



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
SPECIAL MEETING**

DATE: Thursday, November 19, 2020

TIME: 6:00 PM Executive Session
7:30 PM Special Session

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

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

ROLL CALL

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

SALUTE TO THE FLAG

STATEMENT OF ADEQUATE NOTICE

Adequate Notice of this meeting of the Township Committee of the Township of Mendham was given as required by the Open Public Meetings Act as follows: Notice was given to the Observer Tribune and Daily Record on November 16, 2020. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

REGULAR AGENDA – RESOLUTIONS

2020-219 Resolution of the Township Committee of the Township of Mendham Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

ADJOURN TO EXECUTIVE SESSION

REGULAR SESSION STARTS AT 7:30PM

WORKSHOP

Discussion on the Department of Public Works Presentation originally presented on November 9, 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.*

2020-220 Resolution of the Township Committee of the Township of Mendham Rejecting Bids for Snow Plow Services

2020-221 Resolution of the Township Committee of the Township of Mendham Authorizing a Contract with Phoenix Consulting for CFO Services

OPEN TO THE PUBLIC

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

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

DISCUSSION

- **Administration**
 - Land Use Organization: Combining Planning and Zoning Boards
 - Committee Ordinances
 - 2021 Appointment Process –Seeking and Evaluating Volunteer
 - Construction Project Proposed Schedule

ADJOURN

RESOLUTION 2020-219

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

CHIEF FINANCIAL OFFICER 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 **November 19, 2020 at 6:00 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 19, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-220
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
REJECTING BIDS FOR SNOW PLOW SERVICES

WHEREAS, The Township Purchasing Agent publicly opened bids for on October 1, 2020 for Snow Plow Services for Trucks with 26,001 or more GVW with a combination of plow and spreader; and

WHEREAS, one bid was received from JJS Services Inc from Mount Freedom, New Jersey; and

WHEREAS, per N.J.S.A 40A: 11-13.2(c) The governing body of the contracting unit may reject bids if they decide to abandon the project for provision or performance of the goods; and

WHEREAS, the Township Committee wishes to abandon the project and shall provide these services directly through the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mendham, in the County of Morris and State of New Jersey, rejects the bid received by the Township Purchasing Agent on October 1, 2020 for Snow Plow Services with 26,001 or more GVW with a combination of plow and spreader and will provide these services through the Department of Public Works.

Adopted: November 19, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-221

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PHOENIX CONSULTING GROUP FOR CONSULTANT SERVICES AS CHIEF FINANCIAL OFFICER OF THE TOWNSHIP ON AN INTERIM BASIS

WHEREAS, the Township of Mendham has a need to appoint a certified and experienced Chief Financial Officer / Qualified Purchasing Agent through a non-fair and open contract pursuant to the provisions of N.J. Local Public Contracts law; and

WHEREAS, PHOENIX CONSULTING GROUP will provide licensed certified Municipal Finance Officer / Qualified Purchasing Agent to serve as the Interim Chief Financial Officer / QPA of the Township until a permanent replacement CFO can be employed in accordance with their proposal dated November 1, 2020 at an hourly rate of \$150; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq.) requires that the Resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, PHOENIX CONSULTING GROUP Associates will provide and submit a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of Mendham with the elected officials in the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, funds for this contract for the remainder of 2020 are estimated not to exceed \$6,000 and are available in account 01-20-100-028 –Professional Services.

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 PHOENIX CONSULTING GROUP not to exceed \$6,000 for licensed certified Municipal Finance Officer / Qualified Purchasing Agent.

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

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Township’s legal newspaper.

Adopted: November 19, 2020

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#

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