



**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
September 11, 2018  
Minutes of Regular Session 7:30 PM**

**1. ROLL CALL:**

Mr. Cioppettini	Present
Ms. Duarte	Present
Mr. Gisser	Present
Ms. Neibart	Present
Mayor Diegnan	Present

Also present:

Ms. Bonanno, Township Administrator  
Thomas Satery, Attorney  
Maria Coppinger, Township Clerk

**2. SALUTE TO THE FLAG**

The Township Committee and public observed a moment of silence for the 17<sup>th</sup> anniversary of September 11<sup>th</sup>.

**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. PROCLAMATION**

None

**5. ANNOUNCEMENTS/REPORTS**

**Mr. Gisser made the following announcements:**

- Read a section of Dr. Ciccone's (Superintendent of K-8 district) letter regarding the PARCC testing: "MTMS students earned higher means scale score than any other district middle school in the entire State of New Jersey for the spring 2017 PARCC administration. The 2018 results (included with the information) are significant higher in almost every subject and grade and congratulations to the teachers, students and parents for your commitment to continuance improvement."
- Thanked the community for coming out to the clam bake

**Mayor Diegnan made the following announcements:**

- Randolph Animal Shelter Rock & Roll for Homeless Animals event is scheduled for Sept. 9<sup>th</sup>
- Mendham Township Library shredding event is scheduled for Sept. 15<sup>th</sup>
- 6<sup>th</sup> Annual Mendham Community First Responders Golf Outing will be held on Sept. 24<sup>th</sup>

- Schiff Nature Preserve will host a Gala on Sept. 29<sup>th</sup>
- Mendham Township PBA 402 Corn Hole Tournament is scheduled for October 6<sup>th</sup>
- Thanked everyone who came out to the Brookside Engine Company Annual Family Clam Bake

**Mr. Cioppettini made the following announcement:**

- budget preparation dates:
  - October 23<sup>rd</sup> – Finance Committee only
  - November 12<sup>th</sup> – Finance Committee only
  - November 27 – - Open to the public – everyone is invited
  - December 7 – Department Presentations - Open to the public
  - December 8 – Department Presentations - Open to the public

**Ms. Duarte made the following announcements:**

- Thanked and congratulated the volunteers who helped with the Brookside Engine Company Annual Family Clam Bake
- September is National Recovery Month
- Festival of Hope planned for Sept.15 at Chilton Medical Center

**6. RECOGNIZING NEW FIREFIGHTER**

Patrick Daley has applied to be a senior firefighter at the Brookside Engine Company #1

Nicholas Petonak has applied to be senior firefighter at the Ralston Engine Company

**OPEN TO THE PUBLIC ON AGENDA ITEMS**

Nick Monaghan – 20 Main Street - He made several recommendations on the Brookside Beach like researching who is the target audience and what percentage of those families would need to express interest in order for the township to say it is worth the investment. He also spoke on the tax appeals that are listed on the agenda and suggested looking at ways to stop losing on some of the tax appeals like adjusting the ratables.

Anastasio Konidaris – 6 Ballantine Road He expressed that there is more we can do to provide more visibility around the budgetary situation. The committee has done a wonderful job keeping the public up to date on debt. He suggested a quarterly accounting of the tax appeals along with the committee's goals.

Diana Orban Brown –Ironia Road – would like an accounting on the Brick R Us (Ralston Playground) which is noted on the bills list. She asked that the committee explain the difference between tax appeals and tax overpayments.

**7. APPROVAL OF MINUTES**

Regular Meeting of August 13, 2018

**Ms. Duarte moved. Ms. Neibart seconded**

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

**8. RESOLUTIONS**

**2018-150** Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of Taxes Due to a County Board Judgement

**Mr. Gisser moved. Ms. Neibart seconded**

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

**2018-151** Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of 2018 Taxes

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

Mr. Gisser mentioned that they are engaged with the tax assessor who is working with an independent contractor to take a look at what can be done on a proactive basis. The last full assessment was performed 10 years ago and one of Mr. Gisser's concerns is the shifting issue. The committee is currently in the stage of gathering information. He expressed that stabilizing the tax base is the #1 priority.

Mr. Gisser explained the difference between tax appeals versus tax refunds.

Mr. Gisser clarified that on the collection side, we keep less than \$0.20 on the dollar on these sorts of judgements and we pay out 100%. On the other side, when there is new development we keep 100% during the first year. He also mentioned that the tax appeals are budgeted for each year.

Ms. Neibart noted that that tax appeals happen throughout the state and not just in Mendham Township.

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

**2018-152** Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of Taxes Due to NJ State Tax Court Judgement

**Ms. Duarte moved. Ms. Neibart seconded**

Mr. Cioppettini clarified that there are two tax courts that homeowners can file an appeal, less than a million dollars it is handled by the County Court and anything over a million a homeowner can file with the county or the state.

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

**2018-153** Resolution of The Township Committee of The Township of Mendham Authorizing Renewal of Membership in the Morris County Municipal Joint Insurance Fund

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

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

Resolution was added out of sequence.

**2018-156** Resolution for the Township Committee of the Township of Mendham Authorizing the Issuance of Social Affair Permit For Mendham Township Police Benevolent Association (PBA) #402

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

The social affairs permit application was received on Friday, September 7, 2018 which must be reviewed within 7 days which is the reason for the add on Tuesday evening.

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

**2018-154** Resolution for the Township Committee of the Township of Mendham Authorizing the Payment of Bills

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

In response to Ms. Orban Brown's question, Mayor Diegnan will work to get the accounting information on the Brick R Us.

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

## 9. DISCUSSION/PRESENTATIONS

Steve Eisenstein, Recreation Director – Beach Recommendations

Mr. Eisenstein's presentation is attached hereto.

Charles Gallo owner of Mendham Kids Club runs a summer camp that visits the Brookside Beach. The Kids Club uses the beach 3 times a week with about 35-40 kids attending during each trip. The Kids Club spent about \$3,800

in fees. He expressed that the kids love the beach, it's a wonderful place. His recommendation would be to dredge the beach for cleaner water. He is willing to do whatever he can to support its continued use.

Ms. Duarte wanted to know if the shift in the school schedule for next year would affect the camp's schedule. Mr. Gallo mentioned that they plan to start the camp after school ends through the first week of August so the change in school schedule would not affect them.

Mr. Cioppettini asked if they would like to see a food vendor. Mr. Gallo mentioned the kids bring their own lunch which works well but they do love the vending machine for snacks. Charles is will to help with the planning for next year.

Mayor Diegnan asked Mr. Gallo for a beach recommendation. Mr. Gallo mentioned that the kids want the beach to be as clean as possible.

Mayor Diegnan mentioned that with 140 children visited the beach which means that there were about 280 happy parents. He expressed that we need to decide if we should proceed with dredging the beach and expressed, that the cost is in the budget and it should be on for discussion. Mr. Eisenstein is concern with the time frame for the dredging process which might be too late for this fall.

Mr. Cioppettini asked if Ms. Bonanno could obtain a quote for dredging the beach and for it to be presented to the entire committee so they can make an informative decision.

Ms. Duarte encouraged speaking with the users of the beach, like Mr. Monaghan suggested. She also suggested creating a "Friends of Brookside Beach" for the residents, who no longer go to the beach but would like to be involved by donating.

Mr. Gisser suggested obtaining feedback from the CFO Karen Fornaro.

#### **Mayor Diegnan provided the public with the Pitney Farm timeline.**

##### **Pitney Timeline and Process**

- Mayor Diegnan received an appraisal on the Pitney Property which will not be disclosed to the public but will be shared in executive session
- Ordinance no.14-2018 will be presented to the Planning Board on September 19<sup>th</sup>
- King & Pettracca have been retained for their assistance on the sale
- Ordinance no. 14 -2018 will be on the October 9<sup>th</sup> agenda for second reading and public hearing
- The sale will be by public auction which requires advertisement and a waiting period.

##### **Sub-Committees Reports**

Mr. Brian Hayes gave a tree inventory update at the last meeting which Ms. Neibart is aware that there are a couple of action items that need to be addressed by the tree committee. The next Shared Services Committee (closed) meeting is scheduled for Thursday and the discussion will be on DPW. They are discussing formal agreements, possibly formalizing some of the existing agreements, equipment sharing and joint purchasing agreements.

Ms. Duarte would like to start a permanent communications committee. She mentioned that a town newsletter, which was one of the recommendations that came out of that committee, is in its final stage. The newsletter is being worked on by Ms. Hilary Wilder, which is going to be e-newsletter with events and links to different bits of information. Ms. Duarte provided the committee with a draft ordinance on a permanent communication advisory committee. She expressed that the advisory committee could also act as volunteers on certain projects. A stigma free meeting with take place with several officials, around the first responders -she asked if the committee would be interested in having Jersey Central Power and Light (JCP&L) host a forum on restoring power after the storm. Mayor Diegnan gave the go ahead to coordinate the forum. Ms. Duarte asked if the shared services agreements

with DPW would have to be reviewed by the committee. Ms. Neibart expressed that it would come back to the committee and all the municipalities would have to agree. Discussion continued on shared services and Morris County's involvement.

Mr. Cioppettini will provide a complete financial report at the next meeting. However, as of the end of August, the revenues are exceeding our expectations and the expenses are a little bit below our expectations. Mr. Cioppettini mentioned that going forward, we have been apprised by the State of New Jersey that they would like us to do more on storm water management, it is another mandate from the state which will affect the taxpayers.

Ms. Gisser mentioned that the Superintendent of School is looking to set up a meeting with the school's business administrator and township officials to discuss a few items regarding budget and shared services. As previously mentioned, he met with the Tax Assessor regarding revenue opportunities on the tax side/appeals.

Mayor Diegnan met with the police subcommittee. He acknowledged the successful arrests made by the police department. Chief Johnson is very positive about enforcing his initiative of community policing. Chief Johnson has also been working with a local architect on brainstorming some ideas for a new police station which is in the early stage of planning. The Ralston Playground has made a lot of progress, the ADA mulch and the bricks have been ordered. DPW has been assisting with the maintenance of the field and the Township's Risk Manager has inspected the park and will provide recommendations. The Recreation Committee has talked about the next phase and their ideas which have a projected cost of about \$90,000. Mayor Diegnan has reached out to the Woman's Club to discuss fundraising efforts for the next phase which includes selling benches and plaques. The Twin Boro Bears are using Mosle Fields as their home and acknowledged Mr. Eisenstein for bringing the fields up to date. The Pitney Task Force has toured the facility and their second meeting was very productive which focused on landscaping ideas.

Ms. Duarte wanted to know if the landscape plans at Pitney Farm would be presented to the public for their input. She mentioned that the county has grant money available to do trails. Mayor Diegnan mentioned that at some point the task force will present the plan to the public but expressed that they are very limited with what they can do. Conversation continued on the grant process.

**2018-155** Resolution for the Township Committee of the Township of Mendham Authorizing Discussion without the Presence of the Public – Personnel Matters

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

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

#### **10. OPEN TO THE PUBLIC**

Bob Wock -12 Cooper Road – asked about the details for a full reassessment. Mr. Gisser explained that the proposal would most likely be a stage approach however it is in the early stage and options are being researched. Conversation continued on the tax appeals and the value of homes. Mr. Wock mentioned working with the neighboring town on a shared a police department to reduce the cost for a new police department. Mr. Cioppettini expressed that a study was conducted and the police department would not be adequate to accommodate both departments and money would also need to be spent if they were to join both departments.

June Cioppettini –6 Wright Lane - provided an update on the Rotary Club's accomplishments and events. Some of the events mentioned were:

- Antique Show which is their main fundraiser and they were able to provide three scholarships to high school seniors. Next show scheduled for October 13<sup>th</sup> & 14<sup>th</sup>
- They cooked for the town on July 4<sup>th</sup>
- Balloons and flags were given to the children during the Labor Day parade
- Africa Surgery filled two pickup trucks with wheelchairs, bicycles and medical equipment. Thanked people in Chester, Mendham, Randolph and Dover for their donations.

Additional accomplishment and events were mentioned.

Brenda Grant – Buddy Lane – thanked everyone who helped with the clam bake. She suggested a sculpture garden at the Pitney property and mentioned reaching out to several professionals in town.

Diane Orban Brown – read a statement regarding comments that were made during the Township Committee meeting of August 28, where she felt that Ms. Duarte asserted that the 2017 Mendham Township Committee allocated no funding in the 2017 budget for the Ralston Playground. Ms. Orban Brown provided a history on the playground and on the fundraising efforts during the earlier years of the project which eventually became the responsibility of the Recreation Commission. She detailed her involvement, as the 2017 Mayor, with the park and noted the funding which was allocated during her tenure on the committee.

Ms. Duarte expressed that she would like to meet with Ms. Orban Brown regarding her statement since her recollection is different and expressed that the community stepped up and that is where the fundraising efforts came from.

Peter Staple – 10 Woodland Road – agreed that the playground renovations took far too long to get to this point. He spoke about the recent arrests in the township and expressed that it is the type of law enforcement we want to see. He expressed support for sensible gun laws and asked the committee to reach out to the state senators. He spoke about the down zoning, master plan and the effect of new construction. Mr. Staple expressed his disappointment with the comments that were made during the last meeting regarding the appointment of an additional member on the Pitney Task Force.

Anastasio Konidaris – 6 Ballantine Road expressed his opinion of what occurred during the last meeting which is different from Mr. Staple’s perceptive. He also expressed his opinion on the rezoning of the two parcels.

Sue Browse – 13 Cooper Road - asked for clarification on the ordinances (14-2018 and 15-2018) that will be reviewed at the next planning board meeting.

**Motion to close the public comment section.**

**Mr. Cioppettini moved. Ms. Neibart seconded**

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

**Motioned made to enter into executive session at 10:00 PM**

**2018-155** Resolution for the Township Committee of the Township of Mendham Authorizing Discussion without the Presence of the Public – Personnel Matters

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

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

The Township Committee returned from executive session at 10:30PM

## 11. ADJOURN

Respectfully Submitted,

Maria Coppinger, Township Clerk

Distributed: 10/29/18

Approved: 11/12/18

Attachments:

Beach recommendation presented by Steven Eisenstein

*For information only - **PENDING ORDINANCES***

**14-2018** - An Amended Ordinance of the Township of Mendham Amending Chapter 21 Section 2.2 'Zoning Map' (Pitney Property) **Second Reading and Public Hearing Scheduled for October 9, 2018**

**15-2018** - An Ordinance of the Township of Mendham Amending Chapter 21 Section 2.2 'Zoning Map' (Shores Road) **Second Reading and Public Hearing Scheduled for October 9, 2018**

Beach Recommendations:

1. Dredge this fall – (cleaning the pond will attract more people/camps)
  1. Cleanliness
  2. Odor
  3. Simple appearance
2. Ice Skating over winter. Weekends/Holiday week - \$5 per person
  - i. Insurance may now require a staff member on duty. Nominal fee covers this
3. Shrink pond from concession side.
  - a. Full volleyball court or gaga pits for league and/or open play
  - b. Bocci Ball Court
    - i. Will attract families
    - ii. Additional activity for camp groups
4. Additional Programs/Events
  - a. Swim Lessons (fee)
  - b. Open Swim hours with swimming lanes (fee)
  - c. Stand up Paddle Board Lessons
  - d. Movie Night/Concert/Laser Tag
5. Renovate/clean concession and bathrooms
  - i. Convert Bathrooms to changing rooms only, remove toilets
    1. Issue with using toilets, too expensive to correct at this time
    2. Porta-johns are placed on location
  - ii. Clean out concession more space for parties to utilize
6. More advance notice / more advertisements for birthday party reservations
7. Explore options for private parties serving alcohol.
  - a. No swimming allowed
  - b. Must pay for security/off duty officer
  - c. Event insurance
  - d. Designated area for alcohol only
8. Fees:
  - a. Daily Visits
    - i. Residents – Free Monday – Friday, \$5/person Sat-Sun
    - ii. Non-Residents - \$5 person daily
  - b. Party fees w/o alcohol (3.5 hours of time)
    - i. \$200 without swimming
    - ii. \$300 with swimming
  - c. Camp Groups
    - i. \$80 / hour (up to 30 campers)
    - ii. \$100 / hour (up to 50 campers)

Hours – This year daily from 11:00 am – 4:00 pm for general public weekends and 10:00 am – 4:00 pm. 4:30 – 8:00 for Parties. **One night per week extended hours until 8:00pm.**

Dates of Operation – Weekends Early June. Daily June 24-August 11. Parties and Rentals through Labor Day.

*Steve Eisenstein's  
Sept. 11, 2018 presentation*