



Founded 1749

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: Monday, December 7, 2020

TIME: **6:00 PM Executive Session**
7:30 PM Regular Session

LOCATION: IN-PERSON LOCATION

Town Hall
2 West Main Street
Brookside

REMOTE VIA ZOOM – Link on the last page
Webinar ID: 838 8095 2143
Passcode: 021071

ROLL CALL

Mr. Baio
Ms. Duarte
Mr. Monaghan
Mr. Orlins
Mayor Neibart

SALUTE TO THE FLAG

STATEMENT OF ADEQUATE NOTICE

Adequate Notice of this meeting of the Township Committee of the Township of Mendham was given as required by the Open Public Meetings Act as follows: Notice was given to the Observer Tribune and Daily Record on January 3, 2020. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

2020-232 Resolution of the Township Committee of the Township of Mendham Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

ADJOURN TO EXECUTIVE SESSION

REGULAR SESSION STARTS AT 7:30PM

COVID-19 UPDATE

ANNOUNCEMENTS

OPEN TO THE PUBLIC

Please state your name and address for the record. Speakers are asked to limit their comments to 5 minutes.

*Zoom Attendees: If you wish to make a comment, please click 'Raise hand' in the webinar controls. If you join the webinar by phone, **dial *9** to raise your hand.*

MINUTES

- Executive Session Minutes of August 10, 2020
- Regular Meeting Minutes of August 25, 2020

REGULAR AENDA

- 2020-233** Resolution of the Township Committee of the Township of Mendham Cancelling a Portion of the Emergency Appropriation for the Mendham Sewer East Utility Established via Resolution 2020-126
- 2020-234** Resolution of the Township Committee of the Township of Mendham Establishing an Amount to be Added to the 2021 Quarterly Sewer Bills for Mendham Sewer East Utility Fund to Recover Excess Flow Charges
- 2020-235** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2020-236** Resolution of the Township Committee of the Township of Mendham Authorizing the Contract for Architectural Service for Town Hall Renovation (**pending**)

OPEN TO THE PUBLIC

Please state your name and address for the record. Speakers are asked to limit their comments to 5 minutes.

*Zoom Attendees: If you wish to make a comment, please click 'Raise hand' in the webinar controls. If you join the webinar by phone, **dial *9** to raise your hand.*

DISCUSSION

- **Administration**
 - 2021 Work Schedule – Town Hall
 - COVID-19 Testing Policy for Township Essential Workers and Volunteers
- **Township Committee**
 - Land Use Organization: Combining Planning and Zoning Boards
 - Statement of Work for Committees
- **Liaison Reports**
 - Construction
 - Communication Committee, Marketing
 - Department of Public Works
 - Environmental Commission
 - Health Department
 - Finance Committee
 - Fire Department
 - Planning Board
 - Police
 - Pitney Park
 - Recreation Committee
 - Regional School District
 - Shared Court
 - Stigma-Free Initiative

- First Aid Squad
- Historic Preservation
- Library
- Mendham Sewer East & West
- Mendham Township School District
- Mendham TV
- Surrounding Town Outreach
- Tax Assessor
- Tree Committee
- Wildlife Management
- Zoning Board

ADJOURN

RESOLUTION 2020-232

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Mendham is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Mendham to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

(7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

(8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose right could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

- **Chief Financial Officer**
- **2021 Appointments – Professional Services**
- **Police Department – Chief of Police and Lieutenant**

(9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris and State of New Jersey, assembled in public session on **December 7, 2020 at 6:00 PM** in the Township Municipal Building, 2 West Main Street, Brookside, New Jersey, that the Township Committee shall meet in Executive Session, from which the public shall be excluded, for the discussion of matters relating to the specific items designated above.

BE IT FURTHER RESOLVED that it is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Adopted: December 7, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-233
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM CANCELLING A
PORTION OF THE EMERGENCY APPROPRIATION FOR THE MENDHAM SEWER EAST UTILITY
ESTABLISHED VIA RESOLUTION 2020-126

WHEREAS, the Township Committee on June 23, 2020 approved Resolution 2020-126 establishing an Emergency Appropriation of \$50,000 to be used to pay for Pumping and Hauling costs incurred in the Sewer East Utility due to excessive sewage flows; and

WHEREAS, the total amount appropriated in Resolution 2020-126 is not required for the pumping and hauling charges incurred in 2020 thereby allowing the initial appropriation to be reduced by \$20,000 to \$30,000.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, THE COUNTY OF MORRIS, N.J. that Section 1 of Resolution 2020- 126 is hereby revised to read as follows with all other statements in Resolution 2020-126 remaining unchanged and in effect:

1. An emergency appropriation is hereby made for Pumping and Hauling Other Expenses in the amount of \$30,000.

BE IT FURTHER RESOLVED that the Township Chief Financial Officer is hereby instructed to revise the financial records of the Township to reflect this appropriation reduction and the Township Clerk is hereby authorized to file certified two copies of this Resolution with the Director of the Division of Local Government Services.

Adopted: December 7, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-234

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING AN AMOUNT TO BE ADDED TO THE 2021 QUARTERLY SEWER BILLS FOR MENDHAM SEWER EAST UTILITY FUND TO RECOVER EXCESS FLOW CHARGES

WHEREAS, Resolution 2020-126 established an Emergency Appropriation of \$50,000 to be repaid in the 2021 Calendar year for the Hauling and Disposal of Excess Sewage Flows for the Sewer East Utility Fund that cannot be treated under the existing NJDEP Discharge permit; and

WHEREAS, Resolution 2020- xx reduced the amount of the Emergency Appropriation to \$30,000 based upon actual costs incurred during 2020 for the hauling and disposal of excess flows that exceeded to available budgeted funds; and

WHEREAS, Ordinance 2020- 07 allows the Township Committee to recover the cost of these excess sewage flows by a special assessment added to the quarterly sewer bill for the affected Sewer Utility; and

WHEREAS, the Administrator and Chief Financial Officer recommend that these excess flows be recovered in four equal installments in the February, May, August and November 2021 quarterly billings for the Sewer East Utility customers.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, the County of Morris, NJ that the Mendham Tax Collector and Chief Financial Officer are hereby authorized to add a special assessment totaling \$7,500 to the quarterly sewer user charge billing, equating to a 8.1% increase in the overall sewer bill for each of the 4 quarters for 2021.

Adopted: December 7, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on December 7, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-235
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING THE PAYMENT OF BILLS

BE IT RESOLVED, by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, that the Chief Financial Officer be and hereby is authorized to pay current bills as attached hereto and made a part hereof, contingent upon the approval of the Finance Committee.

Adopted: December 7, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

**Bills list can be found on the website under the
agenda & minutes tab. Locate the meeting date
and click on "other docs."**

**RESOLUTION 2020-236
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING
THE ARCHITECTURAL PLANS FOR TOWN HALL**

PENDING

The Township Committee meeting will be held in-person at Town Hall, 2 West Main Street, Brookside. The meeting room will be arranged to comply with the 6 feet social distancing requirement. ***Masks are required to enter the municipal building.***

The public is welcome to join in-person or remote via Zoom.

The Township Committee will continue to host the meetings remotely via the Zoom platform. Kindly note the access information below:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83880952143?pwd=V1JvSEhwSkLR0FGTEdKeIBzUkw0Zz09>

Passcode: 021071

Or iPhone one-tap:

US: +13017158592,,83880952143#,,,,,0#,,021071# or
+13126266799,,83880952143#,,,,,0#,,021071#

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