

**MEETING OF THE BOROUGH OF CHATHAM
MAYOR AND BOROUGH COUNCIL
MEETING MINUTES
October 24, 2022**

CALL MEETING TO ORDER

Mayor Thaddeus J. Kobylarz called the Regular Meeting of the Borough of Chatham's Borough Council to order on Monday, October 24, 2022, at 7:30 P.M. in the Council Chambers in Borough Hall, 54 Fairmount Avenue.

SALUTE TO FLAG AND MOMENT OF SILENCE

Mayor Kobylarz led those attending in the Pledge of Allegiance and asked for a moment of silence to honor those who have given their lives for our country, the healthcare professionals working during the pandemic, and the victims of Covid-19.

STATEMENT OF ADEQUATE NOTICE

Borough Clerk Nienhouse read the following statement:

Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by including same in an email to the Daily Record, the Chatham Courier, the Chatham Patch, and TAPinto Chatham, posted copies on the official bulletin board on the main floor of Borough Hall and was filed with the Borough Clerk, all on January 4, 2022.

ROLL CALL

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

Mayor Thaddeus J. Kobylarz
Council President Irene Treloar
Council Member Carolyn Dempsey
Council Member Jocelyn Mathiasen
Council Member Karen Koronkiewicz
Council Member Leonard Resto

Also present were:

Stephen W. Williams, Borough Administrator, attended virtually
Steven Kleinman, Borough Attorney
Vanessa Nienhouse, Borough Clerk

Council Member Frank Truilo was absent with notice.

PROCLAMATIONS

Council Member Dempsey read Resolution #22-299 in its entirety:

RESOLUTION #22-299

**RESOLUTION DESIGNATING THE MONTH OF NOVEMBER AS "WORLD PANCREATIC
AWARENESS MONTH" IN THE BOROUGH OF CHATHAM**

WHEREAS, in 2022, an estimated 62,210 people will be diagnosed with pancreatic cancer in the United States, and 49,830 will die from the disease; and

WHEREAS, Pancreatic cancer has the highest mortality rate of all major cancers. For all stages combined, the 5-year relative survival rate is 11%. Even for the small percentage (13%) of people diagnosed with local disease, the 5-year survival rate is only 42%; and

WHEREAS, Pancreatic cancer has the highest mortality rate of all major cancers. It is currently the 3rd leading cause of cancer-related death in the United States after lung and colon and expected to become the 2nd by 2030; and

WHEREAS, it is fitting and proper that the Mayor and Council of the Borough of Chatham to bring pancreatic cancer into focus by increasing public understanding of the disease, including its prevalence, approaches to screening and prevention, treatment options, and resources that offer updated pancreatic cancer information throughout the year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the month of November is designated as “Pancreatic Cancer Awareness Month” in the Borough of Chatham to help preserve the health of our residents by fostering awareness and understanding of this deadly disease.

Council Member Dempsey moved to adopt Resolution #22-299, seconded by Council Member Resto. All approved.

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Citing technical difficulties, the Mayor and Council took a brief recess to correct the issue. After five minutes, the Mayor and Council proceeded with the agenda.

RECUSALS

There were no recusals or abstentions submitted for the record.

ADOPTION OF COUNCIL MEETING MINUTES

Council Member Resto read Resolution #22-300.

RESOLUTION #22-300

RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

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

- May 2, 2022
- May 31, 2022
- June 22, 2022
- August 8, 2022
- August 8, 2022 Closed Session minutes

Council Member Resto moved to adopt Resolution #22-300, seconded by Council Member Koronkiewicz. All were in favor.

DISCUSSION ITEMS

1. Revaluation Update - Jason Cohen [of \(name of company\)](#), Theresa DePierro, Borough Tax Assessor, and Karen Fornaro, Borough CFO made a presentation on the ongoing revaluation. Theresa DePierro and Jason Cohen gave a summary of the process and answered questions from the Council regarding this topic.

2. Rabies Clinic Information - Council Member Len Resto explained the Rabies clinic to be held on Sunday, November 13th at the Fire House from 9:00 A.M. to 10:00 A.M. and encouraged residents to avail themselves of this free clinic. He also pleaded with residents to have their pet licensed come January.

3. State Health Benefits - Open Enrollment – Karen Fornaro, Borough CFO, gave a presentation on the increase in State Health Benefits costs, which has risen 22% without sufficient notice to allow the Borough to seek alternative quotes. She explained Resolution #22-301 and answered questions from the Council.

MAYOR'S REPORT I

Mayor Kobylarz reported on the following:

- Coronavirus numbers
- Library update
- Post Office Plaza

MEETING OPEN TO THE PUBLIC

Mayor Kobylarz read the following statement:

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.

Freddie Bicknese, 137 N. Hillside Avenue – Freddie commented about crime in the Borough and property maintenance standards.

Bob Weber, 99 Summit Avenue – Bob commented on transparency of the governing body.

Bill Heap, Chatham Borough – Bill commented on Resolution #22-110 dated 02/11/2022.

Seeing no more comments, Mayor Kobylarz closed the public comment portion of this meeting.

Mayor Kobylarz asked Police Chief Gibbons several questions regarding crime in the Borough. Chief Gibbons gave an explanation on the analytics the Police Department has available to any member of the public to examine.

Council Member Mathiasen replied to public comments on crime and energy.

Mayor Kobylarz responded to public comments regarding crime.

RESOLUTIONS NON-ROUTINE NON-CONSENT

Council Member Koronkiewicz read Resolution #22-301 by Title.

RESOLUTION #22-301

RESOLUTION TO OFFER A PORTION OF MUNICIPAL SAVINGS TO INCENTIVIZE THOSE ELIGIBLE EMPLOYEES THAT CHOOSE TO PARTICIPATE IN A LOWER COST HEALTH BENEFIT PLAN

Council Member Koronkiewicz moved to adopt Resolution #22-301, seconded by Council Member Mathiasen.
Roll call:

In favor: Council President Treloar and Council Members: Dempsey, Mathiasen, Koronkiewicz, Resto

Against: none

Abstain: none

Absent: Council Member Truilo

RESOLUTION # 22-301

APPROVAL TO OFFER A PORTION OF MUNICIPAL SAVINGS TO INCENTIVIZE THOSE ELIGIBLE EMPLOYEES THAT CHOOSE TO PARTICIPATE IN A LOWER COST HEALTH BENEFIT PLAN

WHEREAS, the Borough of Chatham provides medical and prescription benefits to its eligible employees and dependents through the State Health Benefits Program (SHBP); and

WHEREAS, under the legislative requirements set forth by P.L.2011 c.78 (commonly known as Chapter 78), the SHBP offers a number of alternate lower cost health benefit plans that allow employees to choose the coverage they deem best; at a lower cost to themselves and the Borough; and

WHEREAS, more specifically, the Health Benefits Consultants met with Borough Officials to review the SHBP offerings and develop a strategy that shares the Borough savings associated with the lower cost plans with participating employees, thus providing the employee with an incentive to consider lower cost plans that may include higher deductibles, co-insurance, etc.; and

WHEREAS, the alternate plan designs include several PPO’s, an HMO, the Omnia Plan, and two High Deductible Plans, that collectively provide cost-effective alternate plan designs for consideration by employees looking to contain/reduce their contributions, based upon their personal and family needs; and

WHEREAS, it is the desire of the Mayor and Council to share a portion of the overall municipal savings generated by employees participating in the alternate plans and therefore, will provide specific financial incentives to achieve this goal.

NOW, THEREFORE BE IT RESOLVED, the Council of the Borough of Chatham, County of Morris, State of New Jersey, hereby authorize and endorse a specific portion of the municipal savings to be provided to a participating employee as an incentive, separate and apart, from the savings the employee would normally receive, based upon their prescribed percentage of contribution to a lower cost plan; and

BE IT FURTHER RESOLVED, the Borough Council authorizes:

- Forty percent of municipal savings be provided the employee for the lower costing alternate health benefit plan
- The incentive pay will be applicable for two consecutive years as long as the eligible employee maintains the lower costing health benefit plan
- Half of the municipal incentive shall be paid on January 15th and half of the municipal savings be paid on December 15th of each year
- Employees opting in for the 2023 plan year who waived or did not receive coverage in 2022, will be eligible for a \$500 cash incentive to choose an alternate health benefit plan, excluding, NJ Direct 10 and NJ Direct 15.

BE IT FURTHER RESOLVED, the Borough CFO and Borough Administrator are hereby authorized to coordinate these offerings as part of the Employee Health Benefits Program during Open Enrollment period between October 1, 2022, through October 31, 2022 for a January 1, 2023 effective date

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Council Member Resto read Resolution #22-302 by title.

**RESOLUTION #22-302
APPROVING A COLLECTIVE BARGAINING AGREEMENT BY AND BETWEEN THE BOROUGH
OF CHATHAM AND PBA LOCAL NO. 226**

Council Member Resto moved to adopt Resolution #22-302, seconded by Council Member Mathiasen.
Roll call:
In favor: Council President Treloar and Council Members: Dempsey, Mathiasen, Koronkiewicz, Resto
Against: none
Abstain: none
Absent: Council Member Truilo

COUNCIL MEMBERS REPORTS

Council President Treloar – No report.

Council Member Dempsey – Board of Education meeting agenda and HPC annual flag award.

Council Member Mathiasen – Stanley Center Soft Opening

Council Member Koronkiewicz – Shade Tree Commission tree planting

Council Member Resto – The Senior Citizens Advisory Committee met and is pursuing transportation possibilities with Avenues in Motion and NJ Transit. The EDAC Advisory Committee needs two more interview to be completed before a report can be written. The Food Distribution numbers are spiking upwards, and donations are needed.

MAYOR'S REPORT II

Mayor Kobylarz had nothing further to report.

ADMINISTRATOR'S REPORT

Administrator Williams had nothing to 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.

Resolutions #22-303 through Resolution #22-306 are on the Consent Agenda.

FINANCE

RESOLUTION #22-303 BILLS LIST

RESOLUTION #22-304 2023 PARKING FEES RESOLUTION

RESOLUTION #22-305 CANCELLATION OF GRANT RECEIVABLES AND RESERVES

LAW AND PUBLIC SAFETY

RESOLUTION #22-306 HIRING AND APPOINTING SCHOOL CROSSING GUARD

CONSENT AGENDA VOTE

Council President Treloar moved to adopt the resolutions on the Consent Agenda by consent of the Council, seconded by Council Member Resto. All approved.

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RESOLUTION #22-303 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 #22-304

RESOLUTION ESTABLISHING PARKING FEES TO BE EFFECTIVE AS OF JANUARY 1, 2023 AND ESTABLISHING RULES AND REGULATIONS REGARDING THE SALE OF PARKING PERMITS REQUIRED FOR PARKING LOTS OR AREAS DESIGNATED "FEE PARKING" PURSUANT TO CHAPTER 139, SECTIONS 61 AND 62 OF THE CODE OF THE BOROUGH OF CHATHAM

WHEREAS, Chapter 139, Section 61 of the Code of the Borough of Chatham entitled "Fee parking spaces" specifies that the governing body shall establish by resolution the parking fees required to be paid in parking lots or other areas designated "fee parking" as well as rules and regulations governing the sale of parking permits; and

WHEREAS, Chapter 139, Section 62 of the Code of the Borough of Chatham entitled “Parking by permit” specifies that the governing body shall establish by resolution the rules and regulations governing the issuance and management of parking permits.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following parking fees shall become effective on January 1, 2023:

1. In parking lots or areas designated as “fee parking,” the Daily Permit fee for cash or credit card customers shall be seven dollars (\$7.00) between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays.
In parking lots or areas designated as “fee parking for motorcycles and scooters,” the Daily Permit fee for cash or credit card customers shall be four dollars (\$4.00) between the hours of 5:00 a.m. and 4:00 p.m., prevailing time, daily, except Saturdays, Sundays, and legal holidays
2. In parking lots or areas designated as “parking by permit,” the following annual permit fees shall be established:
 - a. LOTS #1 & 2-RAILROAD NORTH & SOUTH
Borough Residents Only \$550.00
 - b. LOT #3-CENTER STREET-EAST –
Borough Resident \$290.00
Borough Business Owner/Borough Business Employee \$255.00
 - c. LOT #4-CENTER STREET-WEST
Borough Resident \$290.00
Borough Business Owner/Borough Business Employee \$255.00
 - d. LOT #5-BOWERS LANE LOT
Borough Resident \$290.00
Borough Business Owner/Borough Business Employee \$255.00
 - e. LOT #6-DIVISION AVENUE LOT
Borough Resident \$290.00
Borough Business Owner/Borough Business Employee \$250.00
 - f. ON STREET PERMIT PARKING-SOUTH PASSAIC AVENUE
Borough Resident \$330.00

And;

BE IT FURTHER RESOLVED, that the Borough of Chatham Parking Permits Rules and Regulations established and authorized by Resolution #13-129 shall remain in full force for calendar year 2023.

**RESOLUTION 22-305
CANCELLATION OF FEDERAL AND STATE GRANT RECEIVABLES
AND RESERVES**

WHEREAS, the below receivable and reserve balances exist in the Borough of Chatham’s State and Federal Grant Fund for the following grants:

RECEIVABLE BALANCE TO CANCEL:	RESERVE BALANCE TO CANCEL:	BUDGET ACCOUNT:
Shade Tree Commission - \$2,750	Shade Tree Jaycees Grant - \$1,750 Shade Tree Commission Trust - \$1,000	G-01-41-708-201 T-17-56-000-224
FEMA Grant Winter Storm Jonas - \$3,254.94	FEMA Grant - \$3,254.94	G-01-41-709-000
Mayors Wellness Campaign - \$2,000	Mayor Wellness Campaign - \$2,000	G-01-41-721-201
Sustainable Jersey Grant - \$.50	Sustainable Jersey Grant – Building - \$.50	G-01-41-704-100
Cool Cities Program Grant - \$1,887.76	Cool Cities DEP Grant - \$1,887.76	G-01-41-713-210

Drunk Driving Enforcement Fund - \$5,500	Drunk Driving Enforcement Fund Grant - \$5,500	G-01-41-745-200
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WHEREAS, it is recommended by the Chief Financial Officer that the above grant receivables and reserve balances be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Chatham, County of Morris, State of New Jersey that the Chief Financial Officer be directed to cancel the above-mentioned grant receivables and reserve balances.

RESOLUTION # 22-306

RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF VINCENT PRISCO AS SCHOOL CROSSING GUARD FOR THE 2022-2023 CALENDAR YEAR PURSUANT TO N.J.S.A. 40A:9-154.1

WHEREAS, the Chief of Police has informed the Governing Body that a vacancy exists on the Borough of Chatham's Police Department Crossing Guard roster; and

WHEREAS, the Chief of Police recommends the hiring of Vincent Prisco to fill the vacancy.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that in accordance with N.J.S.A. 40A:9-154.1, Vincent Prisco, School Crossing Guard is hereby hired and appointed for the 2022/2023 school year with a retroactive start date of October 12, 2022.

ORDINANCES FOR FIRST READING

Council Member Koronkiewicz introduced Ordinance #22-13 by title and read the introduction statement:

ORDINANCE #22-13

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 79, ENTITLED "ANIMAL AND RABIES CONTROL" OF SECTION 16 THEREOF ENTITLED "FEES"

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on October 24, 2022.

BE IT RESOLVED, that at the Council meeting to be held on November 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 moved Ordinance #22-13 for adoption on First Reading, second by Council Member Resto.

Roll call:

In favor: Council President Treloar and Council Members: Dempsey, Mathiasen, Koronkiewicz, Resto

Against: none

Abstain: none

Absent: Council Member Truilo

Council Member Mathiasen introduced Ordinance #22-14 by title and read the introduction statement:

ORDINANCE #22-14

**ORDINANCE TO AMEND ORDINANCE #22-11 REINSTATNG PRIOR ZONING FOR PORTIONS OF
THE POST OFFICE PLAZA REDEVELOPMENT AREA, AS AN AMENDMENT TO THE LAND
DEVELOPMENT REGULATIONS OF THE BOROUGH OF CHATHAM, NEW JERSEY**

WHEREAS, the above Ordinance was introduced and read by title at this Council meeting held on October 24, 2022.

BE IT RESOLVED, that at the Council meeting to be held on November 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 Mathiasen moved Ordinance #22-14 for adoption on First Reading, seconded by Council Member Resto.

Roll call:

In favor: Council President Treloar and Council Members: Dempsey, Mathiasen, Koronkiewicz, Resto

Against: none

Abstain: none

Absent: Council Member Truilo

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EXECUTIVE SESSION

Council Member Resto read Resolution #22-307.

**RESOLUTION #22-307
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 N.J.S.A. 10:4-6:

- Contract negotiations – redevelopment (Post Office Plaza)
- Solid Waste Contract negotiations and Attorney Client privileged advice
- Contract negotiations - Recreation Shared Service Agreement

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 Mayor and Borough Council will not return to public session after Closed Session.

Council Member Resto moved to adopt Resolution #22-307, seconded by Council Member Koronkiewicz.

ADJOURNMENT

Mayor Kobylarz announced that the meeting was adjourned at 9:20 PM. The Mayor and Council will not return to the public meeting when the closed session is done.

Respectfully submitted by:

Vanessa L. Nienhouse,

October 24, 2022

Borough Clerk