



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: Wednesday, October 13, 2021

TIME: 7:30 PM

LOCATION: IN-PERSON
Town Hall
2 West Main Street
Brookside; and

REMOTE VIA ZOOM

Access link and call-in numbers can be found on the last page of the agenda

www.zoom.us

Click on "Join a Meeting"

Webinar ID: 894 7638 8075

Passcode: 323628

Follow prompts

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 6, 2021. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

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.*

RESOLUTIONS - REGULAR AGENDA

- 2021-203** Resolution of the Township Committee of the Township of Mendham to Approve Settlement of Real Property Tax Appeals
- 2021-204** Resolution of the Township Committee of the Township of Mendham Amending the Contract for Cornerstone Architectural Group, LLC For Redesign of the Electrical Service of the Town Hall Renovations/ New Police Building Facilities
- 2021-205** Resolution of the Township Committee of the Township of Mendham Amending the Professional Services Contract to Cornerstone Architectural Group for Architectural Design and Base Construction Services for Construction of a New Police Facility at 4 West Main Street to include Additional Services: Construction Management
- 2021-206** Resolution of the Township Committee of the Township of Mendham Recognizing the Extra Duty by the Township Public Works Superintendent
- 2021-207** Resolution of the Township Committee of the Township of Mendham Approving Raffle License – First Presbyterian Church of Mendham – Hilltop Christian Nursey School
- 2021-208** 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
- 2021-209** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Competitive Bidding Contract to Landworks Landscape Design, LLC, For Snow Plowing Services
- 2021-210** Resolution of the Township Committee of the Township of Mendham Awarding the Purchase of a F750 Regular Cab and Dump Body Truck from Maple Crest Ford, Inc of Mendham, New Jersey
- 2021-211** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

ORDINANCE(S) FOR SECOND READING / PUBLIC HEARING

- 15-2021** An Ordinance of the Township Committee of the Township of Mendham for a Change in Zoning for Block 147, Lots 42.01 - 42.16 from R-10 to R-5
Introduced on September 13, 2021

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

- Solar Panel Update

LIAISON REPORTS

COMMITTEE MEMBER BAIO

- *Construction*
- *Fire Department*
- *Historic Preservation*
- *Planning Board*
- *Zoning Board*
- *Police Station Design*
- *Pitney Park*

COMMITTEE MEMBER DUARTE

- *Environmental Commission*
- *First Aid Squad*
- *Mendham Sewer East & West*
- *Mendham TV*
- *Shared Court*
- *Stigma-Free Initiative*
- *Ad Hoc Marketing Committee*

COMMITTEE MEMBER MONAGHAN

- *Public Works, Department*
- *Health, Board*
- *Library*
- *Police*
- *Surrounding Town Outreach*
- *Wildlife Management*
- *Pitney Park*

COMMITTEE MEMBER ORLINS

- *Finance Committee*
- *Mendham Township School District*
- *Recreation Committee*
- *Surrounding Town Outreach*
- *Tax Assessor*

MAYOR NEIBART

- *Finance Committee*
- *Mendham Sewer East & West*
- *Police*
- *Recreation Committee*
- *Regional School District*
- *Tree Committee*
- *Police Station Design*
- *Emergency Management*

RESOLUTION 2021-203
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM TO APPROVE
SETTLEMENT OF REAL PROPERTY TAX APPEALS

WHEREAS, the municipal tax assessor and tax appeal counsel have negotiated settlements of a real property tax appeals pending in the Tax Court of New Jersey; and

WHEREAS, the settlements are conditioned upon approval by the governing body of the Township of Mendham.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris, State of New Jersey, that the following proposed settlements are approved:

1. Block 111, Lot 28 – 2020 assessment to be reduced to \$1,695,636, resulting in an anticipated refund in the amount of \$5,927.71.
2. Block 119, Lot 3 – 2021 assessment to be reduced to \$1,100,000, resulting in an anticipated refund in the amount of 4,864.17.
3. Block 108, Lot 21 – 2020 assessment to be reduced to \$1,300,000 and 2021 assessment to be reduced to \$1,200,000, resulting in an anticipated refund in the amount of \$9,157.49.

Adopted: October 13, 2021

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 October 13, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-204
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING THE
CONTRACT FOR CORNERSTONE ARCHITECTURAL GROUP, LLC FOR REDESIGN OF THE ELECTRICAL
SERVICE OF THE TOWN HALL RENOVATIONS/ NEW POLICE BUILDING FACILITIES

WHEREAS, the Township of Mendham has authorized a contract with Cornerstone Architectural Group for the construction of the new Mendham Township Police Station at 4 West Main Street, Brookside; and

WHEREAS, a review of the planned transformer and electrical service requires a relocation; and

WHEREAS, Cornerstone Architectural Group and Jersey Central Power & Light (JCP&L) engineers have determined that it will be better to utilize the existing ground-mounted transformer to provide power for the police and townhall facilities; and

WHEREAS, the cost of a redesign of the electrical needs is estimated to be a fee of \$6,500; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4, said funds to be encumbered from account C-04-55-021-001.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Mendham, County of Morris, State of New Jersey, that the contract with Cornerstone Architectural Group be amended for an additional \$6,500.

BE IT FURTHER RESOLVED that the contract, resolution, and all other pertinent documents shall remain on file in the office of the Township Clerk.

Adopted: October 13, 2021

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 October 13, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-205

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING THE PROFESSIONAL SERVICES CONTRACT TO CORNERSTONE ARCHITECTURAL GROUP FOR ARCHITECTURAL DESIGN AND BASE CONSTRUCTION SERVICES FOR CONSTRUCTION OF A NEW POLICE FACILITY AT 4 WEST MAIN STREET TO INCLUDE ADDITIONAL SERVICES: CONSTRUCTION MANAGEMENT

WHEREAS, the Township of Mendham has appointed via Resolution 2020-083 Cornerstone Architectural Group, LLC for the construction of a new Police Facility at 4 West Main Street in an amount not to exceed \$200,000; and

WHEREAS, this existing contract was increased by \$6,500 by Resolution 2021-204 to provide for additional electrical services; and

WHEREAS, it is necessary to amend this contract to reflect additional services to be provided by Cornerstone Architectural Group, LLC for Construction Management Services; and

WHEREAS, the existing contract provides for monthly inspection of the construction program with a formal site meeting and reports to the Township Committee. The Township staff recommends that this be supplemented to provide additional weekly on-site inspections of the construction activity in conjunction with the site inspections performed by Township staff to ensure that the building construction is proceeding according to approved plans and in a timely manner; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from Capital Ordinance 14-2021.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mendham, County of Morris, State of New Jersey does hereby authorize the Mayor to execute and the Township Clerk to witness an amendment to the existing contract with Cornerstone Architectural Group, LLC, to increase the amount not to exceed \$20,000 for a revised contract amount of \$226,500.

Adopted: October 13, 2021

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 October 13, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-206

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM RECOGNIZING THE
EXTRA DUTY BY THE TOWNSHIP PUBLIC WORKS SUPERINTENDENT**

WHEREAS, the Mendham Township Public Works Superintendent is a managerial employee of the Township and as such, it not eligible for any “overtime pay” as required under State and Federal regulations; and

WHEREAS, David Read, the Township Public Works Superintendent, is available and does respond at all times to emergency conditions in the Township as well as other requests for assistance outside the normal work hours of the Department of Public Works; and

WHEREAS, during the 2020 – 2021 snow season, the Township employed outside contractors to plow snow on three separate storms resulting in a total of 60 hours of contract operations for each provided piece of equipment; and

WHEREAS, David Read was present and actively working during these three emergency events without compensation, and the Township Committee believes that there should be some form of compensation when the emergency conditions in the municipality requires Mr. Read’s presence on an extended basis.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the Township Administrator is authorized to compensate David Read for 60 hours of additional pay to recognize the time requirement for emergency response during these three snow events.

Adopted: October 13, 2021

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 October 13, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-207
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
APPROVING RAFFLE LICENSE – FIRST PRESBYTERIAN CHURCH OF MENDHAM – HILLTOP CHRISTIAN
NURSEY SCHOOL

WHEREAS, the below listed organization has applied for a raffle license; and

WHEREAS, the Township Clerk has reviewed said application, finding the application to be satisfactory and recommends that the Township Committee approve same; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the following applications for a raffle license be and hereby approved.

ORGANIZATION	DATE OF RAFFLE	TYPE OF RAFFLE
First Presbyterian Church of Mendham Hilltop Christian Nursery School	October 22, 2021	On-Premise 50/50 Raffle

Adopted: October 13, 2021

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 October 13, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-208
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.

- o **Department of Public Works**
- o **Finance Department**



(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 **October 13, 2021 at 7:30 P.M.** 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: October 13, 2021

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 October 13, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-209

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO LANDWORKS LANDSCAPE DESIGN, LLC, FOR SNOW PLOWING SERVICES

WHEREAS, the Township requires an additional contractor to provide snow plowing services; and

WHEREAS; Landworks Landscape and Design, LLC is willing to provide two trucks and a 3rd truck on an as-needed basis, and

WHEREAS, Landworks Landscape and Design, LLC has provided the required forms, which comply with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 01-26-291-155 for 2021 and be included in the 2022 budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, as follows:

1. The Township Committee hereby awards a contract to Landworks Landscape and Design, LLC for two trucks with GVW of 19,500 at \$190.00 per hour per truck and 3rd on an as-needed basis.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Landworks Landscape and Design, LLC, according to said Snow Plowing Services.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: October 13, 2021

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 October 13, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-210
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AWARDING THE
PURCHASE OF A F750 REGULAR CAB AND DUMP BODY TRUCK FROM MAPLE CREST FORD, INC OF
MENDHAM, NEW JERSEY

WHEREAS, the Department of Public Works is in need of a new mason dump truck; and

WHEREAS, the Township of Mendham advertised for and received one bid for a F750 6.7-liter, regular cab and dump body truck from Maple Crest Ford, Inc of Mendham; and

WHEREAS, the total cost for this purchase is \$114,470.00; and

WHEREAS, Maple Crest Ford, Inc of Mendham has met all criteria and requirements of the bid and has submitted all required documentation; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purchase through Ordinances 09-2015, 07-2018, 05-2019 and 08-2021.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the Township Administrator, Chief Finance Officer are authorized to purchase said truck in accordance with the bid received in an amount not to exceed \$114,470.00.

Adopted: October 13, 2021

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 October 13, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-211
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: October 13, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

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Maria F. Coppinger, Township Clerk

ACCESS INFORMATION
TOWNSHIP COMMITTEE MEETING

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

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+1 346 248 7799 or
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Webinar ID: 894 7638 8075

Passcode: 323628

International numbers available: <https://us02web.zoom.us/j/89476388075?pwd=dTJwYXlONU1YUUVNzA0SW5DVIYyZz09>