



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: Monday, February 8, 2021

TIME: **6:00 PM Township and Finance Committee Budget Workshop**
7:30 PM Regular Session

LOCATION: **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.

PROCLAMATION

- Recognizing February as Black History Month
- Recognizing February as American Heart Month

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 MEETING MINUTES

Regular Session Meeting Minutes of September 22, 2020

REGULAR AGENDA

- 2021-050** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Professional Services Contract to Princeton Hydro not to Exceed \$2,000
- 2021-051** Resolution of the Township Committee of the Township of Mendham to Approve Settlements of Real Property Tax Appeals
- 2021-052** 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
- 2021-053** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2021-054** Resolution of the Township Committee of the Township of Mendham Definition of Proclamations, Resolutions, and Ordinances

ORDINANCE FOR SECOND READING / PUBLIC HEARING

- 03-2021** An Ordinance to Amend and Supplement Ordinance 12-2019, Entitled: "An Ordinance of the Township of Mendham Providing for the Milling and Paving of Cold Hill Road and Appropriating \$380,000 Therefore, including \$332,000 from the State of New Jersey Department of Transportation and \$48,000 from the Capital Improvement Fund" to Reflect Additional Funding Sources
Ordinance was introduced on January 25, 2021

PENDING ORDINANCE

- 01-2021** An Ordinance of the Township of Mendham Deleting Chapter 11 and Creating a New Chapter 11 "Stormwater Control Ordinance"
Introduced on January 11, 2021; Public Hearing Scheduled for February 22, 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

- Municipal Facilities Status Report
- Drakewick Sewer
- Protocol & Procedure of the Township Committee

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*

ADJOURN

RESOLUTION 2021-050

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO PRINCETON HYDRO NOT TO EXCEED \$2,000

WHEREAS, the Township of Mendham has a need to appoint a professional environmentalist for expert environmental services for the Township Planning Board; and

WHEREAS, Princeton Hydro of Ringoes, New Jersey will provide professional environmental services as sought by the Township of Mendham in an amount not to exceed \$2,000; and

WHEREAS, the Chief Financial Officer will provide funds in the 2021 Budget for this amount pursuant to *N.J.A.C. 5:30-5.4*, in account 0-01-21-180-028.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Mendham, County of Morris, State of New Jersey authorizes the Mayor and the Township Clerk to enter into a contract with Princeton Hydro of Ringoes, New Jersey, not to exceed \$2,000 for general environmental services in 2021.

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: February 8, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on February 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-051
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM TO
APPROVE SETTLEMENTS OF REAL PROPERTY TAX APPEALS

WHEREAS, the municipal tax assessor and tax appeal counsel have negotiated settlements of real a 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, New Jersey, that the following proposed settlements are approved:

1. Block 123, Lot 27 – 2020 assessment to be reduced to \$1,000,000 resulting in a total anticipated refund to the taxpayer in the amount of \$1,825.17.
2. Block 142, Lot 30 – 2019 assessment to be reduced to \$1,221,000 resulting in a total anticipated refund to the taxpayer in the amount of \$1,864.51.

Adopted: February 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 February 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-052

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.
 - o **IRONIA ROAD**
- (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 / CHIEF FINANCIAL OFFICER POSITION**
- **FIRE 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 **February 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: February 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 February 8, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-053
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: February 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 February 8, 2021.

Maria F. Coppinger, Township Clerk

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

RESOLUTION 2020-054
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM - DEFINITION OF
PROCLAMATIONS, RESOLUTIONS, AND ORDINANCES

WHEREAS, the Mendham Township Committees is frequently asked about the procedures of use when the Township Committee is taking action on an issue; and

WHEREAS, there are various options that the Township Committee may utilize; and

WHEREAS, in the spirit of transparency and for the benefit of the public these options are defined herein; and

WHEREAS, an Ordinance is local law, enacted by the Township Committee, prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality, including also such things as incurring municipal debt and disposition of municipal property. Ordinances are similar in nature to statutes enacted by the legislature, passed according to procedures required by state law or charter (such as notice, public hearing, required number of votes, and publication). Ordinances can be used to fix legal rights and duties, to regulate activities, or, for acts considered (criminal) disorderly and to prohibit them altogether. Ordinances are generally considered "permanent," and can only be amended by enacting a new Ordinance; and

WHEREAS, a Resolution is a written motion used for administrative or legal action taken by the Township Committee (to agree (or not agree)) to conduct Township business, enact policies (within the Township (and/or) which directly impact the Township of Mendham and its residents), and/or its transactions; and

WHEREAS, a Proclamation is a document issued by the Mayor with the approval (or) of the Township Committee to formally recognize certain events, causes, groups or people, (and) or to increase public awareness of issues with the hope of improving the well-being of citizens of Mendham Township.

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mendham agrees to operate within the above stated definitions for the 2021 session.

Adopted: February 8, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on February 8, 2021.

Maria F. Coppinger, Township Clerk

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

ORDINANCE 03-2021

**AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 12-2019, ENTITLED:
“AN ORDINANCE OF THE TOWNSHIP OF MENDHAM PROVIDING FOR THE MILLING AND PAVING OF
COLD HILL ROAD AND APPROPRIATING \$380,000 THEREFORE, INCLUDING \$332,000 FROM THE STATE
OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND \$48,000 FROM THE CAPITAL
IMPROVEMENT FUND” TO REFLECT ADDITIONAL FUNDING SOURCES**

WHEREAS, ordinance 2019-12 provided funding for the improvement of Cold Hill Road; and

WHEREAS, the Township has received additional funding from N.J. American Water Company to pay for inspection and restoration services for the portion of Cold Hill Road scheduled to be repaved in ordinance 2019-12 due to the installation of a new water main in this road and the Township Auditor is requiring the original ordinance be revised to reflect this additional scope of work.

BE IT ORDAINED by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, that Ordinance 2019-12 is hereby amended to read as follows:

Section 1. The funding for the Milling and Paving of Cold Hill Road is hereby authorized and such cost is increased from to exceed \$380,000 to not to exceed \$474, 638.02

Section 2. The funding for the Milling and Paving of Cold Hill Road is hereby appropriated from Funds Due from the State of New Jersey Department of Transportation in the amount of \$332,000 and from Capital Improvement Fund in the amount of \$48,000 and from receipts received from N.J. American Water Company of \$94,638.02.

Section 3. This ordinance shall take effect in December 2020 when the N.J. American payments are received

Section 4: This ordinance shall take effect following passage and publication as provided by law.

INTRODUCED: 01/25/2021

ADVERTISED: 1/30/2021

PUBLIC HEARING: 02/08/2021

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=dTJwYXl0NUt1YUUvNzA0SW5DVIRyZz09>

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OR IPHONE ONE-TAP:

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+16465588656,,89476388075#,,,,*323628#

OR TELEPHONE:

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

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