



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: Tuesday, October 13, 2020

TIME: 7:30 PM

LOCATION: IN-PERSON LOCATION

Town Hall
2 West Main Street
Brookside

REMOTE VIA ZOOM – Link on Page 20

Webinar ID: 838 8095 2143

Passcode: 021071

ROLL CALL

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

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. The notice of change in meeting format was given to Star Ledger and Daily Record on October 7, 2020. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

SALUTE TO THE FLAG

PRESENTATION

Ad Hoc Marketing Committee Presentation

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.*

APPROVAL OF MINUTES

- Regular Meeting Minutes of June 23, 2020
- Executive Meeting Minutes of June 23, 2020
- Executive Meeting Minutes of July 13, 2020

CONSENT AGENDA - RESOLUTIONS

- 2020-187** Resolution of the Township Committee of the Township of Mendham Authorizing Cancellation of Federal and State Grant Receivables and Reserves
- 2020-188** Resolution of the Township Committee of the Township of Mendham Authorizing Cancellation of Federal and State Grant Receivables to Fund Balance for Green Communities Grant
- 2020-189** Resolution of the Township Committee of the Township of Mendham Amending Resolution 2020-068 Titled Authorizing the Retention of Robert Casey to Act as Interim Administrator

REGULAR AGENDA - RESOLUTIONS

- 2020-190** 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
- 2020-191** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2020-192** Resolution of the Township Committee of the Township of Mendham Appointing Student Representatives to the Historic Preservation Committee
- 2020-193** Resolution of the Township Committee of the Township of Mendham Authorizing the Adoption of the 2020 Morris County, New Jersey Hazard Mitigation Plan Update
- 2020-194** Resolution of the Township Committee of the Township of Mendham Amending the 2020 Capital Budget

ORDINANCE FOR INTRODUCTION / FIRST READING

- 12-2020** Bond Ordinance Providing for Capital Improvements in and by the Township of Mendham, In the County of Morris, New Jersey, Appropriating \$5,000,000 Therefor and Authorizing the Issuance of \$4,750,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof
Public Hearing scheduled for October 27, 2020.

ORDINANCE FOR SECOND READING / PUBLIC HEARING

- 11-2020** An Ordinance of the Township of Mendham Authorizing the Acceptance of a Deed of Dedication for the Acquisition of Real Property Designated as a Portion of Lot 137 In Block 127, on the Official Tax Map of the Township of Mendham More Commonly Known as a Portion of Hamilton Drive – ***Introduced on September 22, 2020***

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

- **Mayor Neibart**
 - Discussion on the Creation of a Committee to Review and Provide suggestions on the exterior designs of the new construction within the municipal complex
- **Administration**
 - Policy & Procedures for Township Advisory Committees
- **Liaison Reports**
 - Construction
 - Communication Committee, Marketing
 - Department of Public Works
 - Environmental Commission
 - Health Department
 - Finance Committee
 - Fire Department
 - First Aid Squad
 - Historic Preservation
 - Library
 - Mendham Sewer East & West
 - Mendham Township School District
 - Mendham TV
 - Planning Board
 - Police
 - Pitney Park
 - Recreation Committee
 - Regional School District
 - Shared Court
 - Stigma-Free Initiative
 - Surrounding Town Outreach
 - Tax Assessor
 - Tree Committee
 - Wildlife Management
 - Zoning Board

ADJOURN

RESOLUTION 2020-187
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING
CANCELLATION OF FEDERAL AND STATE GRANT RECEIVABLES AND RESERVES

WHEREAS, the Radon Awareness Grant was awarded to Mendham Township in November 12, 2019 in the amount up to \$2,000 to provide radon kits free to Township residents; and

WHEREAS, radon kits were purchased by the Health Department in the amount of \$1,575 leaving a balance remaining of \$425; and

WHEREAS, the Health Department will not be purchasing additional radon kits; and

WHEREAS, receivable and reserve balances exist in the Township's State and Federal Grant Fund for \$425; and

WHEREAS, it is recommended by the Chief Finance Officer that the above grant receivable and reserve balance be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the Finance Department be directed to cancel the above-mentioned grant receivables and reserve balances.

Adopted: October 13, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-188

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING
CANCELLATION OF FEDERAL AND STATE GRANT RECEIVABLES TO FUND BALANCE FOR GREEN COMMUNITIES
GRANT**

WHEREAS, the Green Communities Grant was awarded to Mendham Township in January 1, 2018 in the amount of \$3,000 to provide financial assistance for the development of Community Forestry Program Plan; and

WHEREAS, the funds were used to for a tree survey and were not considered an eligible expense for the Green Communities Grant; and

WHEREAS, the grant term expired January 1, 2020; and

WHEREAS, receivable exist in the Township's State and Federal Grant Fund for \$3,000 and the Grant Reserve has been expended in the amount of \$3,000; and

WHEREAS, it is recommended by the Chief Financial Officer that the above grant receivable be cancelled and expended reserve cancelled to Fund Balance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the Finance Department be directed to cancel the above-mentioned grant receivables and reserve balances.

Adopted: October 13, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-189

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING RESOLUTION 2020-068 TITLED AUTHORIZING THE RETENTION OF ROBERT CASEY TO ACT AS INTERIM ADMINISTRATOR

WHEREAS, the Township Committee appointed Robert Casey on March 24, 2020 via Resolution 2020-068; and

WHEREAS, the resolution authorized and directed the Mayor and the Clerk to enter into a contract with Robert Casey for his services to be compensated at seventy (\$70.00) dollars per hour for approximately ten to twelve hours per week, with no pension contributions or health insurance; and

WHEREAS, the initial engagement was for a sum not to exceed ten thousand (\$10,000.00) dollars; and

WHEREAS, the “not to exceed ten thousand (\$10,000)” statement was made part of the resolution in error.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township Committee authorizes the amendment to Resolution 2020-068 by eliminating the “not to exceed ten thousand (\$10,000) dollars” statement.

BE IT FURTHER RESOLVED that the terms of the contract pertaining to compensation with no pension contributions or health insurance and the approximate hours worked remain the same.

Adopted: October 13, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-190

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.

- **TOWNSHIP ADMINISTRATOR POSITION**



(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, 2020 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, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-191
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, 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 township website under the agenda & minutes tab. Locate the meeting date and click on "other docs."

RESOLUTION 2020-192
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPOINTING STUDENT
REPRESENTATIVES TO THE HISTORIC PRESERVATION COMMITTEE

BE IT RESOLVED by the Township Committee of the Township of Mendham that the following appointments are made for the terms as indicated:

HISTORIC PRESERVATION COMMITTEE

Andrew Bauner	Newly Appointed	10/13/2020
Mirabella Pierre-Lois	Newly Appointed	10/13/2020

This resolution shall take effect immediately

Adopted: October 13, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-193

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE ADOPTION OF THE 2020 MORRIS COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE

WHEREAS, all jurisdictions within Morris County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Morris County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Morris County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mendham:

- 1) Adopts in its entirety, the 2020 Morris County Hazard Mitigation Plan Update (the "Plan") as the jurisdiction's Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

PASSED AND ADOPTED ON THIS 13TH DAY OF OCTOBER, 2020 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

Visit Morris County OEM's Mitigation Webpage to view the draft plan:
<https://oem.morriscountynj.gov/mitigation/2020-mitigation-plan-update/>

RESOLUTION 2020-194
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING
THE 2020 CAPITAL BUDGET

WHEREAS, the Township of Mendham deems it necessary and desirable to provide for a capital project not previously reflected in the 2020 Capital Budget of Township of Mendham, and

WHEREAS, N.J. A.C. 5:30-4.4B provides that the Capital Budget of a governing body shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget.

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 2020 Capital Budget shall be amended to reflect the addition of Ordinance 12-2020 – Significant Renovations to Town Hall for \$2,600,000 and Construction of a new Police Station for \$2,400,000, not previously provided for in the Capital Budget.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

Adopted: October 13, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

ORDINANCE 12-2020
BOND ORDINANCE PROVIDING FOR CAPITAL IMPROVEMENTS IN AND BY
THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY,
APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$4,750,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF
THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Mendham, in the County of Morris, New Jersey (the "Township") as general improvements. For the improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$5,000,000, and further including the aggregate sum of \$250,000 as the down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,750,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements hereby authorized and the purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) The major renovation of Township Hall located at 2 West Main Street, Brookside, including roof replacement, interior and exterior wall improvements, window and door replacement, a new exterior fireproof stairwell with elevator, bathrooms to meet ADA requirements, a new HVAC/boiler system and related improvements.	\$2,600,000	\$2,465,000	10 years
b) The construction of a new police station on property owned by the Township at 4 West Main Street, including furnishings and equipment	<u>\$2,400,000</u>	<u>\$2,285,000</u>	20 years
TOTALS:	<u>\$5,000,000</u>	<u>\$4,750,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose. Each purpose includes all work, materials, equipment and costs related or incidental thereto.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief

financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.81 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is

increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,750,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys or fundraising proceeds received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to

amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCED:

ADVERTISED:

PUBLIC HEARING:

ADOPTED:

ADVERTISED:

ATTEST:

TOWNSHIP OF MENDHAM
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

ORDINANCE NO. 11-2020

AN ORDINANCE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION FOR THE ACQUISITION OF REAL PROPERTY DESIGNATED AS A PORTION OF LOT 137 IN BLOCK 127, ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MENDHAM MORE COMMONLY KNOWN AS A PORTION OF HAMILTON DRIVE.

Statement of Purpose: The purpose of this ordinance is to bring the property lines of the subject property and contiguous roadways into compliance with the Mendham Township Master Plan and to facilitate municipal access.

WHEREAS, N.J.S.A. 40A:12-3 authorizes a municipality to acquire real property; and

WHEREAS, N.J.S.A. 40A:12-5 requires that the acquisition of real property by municipalities be accomplished by ordinance; and

WHEREAS, Patrick Daley (Grantor) is the owner of real property located in the Township of MENDHAM (Township) at the end of Hamilton Drive which is under the jurisdiction of the Township, and

WHEREAS, Grantor has tendered a deed of dedication to the Township, which is attached hereto and made a part hereof by reference, for the purposes of conveying to the Township a fee simple interest in a portion of Lot 137 in Block 127 which is the designation of such real property on the Official Tax Map of the Township of Mendham; and

WHEREAS, it has been determined by the Township Engineer that it is advantageous for the Township to accept the deed of dedication in order to facilitate snow plow and emergency vehicle operations; and

WHEREAS, it has been determined by the Township Committee that accepting this deed of dedication and thereby acquiring fee simple interest in the subject real property would be in the best interest of the Township.

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

SECTION 1. The Township is hereby authorized to acquire the real property hereinbefore described as a portion of Lot 137 in Block 127 of the Official Tax Map of the Township of Mendham, which property is more specifically described in the attached deed of dedication. After all requirements respecting the enactment of this ordinance have been fulfilled the deed of dedication shall be recorded in the Office of the Morris County Clerk.

SECTION 2. Having passed a first reading, this Ordinance shall be published in the manner required by N.J.S.A. 40:49-6, at least once not less than ten (10) days prior to the time fixed for further consideration for final passage.

SECTION 3. Pursuant to N.J.S.A. 40:49-6, at least one week prior to the time fixed for final passage, a copy of the Ordinance, together with notice of the introduction, including time and place fixed for final passage, shall be mailed to every person whose land may be affected by the Ordinance.

SECTION 4. The Township Clerk shall, within sixty (60) days after the Ordinance becomes effective, file a certified copy thereof, under the seal of the Township of Mendham, together with a copy of the proof of publication thereof, in the Office of the Clerk of Morris County, pursuant to N.J.S.A. 40:67-21.

SECTION 5. The Mayor and Township Clerk are hereby authorized to execute any and all instruments and to do all things necessary to effectuate the purposes hereof.

SECTION 6. All Ordinances, resolutions, and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed as to the extent of such inconsistency.

SECTION 7. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 8. This Ordinance shall take effect upon final passage and approval in accordance with law.

INTRODUCED: 09/22/2020

ADVERTISED: 09/25/2020

PUBLIC HEARING: 10/13/2020

ADOPTED:

ADVERTISED:

ATTEST:

TOWNSHIP OF MENDHAM
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

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=V1JvSEhwSkILR0FGTEdKelBzUkw0Zz09>

Passcode: 021071

Or iPhone one-tap:

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

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 +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128

Webinar ID: 838 8095 2143

Passcode: 021071

International numbers available: <https://us02web.zoom.us/j/83880952143?pwd=V1JvSEhwSkILR0FGTEdKelBzUkw0Zz09>