

**AGENDA**  
**Wednesday, June 22, 2022**  
**5:00 PM**

**Mayor & Council Special Meeting**  
**Mayor & 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 5:00 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 email to the Daily Record, the Chatham Courier, 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 June 16th, 2022.

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**ROLL CALL**

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

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**EXECUTIVE SESSION**

**PENDING AFFORDABLE HOUSING LITIGATION AND ATTORNEY CLIENT  
PRIVILEGED ADVICE REGARDING AFFORDABLE HOUSING WITH JON DRILL**

Mayor Kobylarz asks Council Member Truilo to proceed with Resolution #22-205.

Council Member Truilo reads Resolution #22-205:

**RESOLUTION #22-205**

**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 – Jon Drill

**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.

Council Member Truilo: I move to adopt Resolution #22-205.

Council Member \_\_\_\_\_ seconds the motion.

[Res. 22-205 Closed Session.docx](#)

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**RETURN TO OPEN SESSION**

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**ROLL CALL**

Mayor Thaddeus J. Kobylarz

Council President Irene Treloar

Council Member Carolyn Dempsey

Council Member Jocelyn Mathiasen

Council Member Karen Koronkiewicz

Council Member Leonard Resto

Council Member Frank Truilo

Stephen W. Williams, Borough Administrator / Acting Borough Clerk

Steven Kleinman, Borough Attorney

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## RECUSALS

Recusals or abstentions submitted for the record.

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## NON-ROUTINE NON-CONSENT ITEMS

Mayor Kobylarz asks Council President Treloar to proceed with Resolution #22-206.

Council President Treloar reads Resolution #22-206:

### RESOLUTION #22-206

**RESOLUTION RESCINDING THE DESIGNATION OF NOUVELLE LLC AS REDEVELOPER OF THE POST OFFICE PLAZA SITE; DESIGNATING BERGEN COUNTY UNITED WAY (“BCUW”) AS THE REDEVELOPER FOR THE POST OFFICE PLAZA SITE, AND AUTHORIZING THE MAYOR TO EXECUTE A REDEVELOPMENT AGREEMENT WITH BCUW FOR THE PROJECT AT THE POST OFFICE PLAZA SITE**

Council President Treloar moves to adopt Resolution #22-206.

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. 22-206 BCUW.docx](#)

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## MEETING OPEN TO THE PUBLIC

### NOTICE OF PUBLIC COMMENT TIME LIMIT

Residents wishing to make public comments may dial 929-205-6099 (Meeting ID: 895 0116 0690) or obtain online access of the meeting using the following URL:

<https://us02web.zoom.us/j/89501160690>

Or One tap mobile :

US: +13017158592,,89501160690# or +13126266799,,89501160690#

Or Telephone:

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

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

Webinar ID: 895 0116 0690

International numbers available: <https://us02web.zoom.us/j/kcaCxdd4hH>

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.

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## **ADJOURNMENT**



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-205

### 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 – Jon Drill

**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.

Adopted: June 22, 2022

Attest:

BOROUGH OF CHATHAM

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Stephen W. Williams  
Acting Borough Clerk

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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 Special Meeting held on June 22, 2022.

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Stephen W. Williams, Acting Borough Clerk



# Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

## RESOLUTION #22-206

### **RESOLUTION RESCINDING THE DESIGNATION OF NOUVELLE LLC AS REDEVELOPER OF THE POST OFFICE PLAZA SITE; DESIGNATING BERGEN COUNTY UNITED WAY (“BCUW”) AS THE REDEVELOPER FOR THE POST OFFICE PLAZA SITE, AND AUTHORIZING THE MAYOR TO EXECUTE A REDEVELOPMENT AGREEMENT WITH BCUW FOR THE PROJECT AT THE POST OFFICE PLAZA SITE**

**WHEREAS**, pursuant to Resolution #17-288, the Chatham Borough Council authorized the Planning Board to determine whether certain property within the Borough commonly known as the “Post Office Plaza” constituted an area in need of redevelopment pursuant to the Redevelopment and Housing Law, N.J.S.A. 40A:12-1, et seq.; and,

**WHEREAS**, pursuant to Resolution #18-102, and following receipt of a Redevelopment Investigation Report and the Planning Board’s recommendation, the Borough Council designated the properties comprising Post Office Plaza as a non-condemnation redevelopment area, pursuant to N.J.S.A. 40A:12-5 and N.J.S.A. 40A:12-6; and,

**WHEREAS**, the Post Office Plaza redevelopment area comprises Block 121, Lots 10, 11, 12, 13 and 17; and Block 122, Lots 1, 2 and 13-18 on the Borough’s Tax Map; and,

**WHEREAS**, thereafter, a redevelopment plan was prepared for Post Office Plaza and the Borough Council reviewed potential options for the redevelopment of Post Office Plaza in accordance with the redevelopment plan; and,

**WHEREAS**, the Borough Council held two “town hall” meetings to allow the public to learn about the potential options available for the redevelopment of Post Office Plaza and to comment on same, and carefully considered all of the comments it received on the topic; and,

**WHEREAS**, given the time sensitivity of the matter and its implication for on-going litigation involving the Borough’s ongoing affordable housing “Mount Laurel” compliance litigation under docket number MRS-L-1906-15, the Borough Council determined at its special meeting on May 2, 2022 to adopt Resolution 22-169, which determined that that the construction of a 15-unit single building residential affordable housing project on Borough-owned land, Lot 10 in Block 121, in the southeast corner along Bowers Lane was the appropriate mechanism for the redevelopment of Post Office Plaza; and,

**WHEREAS**, Resolution 22-169 further authorized the Mayor, Borough Administrator, Borough Attorney, and its appointed legal and planning professionals to immediately prepare a redevelopment agreement with the entity responsible for constructing the 15-unit single building residential affordable housing project and to take any and all required ancillary actions to ensure that such an agreement is completed and executed by June 1, 2022; and,

**WHEREAS**, following the Borough Council’s authorization in Resolution 22-129, at its special meeting on May 31, 2022, the Borough Council determined to adopt Resolution 22-204, which selected Nouvelle LLC of Cliffside Park, New Jersey as the redeveloper for the 15-unit single building residential affordable housing project on Borough-owned land, Lot 10 in Block 121, in the southeast corner along Bowers Lane, subject to conditions given their ability to develop consistent with the Redevelopment Plan; and,

**WHEREAS**, later developments have resulted in a determination by the Borough's professionals that Nouvelle LLC should no longer serve as the entity responsible for constructing the 15-unit single building residential affordable housing project and that Bergen County United Way ("BCUW") should do so instead; and,

**WHEREAS**, BCUW is an experienced redeveloper of affordable housing residential developments and the Council, exercising its duly authorized powers under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., desires that the project be developed by BCUW in accordance with Redevelopment Plan.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Resolution 22-204, which selected Nouvelle LLC of Cliffside Park, New Jersey as the redeveloper for the 15-unit single building residential affordable housing project on Borough-owned land, Lot 10 in Block 121, in the southeast corner along Bowers Lane, is hereby rescinded.
2. Bergen County United Way, of 6 Forest Avenue, Suite 220, Paramus, NJ 07652 is hereby designated as the substitute redeveloper for the 15-unit single building residential affordable housing project on Borough-owned land, Lot 10 in Block 121, in the southeast corner along Bowers Lane.
3. Borough Council authorizes the Mayor, Borough Administrator, Borough Attorney, and its appointed legal and planning professionals to immediately prepare and execute a Redevelopment Agreement with BCUW with respect the 15-unit single building residential affordable housing project on Borough-owned land, Lot 10 in Block 121, in the southeast corner along Bowers Lane, and to take any and all required ancillary actions necessary to do so; and,
4. A certified copy of this Resolution shall be provided to Nouvelle LLC, BCUW, the Borough's Redevelopment Counsel, and the Borough's Affordable Housing Counsel.

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

Adopted: June 22, 2022

Attest:

BOROUGH OF CHATHAM

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Stephen W. Williams  
Acting Borough Clerk

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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 Special Meeting held on June 22, 2022.

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Stephen W. Williams, Acting Borough Clerk