



Founded 1749

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
November 28, 2017
Executive Session 6:30 PM
Regular Session 7:30 PM**

ROLL CALL

Mr. Baumann	Absent
Mr. Cioppettini	Present
Mr. Diegnan	Present
Mr. Gisser	Present
Mayor Urban Brown	Present

Also Present: John M. Mills, III, Esq., Township Attorney
Debbie Bonanno, Administrator
Mary Beth Zichelli, Township Clerk

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 Daily Record, Observer Tribune and the Star Ledger on January 7, 2017. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

ANNOUNCEMENTS

The Mayor announced an additional meeting on December 4th at 7:30 PM.

She also announced Mendham High School Boys' soccer team won the state championship and suggested the team or coach come to the December 18th meeting to be honored.

The Administrator told the residents that there will be a free Rabies clinic, Saturday, December 2nd, from 1- 2:30 and held at the first aid bay.

The Administrator also announced that the majority of the Mendham Sewer East is complete and should be up and operating by the end of next week.

There will be a Styrofoam recycling event on December 30th from 9-1 at the Borough.

Mr. Gisser announced the Annual Santa event on December 3rd, at Brookside Fire House starting at 5 PM.

CORRESPONDENCE

The Mayor announced Governor Christie's 2nd annual candlelight vigil for addiction on December 6th.

Friends of Pitney letter- The Mayor read a letter from the Friends of Pitney expressing their pleasure regarding the subdivision of the Pitney property and the inclusion of the Friends of Pitney (letter attached)

PRESENTATION

Before Mr. Ingram gave his presentation, Mr. Gisser asked to go on the record as saying he is upset that the presentation found its way onto the agenda without any explanation. Mr. Cioppettini informed everyone that he had announced at the last meeting that he wanted to have Mr. Ingram attend a meeting.

The Mayor asked Ms. Zichelli to clarify whether or not Mr. Cioppettini did say he wanted to have Mr. Ingram come to a meeting. Ms. Zichelli stated that Mr. Cioppettini had said he would like to have Mr. Ingram at a meeting before the end of the year.

Wayne Ingram, P.E., P.L.S. Vice President, E & LP gave a presentation regarding the pros and cons for combining the Board of Adjustment and Planning Board.

He stated there were cost savings associated with it and thinks it would improve the quality of the applications; he feels committee members get rusty from not seeing applications on a regular basis. Mr. Ingram stated that a zoning board enforces deviation from the zoning standards and the Planning Board takes conforming applications and makes policy decisions. He feels it is good to integrate the two to get a better understanding of the applications.

The Mayor asked if the Committee had any questions for Mr. Ingram.

Mr. Diegnan asked if there is a difference in the way the boards evaluate applications and grant variances. Mr. Ingram answered no and feels it is more efficient to have them combined. He also asked how many applications have come across the boards and Mr. Mills thought there were only six.

Mr. Gisser asked if Mr. Ingram has talked to the chairman of either board or the secretary to get their opinion on combining the boards. Mr. Ingram had not. Mr. Ingram mentioned that there are articles on the League of Municipalities website that discuss the benefits of combining both boards.

The Mayor announced that if the ordinance does get introduced, the articles would get posted on our website and would invite Mr. Ingram back again if necessary.

Mr. Cioppettini stated that the combining of boards means less time and less professionals.

The Mayor asked Mr. Ingram if he has experienced the merger before and he said he has and it was quite smooth.

ORDINANCES

ORDINANCE FOR SECOND READING

ORDINANCE 2017-9

AMENDING CHAPTER 21 SECTIONS 21-2.1, 21-2.2 AND 21-4.1: "ZONE DISTRICTS", 'ZONING MAP', 'USES' AND SCHEDULE OF REQUIREMENTS

This ordinance was on for July 10th but the Mayor asked to withdraw the motion and postpone any other action until 2018. Mr. Cioppettini stated he was working on another draft for a possible smaller zoning area if it is introduced and may come back in 2018. The Mayor and Mr. Gisser thought it was going to go to the Master Plan Committee. Mr. Cioppettini said another draft was being worked on.

ORDINANCE 2017-12

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$340,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$286,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Mayor Orban Brown called for a motion. Mr. Gisser moved. Mr. Diegnan seconded. All members present voted to approve.

ORDINANCE 2017-14

AN ORDINANCE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AMENDING THE SEWER SERVICE CHARGES FOR THE MENDHAM EAST WATER POLLUTION CONTROL SYSTEM

This ordinance was introduced on first reading on November 13, 2017. The Mayor called for a motion to open up for public hearing and to adopt. Mr. Gisser moved. Mr. Cioppettini seconded.

Alison O'Mahoney, 21 Langford Drive, asked if the Township was on target with the cost and the Mayor asked the Administrator to have a report for the December 4th meeting.

Gary Nelson, 2 Devonshire Lane, asked about the same leach fields being ripped up as a few years ago and asked why they won't have to be done again in a few years. Ms. Bonanno explained that the new system is a more efficient and high tech system.

Carmen Medina, 2 Devonshire Lane asked if the Township had given any thought to the fee increase for low income housing residents and expressed her thoughts that they should not be considered on an equal level as the other residents of Drakewick.

Mr. Diegnan abstained. All other members present voted to adopt.

NEW BUSINESS

ORDINANCE FOR FIRST READING

2017-15

AN ORDINANCE REPLACING CHAPTER 10, SECTION 42 TO BE KNOWN AS AN ORDINANCE OF THE TOWNSHIP OF MENDHAM ESTABLISHING AN OPEN SPACE, PARKS AND RECREATION ADVISORY COMMITTEE

Mayor Orban Brown called for a motion to introduce. Mr. Cioppettini moved. Mr. Diegnan seconded. The Mayor stated the second reading and public hearing will be on December 18th and then opened it up to the committee for discussion

Mr. Diegnan expressed his reasons why this ordinance will be a good change for the township. He thinks it will get more people involved, become a much more efficient process by getting all the departments and groups under one roof.

Mr. Gisser likes the idea and endorses the idea, but he is bothered by the process by which it was brought before the community. He supports the idea, but feels more people should be included to discuss the details and it does not have to be decided by December 18th.

Mr. Cioppettini agreed with what Mr. Diegnan said and added that he thinks it is a step in the right direction to streamline services that the community needs and also asking people to sit on the board for five years can lead to burn out.

Mayor Orban Brown said she was a bit dismayed to see in some social media, the word abolish in referring to the recreation Commission. We are not doing that. We are making it a broader committee with more opportunities. We knew at the beginning of 2017 that we had some issues in the recreation area. Getting volunteers was difficult and shortening the five year term may encourage others to join. Mayor Orban Brown expressed her desire to have this ordinance passed this year, since she it was something she set out to work on for 2017 and she supports the ordinance very strongly. Mr. Gisser voted no. All other members present voted yes.

Second reading and public hearing will be December 18, 2017

RESOLUTIONS

RESOLUTION 2017-178

AUTHORIZING REFUND OF OVERPAYMENT OF TAXES DUE TO NJ STATE TAX COURT JUDGMENT

Mayor Urban Brown called for a motion. Mr. Diegnan moved. Mr. Gisser seconded. All members present voted to approve.

RESOLUTION 2017-179

AUTHORIZING REFUND OF OVERPAYMENT OF 2017 TAXES

Mayor Urban Brown called for a motion. Mr. Gisser moved. Mr. Diegnan seconded. All members present voted to approve.

RESOLUTION 2017-180

AUTHORIZING PAYMENT OF BILLS

Mayor Urban Brown called for a motion. Mr. Gisser moved. Mr. Cioppettini seconded. All members present voted to approve.

RESOLUTION 2017-181

AUTHORIZING AND APPROVING THE SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF CHESTER FOR THE ESTABLISHMENT AND OPERATION OF A SHARED MUNICIPAL COURT

Mayor Urban Brown called for a motion. Mr. Cioppettini moved. Mr. Diegnan seconded. The Mayor explained that in executive session, the shared services for court were discussed and now can be brought to a resolution.

Mr. Cioppettini commented that this shared service will cut losses economically and allows the Township to move court to Chester Township. He thanked Ms. Bonanno for bringing this to fruition and looks forward to working with Chester Township. He added that we will still keep our same Judge who is Judge Troxell and reduce overhead and help with taxes.

Mr. Diegnan noted that this will save the town \$20-30,000 a year and applauds Ms. Bonanno's efforts.

Mayor Urban Brown also thanked Chief Johnson's efforts in working with the Chester Chief. Ms. Bonanno agreed that it will be a great partnership.

All members present voted to approve.

REPORTS

Open Items Update

Mr. Cioppettini noted that he would be meeting with Mr. Merritt to discuss the by-laws for Mendham TV.

League of Municipalities – Mr. Cioppettini shared with the committee and residents some of his experiences and findings at the league convention, including finding new vendors for trash and recycling and a energy audit to help save money for the township.

The Mayor mentioned that the Borough may be hiring a grant writer who takes a commission on the grants approved and would be interested in sharing this service with the Township.

HEARING PERSONS PRESENT

Amalia Duarte, 22 Brockton Drive, does not see the rush to get the land use ordinance passed and feels the chairpersons of each committee should have been consulted. She also feels the recreation ordinance should be tabled until January.

Rich Brusco, 5 Tingley Road, agreed with Ms. Duarte.

Brian Boden, 41 Walsingham Road, is not opposed to the open space, recreation ordinance, but he feels the Township committee went about it the wrong way.

Mayor Orban Brown noted that a member of the Environmental Commission will be a member of the new land use committee and the ordinance also states that there will be no disbursements of funds already collected.

Nancy Wilson, 27 Brockton Drive, agreed with Mr. Boden.

Rich Cotter, 9 Cooper Road, concerned about how the Township Committee will handle the open space portion of the Recreation ordinance.

The Mayor said that is something to be worked out and it is why there is an Environmental Commission member on the committee.

Mr. Diegan enforced that open space is a very important part of this committee due to the large trail system and it is not meant to be exclusive of sports programs. The Mayor stated it is meant to embrace a broader spectrum.

Adam Dubeck, 307 Mendham Road West, is not against the proposal, but should not be rushed.

Tim Gogerty, 74 West Main Street, agrees the process of how we got to this point was not right, but believes it is a good thing and should move forward to have this ordinance passed.

Michael Merritt, 73 Mountainside Road, expressed his disappointment in the committee and feels the two new ordinances do not consider the residents interest.

Mayor Orban Brown disagreed with Mr. Merritt and told him that the recreation issues have been in the works since last February.

Laurie Pettine, 24 Woodland Road, asked when the Mayor discussed combining the committees. The Mayor noted that in January she said recreation was one of her highest priorities. Ms. Pettine wanted to clarify the first time the ordinance was mentioned was when Mr. Cioppettini mentioned it at the November 13th meeting and the Mayor said it was.

Rick Blood, 32 Tingley Road, commented that a lot of surrounding towns use an advisory committee to address all aspects of recreation and open space and if formed correctly, it could work positively.

Ryan Guthrie, 28 Cold Hill Road, suggested reaching out to Chester Township to find out why they did not form a land use board.

Sam Tolley, 15 Woodland Road, suggested discussing recreation funding in the next finance meeting to decide that recreation could receive more money.

Carl Perri, 44 Walsingham Road, believes the recreation ordinance is an excellent idea.

DISCUSSION

Friends of Pitney sub committee

Mayor Orban Brown read a portion of the Friends of Pitney request: the Friends of Pitney asked that the Township Committee make a public acknowledgement of the Mendham Township Committee's plan to enter into a lease agreement and authorizing certain committee members to meet with friends of pitney. The purpose is to complete a lease agreement and have closure to refurbish a portion of the land for civic purpose. Mr. Cioppettini suggested that a subcommittee be formed. Mr. Diegan offered and the Mayor asked Ms. Bonanno and Mr. Mills to complete the committee.

Mr. Gisser wanted to clarify that the December 4th meeting is meant to introduce an ordinance. Mayor Orban Brown suggested putting a draft ordinance on the website for residents to view before the December 4th meeting.

ADJOURNMENT

The Township Committee adjourned at 9:33 PM.

Respectfully submitted,
Mary Beth Zichelli
Township Clerk



Dedicated to the historic preservation of Pitney Farm
and to the use of the property to provide cultural and educational benefit to
the community.

Board of Trustees

Omie E. M. Ryan
President
Teresa Finlay
Vice President
Marc Parette
Secretary
Susan M. Browse
Treasurer

Rick Blood
Peter Dumovic
Erik P. Sletteland
Tjelda vander Meijden

One Cold Hill Road
Mendham, NJ 07945

Friends of Pitney Farm
PO Box 532
Mendham, NJ 07945

www.pitneyfarm.org

November 27, 2017

Mayor Diana Orban-Brown
Township of Mendham
2 West Main Street
Brookside, NJ 07926

Re: Lease and Operating Agreement for Pitney Farm

Dear Mayor Orban-Brown,

On behalf of the Friends of Pitney Farm, Inc. (FOPF) I would like to thank you and the rest of the Mendham Township Committee (MTC) for completing the subdivision of the Pitney Farm Property to allow for the preservation and use of the homestead and open space. We are excited about the prospect of pursuing our conceptual plan, *The Pitney Farm Park and Homestead*, unveiled to the public in May 2017.

Per your discussion with some of our Trustees we have begun work on a draft lease agreement that will allow the FOPF to continue toward its goal of creating and improving public use of the property.

To expedite the process, the FOPF would like to request the following:

- Public acknowledgement by the MTC of its intention to enter into a lease agreement with FOPF
- Designation of specific MTC members authorized to negotiate an agreement subject to the approval of the entire Committee
- Establishment of a meeting timetable and timeframe to complete the lease agreement with FOPF.

Please let me know if this is agreeable and of any changes or additions that you believe would improve the process.

In closing, on behalf of everyone at FOPF I would like to thank you for setting the resolution of Pitney Farm's future as a goal of your tenure as Mayor. I believe that we are close to a mutually beneficial resolution. I look forward to hearing from you shortly.

Regards,

Omie Ryan
President, Friends of Pitney Farm, Inc.