyn Mathiasen
Council Member Carolyn Dempsey
Council Member Karen Koronkiewicz
Council Member Leonard Resto
Council Member Frank Truilo
Stephen W. Williams, Borough Administrator/Acting Borough Clerk
Steven Kleinman, Borough Attorney

RECUSALS

Recusals or abstentions submitted for the record.

MAYOR'S REPORT

**MEETING OPEN TO THE PUBLIC
NOTICE OF PUBLIC COMMENT TIME LIMIT**

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 820 6882 5629) or obtain online access of the meeting using the following URL:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82068825629>

Or One tap mobile :

US: +13126266799,,82068825629# or +19292056099,,82068825629#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 820 6882 5629

International numbers available: <https://us02web.zoom.us/j/82068825629>

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.

RESOLUTIONS NON-ROUTINE NON-CONSENT

Mayor Kobylarz asks Council Member Resto to proceed with Resolution #22-120.

Council Member Resto reads Resolution #22-120:

RESOLUTION #22-120

RESOLUTION AMENDING THE FEE SCHEDULE

Council Member Resto: I move to adopt Resolution #22-120.

Council Member _____ seconds the motion.

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

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

[Res. 22-120 Amending Fee Schedule.docx](#)

[Res. 22-120 Amending Fee Schedule Memo.pdf](#)

Mayor Kobylarz asks Council Member Koronkiewicz to proceed with Resolution #22-121.

Council Member Koronkiewicz reads Resolution #22-121:

RESOLUTION #22-121

RESOLUTION TO AWARD A NON-FAIR AND OPEN CONTRACT TO PURCHASE GETAC IN-CAR LAPTOPS

Council Member Koronkiewicz: I move to adopt Resolution #22-121.

Council Member _____ seconds the motion.

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

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

[Res. 22-121 Non-Fair Non-Open GETAC In-Car Laptops.docx](#)

**REPORTS
COUNCIL MEMBERS**

MAYOR'S REPORT II

ADMINISTRATOR'S REPORT

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

FINANCE

RESOLUTION #22-122

RESOLUTION APPROVING THE TAX APPEAL SETTLEMENT

26 MAIN STREET

BLOCK 49, LOT 2

[Res. 22-122 Approving Tax Appeal Settlement 26 Main Street Block 49 Lot 2.docx](#)

RESOLUTION #22-123

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

CHATHAM GATEWAY, LCC.

47 MAIN STREET

BLOCK 129 LOT 5

[Res. 22-123 Authorizing Refund for Property Tax Overpayment 47 Main Street Block 129 Lot 5.docx](#)

RESOLUTION #22-124

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM AUTHORIZING THE EXTENSION OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL REDEVELOPMENT FINANCIAL ADVISOR SERVICES WITH NASSAU CAPITAL ADVISORS, LLC FOR ADDITIONAL SERVICES

[Res. 22-124 Extending Non-Fair Non-Open Contract, Nassau Capital.docx](#)

RESOLUTION #22-125

AUTHORIZATION OF A THREE-YEAR AVERAGE FOR COVID-19 AFFECTED REVENUES IN THE 2022 MUNICIPAL BUDGET

[Res. 22-125 3 Year Average for Covid Affected Revenues.docx](#)

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #22-126

RESOLUTION APPOINTING PATRICK GRADY TO THE CHATHAM JOINT RECREATION ADVISORY COMMITTEE

[Res. 22-126 Appointing Patrick Grady Regular Member Join Recreation Committee.docx](#)

RESOLUTION #22-127

RESOLUTION APPOINTING AND AMENDING BOARD OF HEALTH MEMBERS

[Res. 22-127 Appointing Shelliam Lee and Susan Scherer Board of Health.docx](#)

LAW AND PUBLIC SAFETY

OTHER

RESOLUTION #22-128

RESOLUTION GRANTING PERMISSION FOR THE CHATHAM BOROUGH FIRE DEPARTMENT ASSOCIATION TO HOLD A PICNIC IN CHATHAM BOROUGH ON JULY 4, 2022 OR SUBSEQUENT DATE IN THE EVENT OF POSTPONEMENT

[Res. 22-128 Fire July 4 Picnic.docx](#)

RESOLUTION #22-129

AUTHORIZING THE CHATHAM BOROUGH FIRE DEPARTMENT ASSOCIATION TO CONDUCT A PARADE ON JULY 4, 2022 OR SUBSEQUENT DATE IN THE EVENT OF POSTPONEMENT

[Res. 22-129 Fire July 4 Parade.docx](#)

RESOLUTION #22-130

RESOLUTION AUTHORIZING A FIREWORKS DISPLAY TO BE CONDUCTED BY GARDEN STATE FIREWORKS ON JULY 4, 2022 OR SUBSEQUENT DATE IN THE EVENT OF POSTPONEMENT

[Res. 22-130 Fire July 4 Fireworks.docx](#)

RESOLUTION #22-131

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE FIRST LICENSE AMENDMENT AGREEMENT FOR THE PLACEMENT OF MURAL PAINTINGS ALONG THE WASHINGTON AVENUE UNDERPASS WALLS

[Res. 22-131 License Agreement for Mural Paintings along Washington Avenue Underpass Walls.docx](#)

CONSENT AGENDA VOTE

Mayor Kobylarz asks Council Member _____ to proceed with the Resolutions listed on the Consent Agenda, Resolutions #22-122 through Resolution #22-131.

Council Member _____: I move to adopt the resolutions placed on this evening's Consent Agenda by consent of the Council.

Seconded by Council Member: _____.

ORDINANCES FOR FIRST READING

Mayor Kobylarz asks Council Member Koronkiewicz to introduce Ordinance #22-02.

Council Member Koronkiewicz introduces Ordinance #22-02 by title:

ORDINANCE #22-02

CALENDAR YEAR 2022

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

Council Member Koronkiewicz reads:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on February 28, 2022.

BE IT RESOLVED, that at the Council meeting to be held on March 14, 2022 at 7:30 p.m. prevailing time, at Borough Hall and online, 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 Koronkiewicz: I offer Ordinance #22-02 and move its adoption on First Reading.

Council Member _____ seconds the motion.

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

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

[Ord. 22-02 Intro 2022 Exceed Municipal Budget Appropriation limits.docx](#)

ADD-ON RESOLUTION[S]

EXECUTIVE SESSION

PENDING AFFORDABLE HOUSING LITIGATION AND ATTORNEY CLIENT PRIVILEGED ADVICE REGARDING AFFORDABLE HOUSING KENDRA LELIE, ROBERT POWELL, AND JOHN HAGUE

Mayor Kobylarz asks Council Member Truilo to proceed with Resolution #22-132.

Council Member Truilo reads Resolution #22-132.

RESOLUTION #22-132

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:

- Pending Affordable Housing litigation and Attorney Client privileged advice regarding Affordable Housing – Kendra Lelie, Robert Powell, and John Hague

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

Council Member Truilo: I move to adopt Resolution #22-132.

Council Member _____ seconds the motion.

[Res. 22-132 Closed Session.docx](#)

ADJOURNMENT



Borough of Chatham

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RESOLUTION #22-120

RESOLUTION AMENDING THE FEE SCHEDULE

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey, that they hereby amend the Fee Schedule as set forth below:

Area to Amend:	Amended from:	Amended to:
Solid Waste – Service Charge Commercial	\$328.00	\$378.00
Solid Waste – Service Charge Residential	\$282.00	\$325.00

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.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE

CHATHAM, NEW JERSEY 07928

973-635-0674 • www.chathamborough.org

To: Finance Committee
 From: Karen Fornaro
 CC: Steve Williams
 Date: 2/23/22
 Re: Solid Waste Fees

The February 28th agenda includes a resolution for your consideration to increase the solid waste annual fee for 2022. Below are the new rates proposed:

<u>Area to Amend</u>	<u>Amended From:</u>	<u>Amended To:</u>	<u>\$\$ Increase</u>	<u>% Increase</u>
Solid Waste – Service Charge Commercial	\$328.00	\$378.00	\$50.00	15%
Solid Waste – Service Charge Residential	\$282.00	\$325.00	\$43.00	15%

The largest attributing factor to the proposed increase is the enormous contract increase the Borough experienced with our solid waste collector, Suburban Disposal. For 2022, our annual contract increased from \$314,000 to \$528,000, a 68% increase. This is an additional \$214,000 that the Borough will have to fund through Solid Waste Fees.

There are a number of factors that contributed to such a large contract increase. Significant labor shortages have increased the cost of labor. Current employed drivers are aware of the shortage and demand higher rates of pay which drives up the contract costs. Also, with more residents at home because of the pandemic, more solid waste (trash) and bulky waste is generated to be collected and disposed of.

The Borough is taking all of these factors very seriously and are in process of developing a new bid document with several options to help mitigate these cost increases.

Please feel free to reach out with any questions.



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RESOLUTION #22-121

RESOLUTION TO AWARD A NON-FAIR AND OPEN CONTRACT TO PURCHASE GETAC IN-CAR LAPTOPS

WHEREAS, the Borough of Chatham's Police Department wishes to purchase GETAC in-car laptops for nine police vehicles; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of the purchase exceeds \$17,500; and can be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5 as appropriate; and

WHEREAS, because the anticipated contract amount is less than the Borough's bid threshold of \$44,000.00, but 15% or more of that amount, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires the Borough to solicit at least two (2) competitive quotations for said work; and

WHEREAS, the Borough of Chatham Police Department solicited quotations to purchase nine GETAC in car laptops with associated hardware; and

WHEREAS, the Police Department received two quotations from SAI Enterprises, Inc. in the amount of \$23,400 and Island Tech Services in the amount of \$31,129; and

WHEREAS, SAI Enterprises provided the lowest responsive quotation to purchase GETAC in-car laptops; and

WHEREAS, SAI Enterprises has completed and submitted a Business Entity Disclosure Certification which certifies that SAI Enterprises has not made any reportable contributions to a political or candidate committee in the Borough of Chatham in the previous one year, and that the contract will prohibit SAI Enterprises from making any reportable contributions through the term of the contract; and

WHEREAS, upon the recommendation of the Police Department and the Borough's Qualified Purchasing Agent, the Borough Council wishes to authorize a non-fair and open contract with SAI Enterprises, in accordance with the scope of work and contract amount set forth in its proposal; and

WHEREAS, Borough of Chatham's Chief Financial Officer has certified that there are funds available in the general capital account C-04-55-921-202.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract be processed and awarded to SAI Enterprises in the amount of \$23,400.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

RESOLUTION #22-122

RESOLUTION APPROVING THE TAX APPEAL SETTLEMENT FOR 26 MAIN STREET BLOCK 49, LOT 2

**DOCKET NOS. 005795-2015; 006496-2016; 005066-2017; 002799-2018; 004640-2019;
009447-2020; 007150-2021**

WHEREAS, an appeal of the real property tax assessment for tax years 2015 through 2021 for the property located at 26 Main Street, also known as Block 49, Lot 2 on the Official Tax Map of the Borough of Chatham has been filed by the taxpayer and is pending in the Tax Court of New Jersey bearing Docket Nos. 005795-2015; 006496-2016; 005066-2017; 002799-2018; 004640-2019; 009447-2020; 007150-2021; and

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

WHEREAS, the property owner has agreed to waive pre-judgment interest due to any refund payable as a result of the proposed settlement provided that the tax refund is credited in 2022 upon receipt of the Tax Court Judgment and any balance that remains at the end of 2022 be refunded to the property owner; and

WHEREAS, as a result of the proposed settlement, the appeal of the real property tax assessment bearing Docket Nos. 005795-2015; 006496-2016; 005066-2017; 002799-2018; 004640-2019; 009447-2020; 007150-2021 reduced as follow:

Year	Original Assessment	Settlement Assessment
2015	\$11,505,800	\$11,505,800
2016	\$11,000,000	\$11,000,000
2017	\$11,000,000	\$11,000,000
2018	\$11,000,000	\$9,484,600
2019	\$10,600,000	\$8,854,000
2020	\$10,600,000	\$9,192,000
2021	\$10,600,000	\$10,552,610

WHEREAS, upon the recommendation of the Borough Tax Assessor and Borough Appraisal Consultant, the Borough Council believes that this settlement is in the best interest of the Borough and secures fairness and uniformity in the assessment process.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Chatham that the Borough Council hereby approves the above settlement of the real property tax appeal for 2015 through 2021 bearing Docket Nos. 005795-2015; 006496-2016; 005066-2017; 002799-2018; 004640-2019; 009447-2020; 007150-2021.

BE IT FURTHER RESOLVED, by the Borough Council that the Borough Tax Counsel is hereby authorized and directed to enter into a Stipulation of Settlement, and to file the Stipulation and such other documents as required to implement this settlement with the Tax Court of New Jersey.

BE IT FURTHER RESOLVED, upon receipt of the Tax Court Judgement, the Borough Tax Collector is hereby authorized to apply the appropriate refund for 2015 through 2021 in the form of a credit against future taxes. Any balance that is not paid by the end of 2022 will then be refunded to the taxpayer.

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

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



Borough of Chatham

BOROUGH HALL

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RESOLUTION #22-123

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the New Jersey Tax Court imposed a judgment for a refund of property taxes for the year 2013 and 2014 for the herein referenced property; and

WHEREAS, the Tax Collector has further advised that a refund per the New Jersey Tax Court Judgement #011903-2013 in the amount of \$616.44, Judgement #009779-2014 in the amount of \$626.01, is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
129/5	Chatham Gateway LLC % Sitar 47 Main Street	\$1,242.45	2013 & 2014.
			NJ Tax Court Judgments #011903-2013 & #009779-2014 (2013 refund \$616.44 & 2014 refund \$626.01)

*Please make check payable and mail to:
Chatham Gateway LLC % Sitar
1481 Oak Tree Road
Iselin, NJ 08830

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

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

RESOLUTION #22-124

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM AUTHORIZING THE EXTENSION OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL REDEVELOPMENT FINANCIAL ADVISOR SERVICES WITH NASSAU CAPITAL ADVISORS, LLC FOR ADDITIONAL SERVICES

WHEREAS, the Borough Council authorized the award of a non-fair and open contract to Nassau Capital Advisors, LLC to perform Redevelopment Financial Advisor Services, via Resolution #22-02 on January 3, 2022, not to exceed \$10,000; and

WHEREAS, the Borough Council of the Borough of Chatham wishes to extend Nassau Capital’s current non-fair and open contract for additional redevelopment financial services; and

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 not to exceed \$25,000 to be encumbered from account 2-01-20-100-303;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Chatham authorizes the Mayor and Borough Clerk to extend the current contract with Nassau Capital Advisors LLC not to exceed \$35,000 total as described herein.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



Borough of Chatham

BOROUGH HALL

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RESOLUTION #22-125

AUTHORIZATION OF A THREE-YEAR AVERAGE FOR COVID-19 AFFECTED REVENUES IN THE 2022 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-26 has been amended to authorize the Director of the Division of Local Government Services to promulgate new standards for the anticipation of COVID-19 affected revenues in the FY2022 budget, and, if necessary, in future years; and

WHEREAS, for FY2022, the Director authorizes use of a three-year average for calculation of affected revenues, which shall be calculated in a manner consistent with the Reserve for Uncollected Taxes (RUT) calculation used for anomalous years; and

WHEREAS, the municipal court revenue, and parking revenue were adversely impacted by COVID-19; and

WHEREAS, the actual cash collections for the above named revenues and the average cash collection over 2019, 2020, and 2021 are as follows:

Revenue Description	2021 Realized	2020 Realized	2019 Realized	Average of Realized Revenue 3 Preceding Years
Municipal Court:	\$43,266.03	\$45,046.81	\$122,932.07	\$70,414.97
Parking:	\$251,458.69	\$210,773.21	\$454,982.68	\$305,738.19

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey, that it approves the utilization of the three-year average method in computing the Borough's municipal court revenue anticipation of \$71,000.00, and parking revenue of \$305,000.00 for budget year 2022;

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



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Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

RESOLUTION #22-126

RESOLUTION APPOINTING PATRICK GRADY TO THE CHATHAM JOINT RECREATION ADVISORY COMMITTEE

WHEREAS, Resolution #22-22, adopted by the Borough Council on January 3, 2022, appointed members to the Joint Recreation Advisory Committee; and

WHEREAS, there is currently a vacant regular membership position; and

WHEREAS, Patrick Grady currently serves as an alternate member on said committee and expressed interest in being appointed to the vacant position.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Chatham that Patrick Grady is hereby appointed to the Chatham Joint Recreation Advisory Committee as a regular member, with such term expiring December 31, 2022; 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.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



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RESOLUTION #22-127

RESOLUTION APPOINTING AND AMENDING BOARD OF HEALTH MEMBERS

BE IT RESOLVED, that the Council of the Borough of Chatham does hereby appoint the following individuals to the Board of Health for the terms indicated:

<u>Name</u>	<u>Position</u>	<u>Term Expiration</u>
Shelliam Lee	Regular Member	12/31/2024 (unexpired)
Dr. Susan Scherer	1 st Alternate	12/31/2022 (unexpired)

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



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Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

RESOLUTION #22-128

RESOLUTION GRANTING PERMISSION FOR THE CHATHAM BOROUGH FIRE DEPARTMENT ASSOCIATION TO HOLD A PICNIC IN CHATHAM BOROUGH ON JULY 4, 2022 OR SUBSEQUENT DATE IN THE EVENT OF POSTPONEMENT

WHEREAS, the Chatham Borough Fire Department Association desires to hold a picnic in Chatham Borough on July 4, 2022 at Garden Park and the tennis courts; and

WHEREAS, the Chatham Borough Fire Department Association seeks to serve and dispense alcoholic beverages at the July 4 picnic; and

WHEREAS, the Mayor and Borough Council wish to authorize this event.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham does hereby grant permission for the picnic to be conducted by the Chatham Borough Fire Department Association on July 4, 2021 at Garden Park and the tennis courts; and

BE IT FURTHER RESOLVED, that the Chatham Borough Fire Department Association shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of \$1,000,000.00 shall be submitted for this event; and

BE IT FURTHER RESOLVED, that permission to dispense alcoholic beverages at the July 4, 2022 picnic is granted subject to the Chatham Borough Fire Department Association obtaining a Social Affairs Permit from the Director of the Division of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-74 and N.J.A.C. 13:2-5.1; 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.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

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54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

RESOLUTION #22-129

RESOLUTION AUTHORIZING THE CHATHAM BOROUGH FIRE DEPARTMENT ASSOCIATION TO CONDUCT A PARADE ON JULY 4, 2022 OR SUBSEQUENT DATE IN THE EVENT OF POSTPONEMENT

WHEREAS, the Chatham Borough Fire Department Association desires to conduct a parade as part of the July 4 Celebration in the Borough of Chatham; and

WHEREAS, the Mayor and Borough Council wish to authorize this long-standing tradition and event; and

WHEREAS, the Mayor and Borough Council thanks and recognizes the Chatham Borough Fire Department Association for planning and organizing the Fourth of July Parade.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Chatham Borough Fire Department Association is hereby granted authority to conduct a parade in the Borough on July 4, 2022 and the participants and other persons involved therein are granted permission to use the following streets, including the roadways thereof, as set forth in the parade plan namely: portions of Hillside Avenue, Red Road, Dempster Road, Ogden Street, Van Doren Avenue, Firehouse Plaza and Main Street (State Highway Route #124); and

BE IT FURTHER RESOLVED, the Chatham Borough Police Chief is authorized to establish detour routes, close roads, and re-route traffic as necessary before and during the parade; and

BE IT FURTHER RESOLVED, that the Chatham Borough Fire Department Association shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of at least \$1,000,000.00 shall be submitted for this event; 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.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



Incorporated 1897

Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

RESOLUTION #22-130

RESOLUTION AUTHORIZING A FIREWORKS DISPLAY TO BE CONDUCTED BY GARDEN STATE FIREWORKS ON JULY 4, 2022 OR SUBSEQUENT DATE IN THE EVENT OF POSTPONEMENT

WHEREAS, the Chatham Fire Department Association desires to conduct a public display of fireworks as part of the Fourth of July Celebration in the Borough of Chatham; and

WHEREAS, Garden State Fireworks of Millington, New Jersey shall conduct the fireworks display and shall be required to file a bond as required by N.J.S.A. 21:3-5 with the Borough of Chatham and a certificate of insurance providing proof of general liability insurance in excess of at least \$1,000,000.00 as required by the New Jersey Uniform Fire Code, N.J.A.C. 5:70 et. seq.; and

WHEREAS, the New Jersey Uniform Fire Code, N.J.A.C. 5:70 et. seq., further requires that the governing body of the municipality must approve by resolution firework displays prior to the issuance of a permit by the Fire Official; and

WHEREAS, the Mayor and Borough Council wish to authorize this event.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham hereby grants permission to the Chatham Borough Fire Department Association to conduct a public display of fireworks as part of the Fourth of July Celebration in the Borough of Chatham, or on a subsequent date in the event of postponement, contingent upon satisfaction of all requirements imposed by state laws and regulations as herein referenced; and

BE IT FURTHER RESOLVED, the Chatham Borough Fire Department Association shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of \$1,000,000.00 as required by the New Jersey Uniform Fire Code, N.J.A.C. 5:70 et. seq. shall be submitted for this event; 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.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.



Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

RESOLUTION #22-131

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE FIRST LICENSE AMENDMENT AGREEMENT FOR THE PLACEMENT OF MURAL PAINTINGS ALONG THE WASHINGTON AVENUE UNDERPASS WALLS

WHEREAS, New Jersey Transit Corporation (“NJ Transit”) owns Washington Avenue underpass, comprising the trestle which runs along the Morristown Line, M.P. 23.50, in the Borough of Chatham; and

WHEREAS, the Borough desires to enter into a license agreement with NJ Transit to display mural paintings along the Washington Avenue underpass walls; and

WHEREAS, the two-year term agreement expires on February 28, 2022; and

WHEREAS, NJ TRANSIT has agreed to extend the License for a two year (2) term with a revised Expiration Date of February 29, 2024; and

WHEREAS, the Borough will pay a revised annual fee of \$316.00 for the use of the property, with an annual increase of 2.5%.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Chatham that the Mayor is hereby authorized to sign the agreement between the New Jersey Transit Corporation and the Borough of Chatham to enter into a two year agreement for the use of the property for a two-year term, expiring on February 29, 2024; 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.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

ORDINANCE #22-01

CALENDAR YEAR 2022

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Chatham in the County of Morris finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1% increase in the budget for said year, amounting to \$100,135.70 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Chatham in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Chatham shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$350,474.95 and that the CY 2022 municipal budget for the Borough of Chatham be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk



Borough of Chatham

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54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

RESOLUTION #22-132

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:

- Pending Affordable Housing litigation and Attorney Client privileged advice regarding Affordable Housing – Kendra Lelie, Robert Powell, and John Hague

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

Adopted: February 28, 2022

Attest:

BOROUGH OF CHATHAM

Stephen W. Williams
Acting Borough Clerk

Thaddeus J. Kobylarz
Mayor

CERTIFICATION

I, Stephen W. Williams, Acting Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the resolution adopted by the Borough Council at its Regular Meeting held on February 28, 2022.

Stephen W. Williams, Acting Borough Clerk