

AGENDA
February 24, 2020

Regular Meeting
Mayor and 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 08, 2020.

ROLL CALL

Mayor Thaddeus J. Kobylarz
Council President Jocelyn Mathiasen
Council Member Robert A. Weber, Sr.
Council Member Carolyn Dempsey
Council Member Karen Koronkiewicz
Council Member Irene Treloar
Council Member Leonard Resto
Stephen W. Williams, Borough Administrator
Tamar Lawful, Borough Clerk
James L. Lott, Jr., Borough Attorney

PROCLAMATION

RESOLUTION #20-115

**RESOLUTION CELEBRATING THE MONTH OF FEBRUARY AS NATIONAL BLACK
HISTORY MONTH**

WHEREAS, in 1926, Dr. Carter G. Woodson, the second African-American to earn a Ph.D. from Harvard, established the observance of Negro History Week in order to promote the contributions and achievements of African-American people in the development of our American democracy. Dr.

Woodson timed such week to coincide with the birthdays of both Frederick Douglass and President Abraham Lincoln; and

WHEREAS, the organization founded by Dr. Woodson, now known as the Association for the Study of African American Life and History, was instrumental in effecting the first official recognition of National Black History Month by President Gerald Ford in 1976; and

WHEREAS, every American president since the mid-1970's has issued proclamations endorsing the Association's theme for National Black History Month; and

WHEREAS, the theme of this year's observance of National Black History Month is "African Americans and the Vote", as the year 2020 marks the 150th anniversary of the Fifteenth Amendment, ratified in 1870, which gave black men the right to vote, and the 100th anniversary of the 19th Amendment, ratified in 1920, which gave all women, regardless of color, the right to vote; and

WHEREAS, in our continued efforts to live up to the American values of freedom and justice for all people, it is important to highlight the work and courage of bold individuals who were willing to change the status quo; and

WHEREAS, New Jersey was home to some such bold individuals. In 1840, the town of Lawnside in Camden County became the first independent, self-governing black municipality north of the Mason-Dixon Line; and

WHEREAS, Reverend Peter Mott was a preacher, farmer and Underground Railroad conductor whose Lawnside, New Jersey home, built circa 1845, was an important Underground Railroad station and is now a museum known as the Peter Mott House; and

WHEREAS, the abolitionist and political activist, Harriet Tubman, lived and worked in Cape May, New Jersey, where the opening of the Tubman Museum is planned for this year, which marks the 200th anniversary of Tubman's birth; and

WHEREAS, African-American leadership in the movements for equal rights, women's suffrage, civil rights and voting rights, has created a more equal and just society for us all.

BE IT RESOLVED, that the Borough of Chatham joins in recognizing the annual celebration of National Black History Month and commemorates the contributions of African Americans from America's beginning, to our American economy, society, culture, freedoms and values.

RESOLUTION #20-116

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, but 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.

RESOLUTION #20-117

RESOLUTION ACKNOWLEDGING THE THIRD WEEK OF MARCH AS NATIONAL POISON PREVENTION WEEK

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially dangerous medicines, household products and chemicals, environmental contaminants, and other substances; and

WHEREAS, poison centers across the country will focus the public's attention on the free, lifesaving services provided by poison centers, as well as, educating the public on ways to prevent poisoning exposures; and

WHEREAS, the New Jersey Poison Control Center, a division of the Department of Emergency Medicine at Rutgers New Jersey Medical School provides 24/7 expert poisoning treatment advice, drug information, and prevention education at no cost to the public accessing center services through the Poison Help number at 1-800-222-1222, chat (www.njpies.org), or text 973-339-0712; and

WHEREAS, specialized medical professionals (doctors, pharmacists, and nurses) provide accessible, free, and confidential healthcare to all; and

WHEREAS, poison center services save healthcare dollars by eliminating thousands of unnecessary emergency department/room visits and decreasing lengths of stays for patients hospitalized for poisoning through telemedicine services/capabilities; and

WHEREAS, the poison center is instrumental in the surveillance and management of poisoning exposures across the state, including the use, misuse, and abuse of; medications, legal and illicit drugs, environmental contaminants, bioterrorism agents, and common household products and chemicals; and

WHEREAS, the state's poison control center is involved in New Jersey's efforts in homeland defense, counterterrorism, emergency preparedness and response, and bio-surveillance; and

WHEREAS, unintentional poisoning is the leading cause of unintentional injury death in New Jersey outnumbering deaths by motor vehicles and firearms; and

WHEREAS, a poison is defined as anything that can cause harm if taken in the wrong amount, in the wrong way or by the wrong person; and

WHEREAS, although most reported poison exposures involve children five (5) years old and younger; most poisoning deaths occur in adults aged 20 to 59; and

WHEREAS, overdose deaths from prescription opioids, over-the-counter medications, and illegal drugs remain at epidemic proportions for both New Jersey and the United States; and

WHEREAS, lead exposure and carbon monoxide (CO) poisoning remain major public health concerns; and

WHEREAS, vaping and e-cigarette devices pose a serious risk of nicotine poisoning, as well as serious potentially deadly vaping associated lung illnesses, also referred to as EVALI; and

WHEREAS, poison center experts encourage the public not to guess, wait for symptoms, or waste time looking up medical information online when potential poisoning exposures occur; and

WHEREAS, all residents should save the Poison Control Center's number, 1-800-222-1222, in their cell, home, and office phones because a fast response can make all the difference in preventing serious injury and saving lives.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham do hereby proclaim the week of March 15-21, 2020 as National Poison Prevention Week in Chatham Borough and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

RESOLUTION #20-118

RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

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

February 10, 2020

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:

February 10, 2020

RECUSALS

Recusals or abstentions submitted for the record.

DISCUSSION ITEMS

1. Library Construction Project - Karen Brodsky

MEETING OPEN TO THE PUBLIC

NOTICE OF PUBLIC COMMENT TIME LIMIT

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.

ORDINANCE FOR SECOND READING

Mayor Kobylarz asks Council Member Weber to proceed with Bond Ordinance #20-01.

Council Member Weber reads Bond Ordinance # 20-01 entitled:

ORDINANCE #20-01

ORDINANCE OF THE BOROUGH OF CHATHAM AMENDING CHAPTER 48 OF THE BOROUGH CODE ENTITLED "POLICE DEPARTMENT" TO CREATE THE POSITION OF POLICE CHAPLAIN

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on February 10, 2020.

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

The Borough Clerk states: A legal notice was published indicating that Ordinance #20-01 was introduced and passed on first reading at the February 10, 2020 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on February 24, 2020 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: The meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

Mayor Kobylarz: Seeing no one else wishing to be heard, I will now close the public hearing.

Council Member Weber: I offer 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 _____ seconds the motion.

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

Name	Motion	Second	Yes	No	Abstain	Absent
Weber, Sr.						
Dempsey						
Mathiasen						
Koronkiewicz						
Treloar						
Resto						

Mayor Kobylarz: I declare this Ordinance adopted and finally passed and request the Borough Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Affordable Housing Advisory Committee

Council President Jocelyn Mathiasen

Environmental Commission

Council President Jocelyn Mathiasen

Communications & Technology Advisory Committee

Council President Jocelyn Mathiasen

Board of Health	Council Member Robert A. Weber, Sr.
9/11 Memorial Advisory Committee	Council Member Robert A. Weber, Sr.
Joint Recreation Advisory Committee	Council Member Robert A. Weber, Sr.
Madison-Chatham Joint Meeting	Council Member Robert A. Weber, Sr.
Historic Riverside Trail Advisory Committee	Council Member Carolyn Dempsey
Historic Preservation Commission	Council Member Carolyn Dempsey
Board of Education	Council Member Carolyn Dempsey
Open Space & Historic Preservation Trust	Council Member Carolyn Dempsey
Advisory Committee	
Public Arts Council Advisory Committee	Council Member Carolyn Dempsey
Chatham Borough Recreation Advisory Committee	Council Member Carolyn Dempsey
Shade Tree Commission	Council Member Karen Koronkiewicz
Joint Community Gardens Advisory Committee	Council Member Karen Koronkiewicz
Farmers' Market Advisory Committee	Council Member Karen Koronkiewicz
Mayor's Wellness Advisory Committee	Council Member Karen Koronkiewicz
MyChathamNJ Advisory Committee	Council Member Irene Treloar
Planning Board	Council Member Irene Treloar
Joint Municipal Court	Council Member Irene Treloar
Project Community Pride	Council Member Leonard Resto
Pilgrim Pipeline Advisory Committee	Council Member Leonard Resto
Senior Center of the Chathams	Council Member Leonard Resto
Municipal Alliance of the Chathams	Council Member Leonard Resto
Senior Citizens Advisory Committee	Council Member Leonard Resto
Traffic & Pedestrian Safety Advisory Committee	Council Member Leonard Resto
Undergrounding Advisory Committee	Council Member Leonard Resto
Economic Development Advisory Committee	Council Member Leonard Resto

MAYOR'S REPORT

ADMINISTRATOR'S REPORT

MAYORAL APPOINTMENT

APPOINTING YANA DOYLE AS A REGULAR MEMBER TO THE CHATHAM BOROUGH ENVIRONMENTAL COMMISSION

WHEREAS, due to the recent resignation of Leonard Resto, there exists a Regular Member vacancy on the Chatham Borough Environmental Commission with such position and term set to expire on December 31, 2021; and

WHEREAS, N.J.S.A. 40:56-1 sets forth that the appointment of Regular Members to an Environmental Commission shall be made by the Mayor; and

WHEREAS, Yana Doyle has expressed her interest in being appointed to the Chatham Borough Environmental Commission and submitted a volunteer application.

NOW, THEREFORE, as Mayor, I, Thaddeus Kobylarz do hereby appoint Yana Doyle as a Regular Member to the Environmental Commission to fill the vacant Regular Member 3-year term, with such term expiring December 31, 2021; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:99.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

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 #20-119 through Resolution #20-127 have been placed on the Consent Agenda.

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

RESOLUTION #20-

CONTRACTS

RESOLUTION #20-119

RESOLUTION AUTHORIZING THE AWARD OF THE CONTRACT FOR LANDSCAPING SERVICES FOR THE BOROUGH OF CHATHAM TO D'ONOFRIO & SON, INC. CONTRACTING INC. IN THE AMOUNT NOT TO EXCEED \$87,500 FOR THE CONTRACT PERIOD OF TWO (2) YEARS

WHEREAS, the Borough of Chatham advertised for the receipt of sealed competitive bids to be received on February 13, 2020 at 11:00 a.m. for Landscaping Services for the Borough of Chatham as per bid specifications; and

WHEREAS, the Borough received two (2) bids for this contract; and

WHEREAS, all bids have been reviewed for completeness; and

WHEREAS, the Borough Attorney reviewed the bid from the lowest bidder; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, and responsive bidder; and

WHEREAS, D'Onofrio & Son, Inc., located at 47 Van Ness Terrace, Maplewood, NJ 07040 was the lowest, responsible and responsive bidder, submitting a base bid in the amount the total amount of \$87,500 for a two-year contracting period; and

WHEREAS, the bid submission is in the proper form and in compliance with the bid specifications, as written, and in accordance with the provisions of N.J.S.A. 40A:11-23.1 and N.J.S.A. 40A:11-23.2; and

WHEREAS, the Borough Clerk has found the bid submission to be in compliance with the affirmative action laws and regulations of the State of New Jersey (N.J.S.A. 10:5-31 et seq and N.J.A.C. 17:27.) and with the Americans with Disabilities Act of 1990 (42 U.S.C. S121 01 et seq.); and

WHEREAS, the award of the contract should be made to D’Onofrio & Son, Inc., 47 Van Ness Terrace, Maplewood, NJ 07040 in the amount of \$87,500 for a two-year contract period as per the bid specifications; and

WHEREAS, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$87,500.00 for the two-year duration of the contact term (or \$43,750.00 for each twelve (12) consecutive months) and that funds are currently available for the purpose of awarding this contract from the following Current Fund Account 0-01-28-375-258.

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor and Borough Clerk to execute the contract with D’Onofrio & Son, Inc. in the amount of \$87,500.00 for the duration of the two-year contract; and

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

RESOLUTION #20-120

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MORRIS COUNTY TRAIL CONSTRUCTION GRANT PROGRAM AGREEMENT FOR THE CONSTRUCTION OF THE GARDEN PARK PEDESTRIAN WALKING PATH

WHEREAS, the Borough of Chatham desires to submit a Morris County Trail Construction Grant Program application for the construction of the Garden Park Pedestrian Walking Path; and

WHEREAS, the Garden Park Pedestrian Walking Path entails a loop around the Garden Park recreational facilities and interfaces with the Board of Education and the Chatham Middle School; and

WHEREAS, the Borough Engineer estimated the total project cost to be \$100,329.12; and

WHEREAS, the Borough of Chatham was awarded the 2019 Trail Construction Grant for the construction of the Garden Park Pedestrian Walking Path project from the Morris County Park Commission in the amount of \$88,289.63, contingent on the Borough contribution of \$ 22,072.41 resulting in a total of \$110,362.04 in grant and cost; and

WHEREAS, the Borough contribution of \$13,012.41 will be expended from its Capital Improvement Project budget and \$9,060.00 to be expended from the In-Kind Services budget; and

WHEREAS, the Morris County Trail Construction Grant Program is a reimbursable grant program requiring municipalities to fund its proposed trail project(s) upfront;

WHEREAS, the Borough is given three (3) years for the completion of the project, extending from March 31, 2020 to March 31, 2023;

WHEREAS, the Borough’s Acting Chief Financial Officer must confirm that sufficient funds will be available in the 2020 Capital Budget submission for Borough Council approval to proceed with the project; and

WHEREAS, the Trail Construction Grant Application must be submitted to the Morris County Park Commission on or before March 2, 2020;

BE IT RESOLVED, by the Council of the Borough of Chatham that they hereby authorize the Mayor to execute a Morris County Trail Construction Grant Program application for the construction of the Garden Park Pedestrian Walking Path as herein referenced; and

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

FINANCE

RESOLUTION #20-121

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.

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #20-122

RESOLUTION APPOINTING SUSAN ROBERTSON AS THE 2ND ALTERNATE MEMBER ON THE CHATHAM BOROUGH ENVIRONMENTAL COMMISSION

WHEREAS, there exists a 2nd Alternate Member vacancy on the Chatham Borough Environmental Commission to serve a two (2) year term; and

WHEREAS, Susan Robertson has expressed interest in being appointed to the Environmental Commission and has submitted a volunteer application for consideration; and

WHEREAS, N.J.S.A. 40:56-1 sets forth that the appointment of Alternate Members to an Environmental Commission shall be made by the Council; and

WHEREAS, the Council of the Borough of Chatham wishes to appoint Susan Robertson to the vacant 2nd Alternate Member position on the Chatham Borough Environmental Commission; and

BE IT RESOLVED, by the Council of the Borough of Chatham that Susan Robertson is hereby appointed as the 2nd Alternate Member on the Environmental Commission to serve a two (2) year term, with such term expiring December 31, 2021; and

BE IT FURTHER RESOLVED, that in accordance with N.J.S.A. 40A:9 -9.2a and Chapter 3, §3.3 of the Code of the Borough of Chatham, the Borough Clerk shall update the register of Appointed Municipal Positions to reflect said appointment.

RESOLUTION #20-123

RESOLUTION APPOINTING BETH SALINARDI AS A MEMBER OF THE SENIOR CITIZENS ADVISORY COMMITTEE FOR CALENDAR YEAR 2020

WHEREAS, N.J.S.A. 40A:60-7(d) authorizes Borough Councils to create “advisory councils” in the municipality;

WHEREAS, the Council of the Borough of Chatham has determined that it desires to receive advice with respect to the senior community; and to have participating members support senior programs and projects; and

WHEREAS, Beth Salinardi has expressed an interest in being appointed to the Senior Citizens Advisory Committee and submitted a volunteer application;

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Beth Salinardi is hereby appointed to the Senior Citizens Advisory Committee for calendar year 2020; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

RESOLUTION #20-124

RESOLUTION APPOINTING JOAN M. THUEBEL AS A MEMBER OF THE SENIOR CITIZENS ADVISORY COMMITTEE FOR CALENDAR YEAR 2020

WHEREAS, N.J.S.A. 40A:60-7(d) authorizes Borough Councils to create “advisory councils” in the municipality;

WHEREAS, the Council of the Borough of Chatham has determined that it desires to receive advice with respect to the senior community; and to have participating members support senior programs and projects; and

WHEREAS, Joan M. Thuebel has expressed an interest in being appointed to the Senior Citizens Advisory Committee and submitted a volunteer application;

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Joan M. Thuebel is hereby appointed to the Senior Citizens Advisory Committee for calendar year 2020; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

RESOLUTION #20-125

RESOLUTION APPOINTING AMY LEWIS TO THE MAYOR’S WELLNESS ADVISORY COMMITTEE FOR CALENDAR YEAR 2020

WHEREAS, the Mayor and Borough Council support initiatives that promote healthy behaviors and lifestyles among Borough residents and employees; and

WHEREAS, Resolution #20-20 adopted by the Mayor and Council on January 6, 2020 re-established the Mayor’s Wellness Advisory Committee for calendar year 2020; and

WHEREAS, the Mayor’s Wellness Advisory Committee works with the Mayor and the Borough Council, along with key community leaders to plan and organize initiatives that promote and shape healthier lifestyles for all citizens in the community; and

WHEREAS, Amy Lewis has expressed her interest in being appointed to the Mayor’s Wellness Advisory Committee and has submitted a volunteer application.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Amy Lewis is hereby appointed to the Mayor’s Wellness Advisory Committee for calendar year 2020; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

RESOLUTION #20-126

RESOLUTION APPOINTING AMY LEWIS TO THE MUNICIPAL ALLIANCE COMMITTEE OF THE CHATHAMS FOR CALENDAR YEAR 2020

WHEREAS, P.L. 1989, c. 51 authorizes the governing body of a municipality to establish a municipal alliance for the purpose of coordinating community efforts to reduce alcoholism, drug abuse and crime.

WHEREAS, Resolution #20-21 adopted by the Mayor and Council on January 6, 2020 re-established the Municipal Alliance Committee of the Chathams from the Borough for calendar year 2020; and

WHEREAS, Amy Lewis has expressed her interest in being appointed to the Municipal Alliance Committee Advisory Committee and has submitted a volunteer application;

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Amy Lewis is hereby appointed to the Municipal Alliance Committee for the Chathams for the Borough of Chatham for calendar year 2020; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

OTHER

RESOLUTION #20-127

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CONSENT TO INCLUDE BOROUGH PROPERTY AT BLOCK 33, LOT 16 AS PART OF USE VARIANCE AND SITE PLAN APPLICATION TO BE SUBMITTED BY KRE 500 MANILLA ASSOCIATES, LLC (“KRE 500”) IN ORDER TO ALLOW KRE 500 TO REMOVE EXISTING ENCROACHMENT ONTO BLOCK 33, LOT 16

WHEREAS, KRE 500 is the owner of an existing multi-family apartment complex located at 534 Main Street, Block 33, Lot 5 on the Tax Map of the Borough of Chatham, also known as Springbrook at Chatham (“Springbrook”); and

WHEREAS, KRE 500 is in the process of proposing a Use/Density Variance and Amended Preliminary & Final Site Plan before the Zoning Board of Adjustment of the Borough of Chatham to permit the expansion of an existing off-street parking area that serves Springbrook, and to provide for stormwater management, relocation of a fire hydrant, plantings and lighting related to the apartment complex (the proposed “Use Variance and Site Plan Application”); and

WHEREAS, the Borough of Chatham is the owner of property adjacent to Springbrook, located at Block 33, Lot 16 on the Tax Map of the Borough of Chatham, also known as Garden Park (“Block 33, Lot 16”); and

WHEREAS, the Site Plan documents prepared by ABC Surveys, LLC on behalf of KRE 500 dated August 23, 2019 and revised January 27, 2020 (“Site Plan”) have identified an existing encroachment onto Block 33, Lot 16 consisting of approximately 10 inches of curbing and paving associated with the parking area of the apartment complex (“Encroachment”); and

WHEREAS, the Site Plan shows the removal of the Encroachment as part of the Site Plan Application; and

WHEREAS, Steven Azzolini, Esq., the attorney for KRE 500, has also represented that the Encroachment will be removed as part of its proposed Use Variance and Site Plan Application; and

WHEREAS, the Mayor and Council of the Borough of Chatham wish to consent to KRE 500 including Block 33, Lot 16 as part of its Use Variance and Site Plan Application in order to allow for the removal of the Encroachment; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Chatham, County of Morris, State of New Jersey that the Mayor of the Borough of Chatham is hereby authorized to execute a consent with KRE 500 to include Block 33, Lot 16 as part of KRE 500’s proposed Use Variance and Site Plan Application to the Zoning Board of Adjustment of the Borough of Chatham in order to allow KRE 500 to remove the existing Encroachment onto Borough property at Garden Park; and

BE IF 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.

CONSENT AGENDA VOTE:

Mayor Kobylarz asks Council Member _____ to proceed with the Resolutions listed on the Consent agenda. Resolutions #20-119 through #20-127.

Council Member _____: I would like to make a motion to approve the resolutions placed on this evening’s Consent Agenda by consent of the Council.

Seconded by Council Member:_____.

ADD-ON RESOLUTION[S]

ORDINANCES FOR FIRST READING

Mayor Kobylarz asks Council Member Resto introduce Ordinance # 20-02.

Council Member Resto introduces Ordinance # 20-02 by title as follows:

ORDINANCE #20-02

AN ORDINANCE TO AMEND THE PART TIME HOURLY RATE FOR MUNICIPAL POSITIONS OF THE BOROUGH OF CHATHAM FOR THE YEAR 2020

Council Member Resto explains the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Resto reads:

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on February 24, 2020.

BE IT RESOLVED, that at the Council meeting to be held on March 9, 2020 at 7:30 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 Resto: I offer Ordinance # 20-02 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
Weber, Sr.						
Dempsey						
Mathiasen						
Koronkiewicz						
Treloar						
Resto						

ADJOURNMENT