



**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
December 10, 2018  
Minutes of the Regular Session 7:30 PM**

**1. ROLL CALL:**

|                 |         |
|-----------------|---------|
| Mr. Cioppettini | Present |
| Ms. Duarte      | Present |
| Mr. Gisser      | Present |
| Ms. Neibart     | Absent  |
| Mayor Diegnan   | Present |

Also present:

John Mills, Township Attorney  
Debbie Bonanno, Township Administrator  
Maria Coppinger, Township Clerk

**2. SALUTE TO THE FLAG**

**3. 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 4, 2018. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

**4. ANNOUNCEMENTS/REPORTS**

Mayor Diegnan made the following announcements:

- The Pitney Farm auction was successful with a purchase price of \$625,000. Seven acres of open space are being retained for recreation and the website has a concept plan for the public to review.
- Volunteer Reception will take place on December 20<sup>th</sup>.

Mr. Gisser made the following announcements:

- Mulch grinding is completed and mulch is available to the public.
- Brookside Beach dredging project is moving forward.

Mr. Cioppettini made the following announcements:

- An open workshop took place this evening to discuss the possibility of combining the Board of Adjustment and Planning Boards which will air on Mendham TV.
- The Finance Committee held presentations on Friday night and Saturday morning for groups that receive funding from the township. These will also appear on Mendham TV.
- The Finance Committee has concluded fact finding regarding the expense and capital side of the budget and are awaiting final numbers from Tax Assessor in order for income side of budget to be completed. The new schedule of meetings will be decided after the reorganization.
- Attempts to obtain information from the public about the use of the MASH transportation system have been inconclusive and more feedback is needed so that the township can determine if this service should still be provided or if it should be turned over to the County.
- Donations are welcome and appreciated for those organizations in the township that rely on the generosity of residents such as the First Aid Squad, Ralston and Brookside Fire companies, the Library, and Mendham TV.

Ms. Duarte made the following announcements:

- In addition to the organizations mentioned by Mr. Cioppettini, the Schiff Nature Preserve welcomes donations.
- A county wide Stigma Free essay contest is under way in Morris County with separate categories for middle school (6-8) and high school. Deadline is December 31 with prizes awarded and details are on the county website.
- Ms. Duarte offered commendations to the work done by the Finance Subcommittee

#### 5. OPEN TO THE PUBLIC ON AGENDA ITEMS

Bob Wowk- 12 Cooper Rd. - He thinks it is great news regarding the sale of Pitney however he felt the whole situation was a debacle and anything like this should be avoided in the future. He commented that the decision regarding what to do with the park property should not take an extensive amount of time to which Mayor Diegnan responded that the concept has gone through the county and while not complete, the process will not linger. He thanked Mr. Cioppettini for his service on the Committee.

Patricia Zimmerman – 3 West Main St. – She questioned which township official would be a class 2 individual to serve on the Planning Board. Mayor Diegnan responded that right now it is the Attorney D’Alessandro and could be any official that serves the township. She questioned whether the committee was aware that an issue that is brought to the Board of Adjustment could result in several meetings and that it is important for the committee to understand that there are times when an issue could be too time consuming for one board.

Nick Monahan – 21 West Main St. – He commented that it would be good if the committee could figure out a way to put some gardens in the Pitney property to replicate what was there before. He asked if the committee could address specifics with regard to the equipment donation and its maintenance process.

#### 6. APPROVAL OF MINUTES

Regular Meeting of October 9, 2018

**Ms. Duarte moved. Mr. Cioppettini seconded.**

**Roll call vote: All members present voted to approve.**

Executive Session of October 23, 2018

**Ms. Duarte moved. Mr. Gisser seconded.**

**Roll call vote: All members present voted to approve.**

#### 7. RESOLUTIONS

**2018-188** Resolution of the Township Committee of the Township of Mendham Authorizing the Township Clerk to Advertise a Notice of Bid for the Demolition of the Mosle Structures

**Mr. Gisser moved. Mr. Cioppettini seconded.**

Mayor Diegnan mentioned that we have budgeted this year to have the Mosle structures taken down. DPW did some work but the remainder of the work needs to be completed by a contractor.

**Roll call vote: All members present voted to approve.**

**2018-189** Resolution of the Township Committee of the Township of Mendham Accepting Donations of Playground Equipment for the Ralston Playground

**Mr. Gisser moved. Ms. Duarte seconded.**

Mayor Diegnan responded to Mr. Monaghan’s questions regarding the maintenance on the playground equipment. He noted that the Recreation Committee has a budget and it is anticipated that maintenance will fall under their program. The township is accepting donations for equipment and a list can be found on the website. Monetary donations can also be accepted for maintenance.

**Roll call vote: All members present voted to approve.**

**2018-190** Resolution of the Township Committee of the Township of Mendham Authorizing Staff Appointments for the Department of Recreation Winter 2019 Ski Club

**Mr. Gisser moved. Mr. Cioppettini seconded.**

This resolution is to appoint chaperones for the trips and enrollment is up to 150 children.

**Roll call vote: All members present voted to approve.**

**2018-191** Resolution for the Township Committee of the Township of Mendham Appointing Construction Official

**Mr. Gisser moved. Mr. Cioppettini seconded.**

The current Construction Official is retiring and the new individual will be the Construction Official and Zoning Official.

**Roll call vote: All members present voted to approve.**

**2018-192** Resolution for the Township Committee of the Township of Mendham Authorizing the Payment of Bills

**Ms. Duarte moved. Mr. Gisser seconded.**

**Roll call vote: All members present voted to approve.**

**ORDINANCE FOR INTRODUCTION** (*Pending Discussion from Workshop*)

**24-2018** An Ordinance of the Township Committee of the Township of Mendham Amending the Land Use Ordinances of the Township of Mendham in Accordance with N.J.S.A 40:55D-25 (c) Pursuant to which the Planning Board shall Exercise the Combined Functions of the Planning Board Second Reading / Public Hearing scheduled for December 20, 2018

**Mayor Diegnan expressed that after the earlier workshop, it is in the best interest of the township to pull the ordinance from the agenda. It was recommended that the ordinance be introduced at a later date, after additional research is conducted.**

**ORDINANCES FOR ADOPTION**

**22-2018** An Ordinance of the Township Committee of the Township of Mendham Amending Ordinance No. 17-2017 Entitled "Fixing the Salaries of Certain Officers and Employees of the Township of Mendham in the County of Morris, New Jersey  
*Introduction /First Reading was held on November 27, 2018*

**Mr. Gisser moved. Mr. Cioppettini seconded.**

Mayor Diegnan opened the meeting to the public.

No public comments.

**Roll call vote: All members present voted to approve.**

**23-2018** An Ordinance of the Township Committee of the Township of Mendham Amending Chapter 75 "Affordable Housing" Section 75-4 "Income Limits" and Section 75-5 'Affordability Controls'

*Introduction /First Reading was held on November 27, 2018*

**Mr. Gisser moved. Ms. Duarte seconded.**

Mayor Diegnan opened the meeting to the public.

Bob Wock – asked for clarification on the ordinance since the amendments are not clear. Mr. Mills noted that the income limits and re-sale prices were updated at the request of the Housing Partnership.

**Roll call vote: All members present voted to approve.**

- 8. OPEN TO THE PUBLIC** - Motion made by Mr. Gisser. Seconded Mr. Cioppettini. All member present voted in favor to open the meeting to the public.

Rick Blood – 32 Tingley Road – Regarding the possibility of merging the two Boards, he questioned how the process would affect an applicant, for example, would it save time and or money. Mayor Diegnan explained that typically an applicant only goes to one Board, and by combining the two, any confusion would be alleviated with respect to deciding which Board would prevail. With respect to the question of cost, Mayor Diegnan explained that depending on which, or how many professionals were needed to assist in the process, there could be a savings. Mr. Cioppettini added that by combining Boards, the applicant would be relieved of hiring an attorney to determine which Board, if any, they needed to apply to. Mayor Diegnan added that more analysis and data points would be forthcoming. Mr. Blood asked if someone would be hired for playground maintenance to which Mayor Diegnan responded that David Read, DPW superintendent would be handling most of the work in-house and when necessary outside contractors would be hired. Mayor Diegnan continued

that for the time being maintenance would remain in Parks and Recreation budget and donations will continue to be solicited. Mr. Blood recommended that a staff member take the playground safety course. Mayor Diegnan commented that the Township works with risk management and will continue to take safety compliance seriously. Mr. Blood asked what was the Township's COAH obligation. Mr. Cioppettini responded that the Township does not have a COAH obligation and Mr. Mills added that there is no court generated number regarding number of units, and that the Planning Board is looking to address the number with respect to Fair Share Housing revisions in the Master Plan.

Patricia Zimmerman – She proposed that the Township consider the idea of re-marketing the affordable units when they are at open market value. Mr. Mills responded that the Township can pass a resolution to extend the affordability for up to an additional 30 years. Mr. Gisser added that the committee has been actively looking at this issue. Ms. Zimmerman had a few comments about the possible merging of the Boards. First, she requested that there be some consideration to having a member of the Historic Preservation Commission in the category of Class 5 members. Second, she commented that there is an educational benefit to residents to having two separate boards. Lastly, she questioned whether all current Board members would be remaining on the Planning Board, to which Committee members explained that only those whose current terms were not expiring would remain on.

Nick Monaghan – 20 West Main Street - He reminded the committee that there was supposed to be a meeting with the risk manager regarding any implications to changes in the new Employee Handbook. All agreed that this meeting was discussed and would be addressed.

Rick Blood- He asked if sewer utilities were part of the budget this year and if there are plans for maintenance to the facilities with recommendations from the operators. Mr. Gisser responded that it is part of the budget process but not the part that affects the tax levy and that it is an ongoing assessment for both sewer east and sewer west. Discussion continued.

Mayor Diegnan entertained a motion to close the public session.

**Ms. Duarte moved. Mr. Cioppettini seconded.**

**Roll call vote: All members present voted to approve.**

#### **9. EXECUTIVE SESSION**

**2018-193** Resolution of the Township Committee of the Township of Mendham Authorizing Discussion without the Presence of the Public – Personnel Matter

**Mr. Gisser moved. Ms. Duarte seconded.**

**Roll call vote: All members present voted to approve.**

**The Township Committee entered into Executive Session at 8:40PM and returned into regular session at 9:05PM.**

#### **10. ADJOURN at 9:07PM**

**Ms. Duarte moved. Mr. Cioppettini seconded.**

**Roll call vote: All members present voted to approve.**

Respectfully Submitted,

Maria Coppinger  
Township Clerk

Distributed: 1/15/19  
Approved: 1/22/19