



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: Monday, November 8, 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.

RECOGNIZING NEW MEMBERS

- Eren Onat has applied to be a Junior Member of the Ralston Engine Company #1
- Nolan Mortensen has applied to be an Active Member of the Ralston Engine Company #1 (Served as a Junior Member)

COVID – 19 UPDATE

ANNOUNCEMENTS

OPEN TO THE PUBLIC

Please state your name and address for the record.

*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 MEETING MINUTES

- May 3, 2021 – Special Meeting and Executive Session
- May 10, 2021 – Special Meeting and Regular Meeting

RESOLUTIONS - REGULAR AGENDA

- 2021-220** Resolution of the Township Committee of the Township of Mendham Authorizing Redemption of Tax Sale Certificate #19-00001 - 157 Mountainside Road, Block 117 Lot 41
- 2021-221** Resolution of the Township Committee of the Township of Mendham Authorizing the Execution of Renewal of Shared Services Agreement Between the County of Morris and the Township of Mendham for Public Health Services
- 2021-222** Resolution of the Township Committee of the Township of Mendham Authorizing the Mayor to Execute a Letter of Agreement Between the County of Morris and the Mendham Municipal Alliance for Grant Administration of the Mendham Municipal Alliance for the Period of July 1, 2021 to June 30, 2022
- 2021-223** Resolution of the Township Committee of the Township of Mendham Approving the Applications for Membership in the Mendham Township First Aid Squad
- 2021-224** 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
- 2021-225** Resolution of the Township Committee of the Township of Mendham Adopting Personnel Policies and Procedures Manual
- 2021-226** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

ORDINANCE – 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
Ordinance was introduced on October 13, 2021

OPEN TO THE PUBLIC

Please state your name and address for the record.

*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

- Website Design
- Noise Experiment
- Volunteer Appreciation Reception
- Reschedule Appointments Meeting – December 2, 2021
- Interviews for Request for Proposals
- Sewer East and West Updates
- Feedback on circulated drafts of the (Local) Agricultural Advisory Committee/Board
- Updated Welcoming Sign

LIAISON REPORTS

COMMITTEE MEMBER BAIIO

- *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 2021-220

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING
REDEMPTION OF TAX SALE CERTIFICATE #19-00001 - 157 MOUNTAINSIDE ROAD, BLOCK 117 LOT 41**

WHEREAS, Tax Sale Certificate #19-00001 assessed to Block 117 Lot 41, also known as 157 Mountainside Road, and is held by M & P Retirement Plan; and

WHEREAS, the above-mentioned Tax Sale Certificate has been redeemed in the amount of \$50,903.46 and there is also a premium in the amount of \$44,600.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, that the Tax Collector is hereby directed to refund the total amount of \$95,503.46 to M & P Retirement Plan.

Adopted: November 8, 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 November 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-221

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE EXECUTION OF RENEWAL OF SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF MORRIS AND THE TOWNSHIP OF MENDHAM FOR PUBLIC HEALTH SERVICES

WHEREAS, the Township of Mendham has previously entered into a Shared Services Agreement with the County of Morris, Division of Public Health for services to be rendered to the Township of Mendham for local health services in accordance with the Local Health Services Act as codified at N.J.S.A. 26:3A2-1, et seq.; and

WHEREAS, the agreement will expire on December 31, 2021; and

WHEREAS, the local Board of Health has reviewed the agreement and all parties wish to renew the shared service agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the Mayor and Clerk are authorized and directed to execute the Shared Services Agreement with the County of Morris for local health services in accordance with the Local Health Services Act for a five-year term, beginning on January 1, 2022 and terminating on December 31, 2026.

Adopted: November 8, 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 November 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-222
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
MAYOR TO EXECUTE A LETTER OF AGREEMENT BETWEEN THE COUNTY OF MORRIS AND THE
MENDHAM MUNICIPAL ALLIANCE FOR GRANT ADMINISTRATION OF THE MENDHAM MUNICIPAL
ALLIANCE FOR THE PERIOD OF JULY 1, 2021 TO JUNE 30, 2022

WHEREAS, the Township of Mendham has been requested to enter into a letter of agreement, attached hereto, with the County of Morris concerning the grant administration of the Mendham Municipal Alliance; and

WHEREAS, this letter of agreement is valid for the period of July 1, 2021 through June 30, 2022 and contingent on full compliance with all terms and conditions; and

WHEREAS, the funds issued by the County of Morris to the Mendham Municipal Alliance shall not exceed \$5,056.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mendham, County of Morris, State of New Jersey Authorizes the Mayor to execute the letter of agreement between the County of Morris and the Mendham Municipal Alliance for the grant administration for the alliance to prevent alcoholism and drug abuse.

Adopted: November 8, 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 November 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-223

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING THE APPLICATIONS FOR MEMBERSHIP IN THE MENDHAM TOWNSHIP FIRST AID SQUAD

WHEREAS, pursuant to §10-43 of the General Code of the Township of Mendham, there should be an emergency squad known as the “Mendham Township First Aid Squad, Inc;” and

WHEREAS, all applications for membership in the First Aid Squad shall be approved by the Township Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the members listed below are hereby approved as members of the Mendham Township First Aid Squad.

MEMBERS OF THE MENDHAM TOWNSHIP FIRST AID SQUAD	
Evan Abramov	Nick Monaghan
Matthew Borinshteyn	Debra Nails
Richard Brusco	Barbara Nelson
George Budd	Paula Oswald
Eric Cooper	Estelle Pasquier
Jaedin Donnelly	Stephanie Pendell
Bill Dunlevy	Mark Pojednic
Leslie Dunlevy	Ruby Porfido
Madison Frantz Pendell	Brett Ransegnola
Bill Grier	John Ransegnola
Christine Hinson	Vincent Reilly
Katie Hinson	Marlene Russell
Robin Johnston	Ghen Saito
Alex Kane	Riki Saito
Nanci Kane	Ty Saito
Bernadette Koenig	Jesse Smith
Jason Leffler	Kieran Walsh
Bob Marold	Kyle Wiggins
Patty Marold	Nick Witczak
Julianna Marran	Janet Wood
Lynn Marran	Laura Wood
James McManus	Harriet Zimmerman
Mark Miocevich	

Adopted: November 8, 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 November 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-224

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.

Appointment of Special Counsel



(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, State of New Jersey, assembled in public session on **November 8, 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: November 8, 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 November 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-225
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ADOPTING
PERSONNEL POLICIES AND PROCEDURES

WHEREAS, it is the policy of Township of Mendham to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee of the Township of Mendham has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township Committee of the Township of Mendham that the synopsis of changes to the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Township of Mendham officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by the Township of Mendham employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee of the Township of Mendham.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township of Mendham shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that Arthur R. Thibault has been appointed as the Labor Attorney to advise the Township Committee in personnel matters.

BE IT FURTHER RESOLVED that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Township Administrator and the Labor Attorney shall implement the policies and procedures in this manual.

Adopted: November 8, 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 November 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-226
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: November 8, 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 November 8, 2021.

Maria F. Coppinger, Township Clerk

**TOWNSHIP OF MENDHAM
MORRIS COUNTY – NEW JERSEY**

ORDINANCE NO. 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**

WHEREAS; a request to change the zoning for Block 147, Lots 42.01 - 42.16 from and R-10 to an R-5 has been made by the property owner; and

WHEREAS; the properties contiguous are currently in the R-5 zone; and

WHEREAS, the Township Committee of the Township of Mendham has determined that based on the Township Master Plan this is a reasonable request based on the surrounding properties.

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

SECTION ONE: Block 147, Lots 42.1 - 42.16 is hereby changed from a R-10 zone to and R-5 zone.

SECTION TWO: The Mendham Township Zoning Map shall be amended to designate Block 147, Lots 147, Lots 42.1 - 42.16 R-5 Residential Zone.

SECTION THREE: Any ordinances inconsistent with this ordinance are hereby amended or repealed to the extent of such inconsistency.

SECTION FOUR: This ordinance shall take effect upon final adoption and publication as provided by law.

INTRODUCED: September 13, 2021

ADVERTISED: September 16,2021

PUBLIC HEARING: ~~October 13, 2021~~ (Tabled to November 8, 2021)

ADOPTED:

ADVERTISED:

ATTEST:

TOWNSHIP OF MENDHAM
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

ACCESS INFORMATION
TOWNSHIP COMMITTEE MEETING

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

<https://us02web.zoom.us/j/89476388075?pwd=dTJwYXlONUt1YUUvNzA0SW5DVIrYz09>

Passcode: 323628

OR IPHONE ONE-TAP:

US: +13126266799,,89476388075#,,,,*323628# or
+16465588656,,89476388075#,,,,*323628#

OR TELEPHONE:

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

US: +1 312 626 6799 or
 +1 646 558 8656 or
 +1 301 715 8592 or
 +1 346 248 7799 or
 +1 669 900 9128 or
 +1 253 215 8782

Webinar ID: 894 7638 8075

Passcode: 323628

International numbers available: <https://us02web.zoom.us/j/89476388075?pwd=dTJwYXlONUt1YUUvNzA0SW5DVIrYz09>