

**AGENDA**  
**July 13, 2020**  
**Special Meeting Time: 6:00 p.m.**

**Regular Meeting**  
**Mayor and Borough Council**

**Borough of Chatham**  
**54 Fairmount Avenue**  
**Chatham, NJ 07928**

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**CALL MEETING  
TO ORDER**

The meeting will be called to order at 6:00 p.m.

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**SALUTE TO FLAG**

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**MOMENT OF SILENCE**

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**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.

Pursuant to the requirements of R.S. 10:4-10, adequate notice of the change in time of tonight's virtual meeting was provided to the press on July 06, 2020, a copy of which was posted on the Borough website, including the front and side entrance of Borough Hall.

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**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

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**RECUSALS**

Recusals or abstentions submitted for the record.

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## **RESOLUTION # 20-190**

### **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 8, 2020

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## **MAYOR'S REPORT I**

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### **MEETING OPEN TO THE PUBLIC**

*Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 843-3386-0081) or obtain online access of the meeting using the following URL:*

<https://us02web.zoom.us/j/84333860081?pwd=bFBock1KbGZ3ZjBxSFZzYmwwcVlpdz09>

*The Mayor and Council meeting will be televised as usual.*

### **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 or are not matters scheduled for Public Hearing tonight. In light of the emergency, discussions and actions by the Chatham Borough Mayor and Council related to discretionary municipal actions and/or other non-emergent matters including redevelopment planning will be deferred until further notice. Accordingly, I would respectfully request that the public try to limit its comments to matters primarily related to the COVID-19 response and/or the continued operations of the Borough government during the emergency. While the Chatham Borough Mayor and Council welcome public participation and comment on any topic, 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.

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### **AMENDMENT TO THE 2020 MUNICIPAL BUDGET PUBLIC HEARING**

Mayor Kobylarz asks Council Member Weber to proceed with the public hearing of the Amendment to the 2020 Municipal Budget.

Council Member Weber reads the Amendment to the 2020 Municipal Budget:

### **RESOLUTION # 20-191**

[Requires Roll Call vote]

Majority Vote of Full Membership

### **AMENDMENT TO THE 2020 MUNICIPAL BUDGET**

**WHEREAS**, the local municipal budget for the year 2020 was introduced on April 27, 2020; and

**WHEREAS**, the public hearing on said budget was held as advertised on May 26, 2020; and

**WHEREAS**, it is desired by the Borough Council of the Borough of Chatham to amend the introduced budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that the following amendments to the introduced 2020 Municipal Budget be made as follow:

ANTICIPATED SURPLUS	AMOUNTED AMENDED FROM	AMOUNT AMENDED TO
10. Dedicated Revenues from Solid Waste Utility Operating Surplus Anticipated	\$115,000.00	145,359.00
Total Operating Surplus Anticipated	\$115,000.00	\$145,359.00
Total Solid Waste Revenues	\$793,000.00	\$823,359.00

SOLID WASTE UTILITY	AMOUNT AMENDED FROM	AMOUNT AMENDED TO
11. Appropriations for Solid Waste Utility Deferred Charges:		
Emergency Authorization - 2018	\$0.00	\$30,359.00
Total Solid Waste Utility Appropriations	\$793,000.00	\$823,359.00

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed with the Director of the Division of Local Government Services for certification of the local municipal budget as so amended.

**BE IT FURTHER RESOLVED**, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the Chatham Courier and the Daily Record in the July 2, 2020 edition and that said publication shall contain notice of public hearing on said amendment to held at Borough Hall on July 13, 2020, at 6:00 p.m.

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 Resolution #20-183, *Amendment to the 2020 Municipal Budget* was introduced and passed on first reading at the June 22, 2020 meeting and indicated the public hearing would be held at 6:00 p.m. on July 13, 2020. Copies of the introduced budget 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 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 Resolution and move its adoption.

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						

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**RESOLUTIONS**  
**NON-ROUTINE/NON-CONSENT**

Mayor Kobylarz asks Council President Mathiasen to proceed with Resolution # 20-191.

Council President Mathiasen explains the purpose of Resolution # 20-191.

**RESOLUTION # 20-192**

[Requires Roll Call vote]

Majority Vote of Full Membership

**RESOLUTION TO ADOPT THE BOROUGH OF CHATHAM 2020 MUNICIPAL BUDGET**

**WHEREAS**, the Mayor and Council introduced the 2020 Municipal Budget on April 27, 2020;  
and

**WHEREAS**, the introduced budget was advertised on May 14, 2020 as required by law with notice that the public hearing was scheduled for May 26, 2020.

**NOW, THEREFORE, BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the municipal budget for the year 2020:

Appropriations for Municipal Purposes	\$ 13,468,963.00
Reserve for Uncollected Taxes	\$ <u>1,810,000.00</u>
Total General Appropriations	\$ 15,278,963.00

Miscellaneous Revenues	\$ 6,014,708.00
Local Tax for Muni Purposes	\$ 8,395,132.00
Minimum Library Tax	\$ <u>869,123.00</u>
Total Current Fund Revenue	\$ 15,278,963.00

Council President Mathiasen: I offer the following Resolution and move its adoption.

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						

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## **MAYOR'S REPORT II**

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## **ADMINISTRATOR'S REPORT**

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### **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 #20-193 through Resolution #20-197 have been placed on the Consent Agenda.

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

#### **RESOLUTION #20-**

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### **FINANCE**

#### **RESOLUTION #20-193**

#### **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 #20-194**

#### **RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that the property homeowner overpaid on its property taxes; and

**WHEREAS**, a judgement was submitted to the Tax Collector from the Tax Court of New Jersey to refund the overpaid amount; and

**WHEREAS**, the Tax Collector has further advised that a refund for the property tax overpayment is to be made as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>YEAR/QTR.</u>
42/5	Passaic Avenue Partners, LLC 222 N Passaic Avenue	\$3,156.00	2019/ 4th Qtr.
		(N.J. Tax Court Judgement Received 6/2020)	

**\*Make check payable & mail to:**

Michael I. Schneck, Trustee for Passaic Avenue Partners  
301 South Livingston Avenue – Suite 105  
Livingston, NJ 07039

**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 for the overpayment of property taxes as herein referenced.

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**LAW AND PUBLIC SAFETY**

**RESOLUTION #20-195**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY AUTHORIZING EXECUTION OF A CONTRACT WITH JOBS-4-BLUE FOR ADMINISTRATION OF THE BOROUGH POLICE DEPARTMENT'S OFF-DUTY PROGRAM**

**WHEREAS**, the Borough of Chatham has a need to contract for services to administer all aspects of the Borough Police Department's off-duty program, including scheduling, billing and collections; and

**WHEREAS**, the Borough utilizes the Police Officer Scheduling System (POSS) produced by Visual Computer Solutions (VCS) for the scheduling of police officers; and

**WHEREAS**, Jobs-4-Blue, a subsidiary of VCS with offices in Freehold, NJ, has submitted a proposal to provide the required services to the Borough; and

**WHEREAS**, the anticipated term of this agreement shall be for the remainder of calendar year 2020. Jobs4Blue will charge vendors an administrative fee of no more than 7% of any off-duty revenue assessed to the vendor requesting the off-duty police services at no cost to the Borough; and

**WHEREAS**, N.J.S.A. 40A:11-5(dd) exempts support software maintenance, consultation services and training services of proprietary computer hardware and software from public bidding; and

**WHEREAS**, recognizing that VCS is the sole proprietor of any and all add-on system modules compatible with the POSS already utilized by the Borough, the proposal by Jobs-4-Blue offers an effective and cost-efficient option for the administration of the Borough Police Department's off-duty program; and

**WHEREAS**, the Chief of Police has reviewed the proposal submitted by Jobs-4-Blue and recommends that the Borough partner with Jobs-4-Blue to alleviate the administrative burden of managing the Borough Police Department's off-duty program at no cost to the Borough; and

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough and its residents to contract with Jobs-4-Blue for the administration of all aspects of the Borough Police Department's off-duty program, including scheduling, billing and collections.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham, in the County of Morris and the State of New Jersey, that it hereby approves an agreement with Jobs-4-Blue for the administration of the Borough Police Department's off-duty program and authorizes the Mayor and Borough Clerk to execute same. The term of agreement shall be for the remainder of calendar year 2020 and the services shall be provided at no cost to the Borough. The form of agreement shall be acceptable to the Borough Attorney.

**BE IT FURTHER RESOLVED**, that the Borough Administrator and Borough Attorney are hereby authorized and directed to further negotiate the terms and conditions of the agreement with Jobs-4-Blue.

**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.

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## **OTHER**

### **RESOLUTION #20-196**

### **RESOLUTION APPROVING THE RENEWAL OF LIQUOR LICENSES FOR THE 2020-2021 LICENSING TERM**

**WHEREAS**, annual renewal applications have been filed by holders of liquor licenses in the Borough of Chatham for the 2020-2021 licensing term; and

**WHEREAS**, inspections were conducted at each of the licensee's premises in accordance with N.J.S.A. 33:1-24 and the Borough of Chatham Board of Health regulations; and

**WHEREAS**, the Chatham Borough Police Department prepared an annual investigation report, which reported no items of concern; and

**WHEREAS**, the Borough Clerk reported no objections were filed, either written or in person, with respect to the renewal of any liquor license in the Borough; and

**WHEREAS**, the Borough Clerk confirmed that all liquor license renewal applications have been completed in all respects and all required fees have been paid, and that Tax Clearance Certificates have been issued by the New Jersey Division of Taxation for each of the following licensees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they are hereby satisfied that all requirements have been met and approve the renewal of the following liquor licenses for the 2020-2021 licensing term:

**PLENARY RETAIL CONSUMPTION LICENSES**

1404-33-002-007 Chatham Towne Tavern, Inc. t/a River Grille  
1404-33-006-009 Jamnan, Inc. t/a Restaurant Serenade

**PLENARY RETAIL DISTRIBUTION LICENSES**

1404-44-001-007 Stolar Vert Chatham Hospitality LLC t/a Chatham Cottage Deli

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they are hereby satisfied that all requirements for the renewal of said liquor licenses have been met and approve the renewal of the herein referenced liquor licenses for the 2020-2021 licensing term; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to file a certified copy of this Resolution with the Director of the Division of Alcoholic Beverage Control for each of the licensees; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby directed to file a certified copy of this Resolution with the Director of the Division of Alcoholic Beverage Control with respect to each of the herein referenced liquor licenses and is further authorized to issue liquor licenses for the 2020-2021 licensing term on the form and certificate approved by the Alcoholic Beverage Control Commission in the State of New Jersey for each of the herein-referenced licenses.

**RESOLUTION #20-197**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR WOODLAND ROAD, FROM LAFETTE AVENUE INTERSECTION TO THE BOUNDARIES OF CHATHAM INTO MADISON BOROUGH, A ROADWAY PRESERVATION**

**[GRANT APPLICATION: MA-2021 CHATHAM BOROUGH -WOODLAND ROAD-P-00599]**

**WHEREAS**, the governing body wishes to participate in the 2021 Municipal Aid Grant Program sponsored by the New Jersey Department of Transportation (“NJDOT”) to further the public interest by applying for a NJDOT grant for the Woodland Road Preservation Improvement Project; and

**WHEREAS**, the Woodland Road Improvement Project will begin from the intersection of Woodland Road and Lafayette Avenue to the boundaries of Chatham and Madison Borough; and

**WHEREAS**, the Woodland Road Improvement Project will consist of improving the condition of the roadway infrastructure which includes roadway milling and paving, curb and sidewalk repair and/or replacement, crosswalks, line stripping, and installation of Type N-Eco Water Quality Inlets); and

**WHEREAS**, the Borough Engineer has advised that a grant request of \$138,135.00 and a municipal match of \$13,814.00 would be required for the Woodland Road Improvement Project.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they formally approve the grant application submission to the New Jersey Department of Transportation for Woodland Road, from the intersection of Lafayette Avenue to the boundaries of Chatham and Madison Borough and that the Mayor and Borough Clerk are authorized to submit an electronic grant application identified as MA-021-Chatham Borough-P-00599, to the New Jersey Department of Transportation on behalf of the Borough of Chatham; and



**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Chatham and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; 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.

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**CONSENT AGENDA VOTE:**

Mayor Kobylarz asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #20-193 through #20-197.

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:\_\_\_\_\_.

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**ADD-ON RESOLUTION[S]**

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**ORDINANCES FOR FIRST READING**

Mayor Kobylarz asks Council President Mathiasen to introduce Bond Ordinance # 20-09.

Council President Mathiasen introduces Bond Ordinance # 20-09 by title as follows:

**ORDINANCE # 20-09**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,155,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

Council President Mathiasen explains the purpose of the Ordinance and moves its introduction on First Reading.

Council President Mathiasen reads:

**WHEREAS**, the above Bond Ordinance was introduced and read by title at this Council meeting held on July 13, 2020.

**BE IT RESOLVED**, that at the Council meeting to be held on August 10, 2020 at 6:00 p.m. prevailing time, at Borough Hall, the Chatham Borough Council will further consider this Ordinance for

a second reading, public hearing and final passage; and

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

Council President Mathiasen: I offer Bond Ordinance # 20-09 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						

Mayor Kobylarz asks Council Member Weber to introduce Ordinance # 20-10.

Council Member Weber introduces Ordinance # 20-10 by title as follows:

#### **ORDINANCE # 20-10**

**CAPITAL ORDINANCE OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS ACQUISITIONS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$37,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH**

Council Member Weber explains the purpose of the Ordinance and moves its introduction on First Reading.

Council Member Weber reads:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on July 13, 2020.

**BE IT RESOLVED**, that at the Council meeting to be held on August 10, 2020 at 6:00 p.m. prevailing time, at Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

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

Council Member Weber: I offer Ordinance # 20-10 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						

Mayor Kobylarz asks Council Member Koronkiewicz to introduce Ordinance # 20-11.

Council Member Koronkiewicz introduces Ordinance # 20-11 by title as follows:

### **ORDINANCE # 20-11**

**CAPITAL ORDINANCE OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$56,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM GENERAL CAPITAL FUND BALANCE OF THE BOROUGH**

Council Member Koronkiewicz explains the purpose of the Ordinance and moves its introduction on First Reading.

Council Member Koronkiewicz reads:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on July 13, 2020.

**BE IT RESOLVED**, that at the Council meeting to be held on August 10, 2020 at 6:00 p.m. prevailing time, at Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

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

Council Member Koronkiewicz: I offer Ordinance # 20-11 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  
RESOLUTION #20-198**

**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. Attorney Client Privilege: PBA Grievance – Chief Gibbons and Mr. Williams
2. Contract Negotiations: Redevelopment – Dr. Robert Powell
3. Attorney Client Privilege: Tax Appeals – Mr. Lott

**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.