

Mendham Township



Founded 1749

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
October 24, 2017
Regular Session 7:30 PM**

ROLL CALL

Mr. Baumann	Present
Mr. Cioppettini	Present by phone
Mr. Diegnan	Present
Mr. Gisser	Present
Mayor Orban 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 reminded everyone of the library fundraiser, Friday night, 7-11 PM, October 27th at the Community Club. It is BYOB and a voluntary donation.

The Mayor also announced that the Brookside Engine Company will be holding a Community Fire Prevention Day, Sunday, October 29th from 10:30-1 PM.

PROCLAMATIONS

The Mayor read a proclamation for Candace Alderton and praised her for her twenty-two years of dedicated service to Mendham Township and the Police Department.

Mary Gnatz was also honored with a proclamation for her twenty years as a crossing guard, but was not present at the meeting.

CORRESPONDENCE

An email from Brookside engine Company #1 that they would like to do an extrication on Sunday, October 29th in their parking lot. They asked if anyone from the committee had an objection and there were none.

APPROVAL OF MINUTES

October 10, 2017, regular session

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

October 10, 2017, executive session

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

ORDINANCES

ORDINANCE FOR FIRST READING

ORDINANCE 2017-13

CREATING A NEW CHAPTER NUMBER 259 TO BE KNOWN AS PROPERTY MAINTENANCE – DUTIES OF OWNERS WITH RESPECT TO DANGEROUS CONDITIONS IN THE MUNICIPAL RIGHT OF WAY

Mayor Orban Brown called for a motion. Mr. Baumann moved. Mr. Gisser seconded.

Second reading and public hearing will be November 13, 2017.

The Mayor explained that this ordinance deals with dead or dying trees or branches on a homeowner's property or their right of way and the question arises as to whose responsibility it is; the homeowner's or the Township's.

The Mayor commented that she thought 20' was a bit onerous, but she thought some setback is necessary and Mr. Diegnan agreed.

Ms. Bonanno said 20' is a recommendation from the DPW. Mr. Mills suggested the ordinance be amended to read:

A.

Maintain and keep living trees in the road right-of-way or trees which threaten the road right-of-way of any road in the Township in a manner so as to keep the right-of-way safe to preserve the public health, safety and general welfare and to remove dead or dying trees and/or branches.

C.

On and after the effective date of this ordinance, no structures, fences or obstructions shall be placed in the road right-of-way. No shrubbery or trees that will be placed in the right of way shall interfere with the sight distance from any property. The foregoing shall not be deemed to prohibit the placement of mailboxes and house numbers in the right of way.

Mr. Cioppettini agreed with the ordinance although he stated it would be hard to enforce.

All members present voted to approve.

RESOLUTIONS

RESOLUTION 2017-160

AUTHORIZING MAYOR AND CLERK TO EXECUTE AN AGREEMENT FOR THE USE OF CERTAIN PUBLIC RIGHTS OF WAY BY NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

Mayor Orban Brown called for a motion. Mr. Baumann moved. Mr. Diegnan seconded. Mayor Orban Brown asked the permission of the Township Committee to let residents speak before voting on the resolution.

Alex Battey, 35 Oak Knoll Road, is concerned there are too many nodes proposed on Union Schoolhouse.

Michael Merritt, 73 Mountainside Rd, also expressed his concern about the number of poles and the power for the nodes.

Patricia Zimmerman, 3 West Main Street, also expressed her concern about the number of nodes on Union Schoolhouse.

Mr. Meese, from Verizon assured the residents that the number remains the same as what is listed on the handout originally presented.

Mr. Mills explained that each new facility/node requires a separate permit from the Township and the agreement allows for twenty-nine (29).

All members present voted to approve.

RESOLUTION 2017-161

AUTHORIZING MAYOR AND CLERK TO EXECUTE A SUBDIVISION APPLICATION AND PRESENT SAID APPLICATION BEFORE THE ZONING BOARD OF ADJUSTMENT (BLOCK 131.01 LOT 1 AKA THE PITNEY FARM)

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

RESOLUTION 2017-162

APPOINTING A CONFLICT ENGINEER, SURVEYOR AND PLANNER TO PRESENT AN APPLICATION TO THE BOARD OF ADJUSTMENT

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

RESOLUTION 2017-163

ACCEPTING THE SUM OF \$122,850.00 TO BE APPLIED TO THE MILLING AND OVERLAY OF THACKERY LANE AND BROWNING COURT

Mayor Orban Brown called for a motion. Mr. Gisser moved. Mr. Baumann seconded. Ms. Bonanno explained that water lines were replaced by New Jersey American Water on Thackery Lane and Browning Court and NJAW were to come back to mill and pave, but since both streets were on the list to be paved by the Township, the Administrator asked NJAW to reimburse the Township the amount for milling and paving and the Township would get the work done. All members present voted to approve.

RESOLUTION 2017-164

TO AUTHORIZE AN INTERLOCAL SERVICES AGREEMENT (MASH)

Mayor Orban Brown asked to table this until the next meeting due to some changes the Borough had asked to make.

RESOLUTION 2017-165

CHANGE ORDER #1

COPPOLA SERVICES, INC. FOR REPAIRS AT MENDHAM EAST WASTEWATER TREATMENT PLANT

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

RESOLUTION 2017-166

CHANGE ORDER #2

COPPOLA SERVICES, INC. FOR REPAIRS AT MENDHAM EAST WASTEWATER TREATMENT PLANT

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

RESOLUTION 2017-167

AUTHORIZING PAYMENT OF BILLS

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

REPORTS

Open Items Update – The Mayor asked to move this to the November 13th meeting.

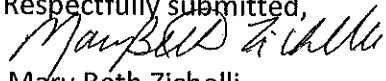
HEARING PERSONS PRESENT

Amalia Duarte, 22 Brockton Drive, announced the West Morris High School play, Eurydice scheduled for November 3rd and 4th, asked about the MASH agreement, asked about announcing the Board of Adjustment meeting on November 9th, and also suggested bringing back a second 2nd hearing persons present.

ADJOURNMENT

The Township Committee recessed back into executive session at 8:40 PM and then adjourned at 9 PM.

Respectfully submitted,



Mary Beth Zichelli

Township Clerk