



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
SPECIAL MEETING**

DATE: Monday, May 10, 2021
TIME: 6:45 PM Special Meeting – Executive Session
7:30 PM Regular Meeting

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

REMOTE VIA ZOOM

Access link and call-in numbers can be found on the last page of the agenda
www.zoom.us
Click on “Join a Meeting”
Webinar ID: 894 7638 8075
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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 Daily Record and Star Ledger on May 6, 2021. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

2021-095 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

REGULAR MEETING STARTS AT 7:30 PM

RESOLUTION 2021-095

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**



(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 **May 10, 2021 at 6:45 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: May 10, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 10, 2021.

Maria F. Coppinger, Township Clerk

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: Monday, May 10, 2021

TIME: 7:30 PM Regular Meeting

LOCATION: IN-PERSON
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2 West Main Street
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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 January 6, 2021. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

PRESENTATION

Mendham Township District Budget Presentation

PROCLAMATION

- Mental Health Awareness Month – May 2021
- Brain Tumor Awareness Month – May 2021

COVID – 19 UPDATE

ANNOUNCEMENTS

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.*

APPROVAL OF MINUTES

- Executive Session of October 13, 2020
- Executive Session of October 27, 2020
- Regular Meeting of November 9, 2020

RESOLUTIONS

- 2021-096** Resolution of the Township Committee of the Township of Mendham Self Examination of the 2021 Budget
- 2021-097** Resolution of the Township Committee of the Township of Mendham Authorizing the Budget to be Read by Title only

BUDGET HEARING - 2021 MUNICIPAL BUDGET – PUBLIC COMMENT

- 2021-098** Resolution of the Township Committee of the Township of Mendham Adoption of 2021 Municipal Budget
- 2021-099** 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 French and Parrello Associates, PE for Engineering Services Associated with Site Survey and Demolition at 4 West Main Street, Brookside
- 2021-100** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Competitive Bidding Contract to American Asphalt and Milling Services, LLC., of Kearny, New Jersey, for the Milling and Paving of Cold Hill and Woodland Roads
- 2021-101** Resolution of the Township Committee of the Township of Mendham Authorizing a Change Order to the Contract of ADS Contractors of Pittstown, New Jersey for Drainage and ADA Improvements to Cold Hill and Woodland Roads: \$12,885
- 2021-102** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Non-Fair and Open Service Professional Service Contract with Associated Appraisal Group, Cranford, New Jersey for the Reassessment of all Properties in the Township in an Amount Not to Exceed \$260,000
- 2021-103** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2021-104** Resolution of the Township Committee of the Township of Mendham Approving the Submission of an Application to the New Jersey State Historic Preservation Office for the Construction of a new Police Facility at 4 West Main Street
- 2021-105** Resolution of the Township Committee of the Township of Mendham Amending the January 21, 2021 Non-Fair and Open Professional Services Contract with EI Associates for Consultant Services for Septic Analysis of the Town Hall Renovations/ New Police Building Facilities
- 2021-106** Resolution of the Township Committee of the Township of Mendham Authorizing the Township of Mendham to Apply and Provide Local Matching Funds for the Library Construction Bond Act Grant Application - **PENDING**

ORDINANCE FOR INTRODUCTION

- 09-2021** Bond Ordinance Providing for the Improvement of Roads in and by the Township of Mendham, in the County of Morris, New Jersey, Appropriating \$500,000 Therefor and Authorizing the Issuance of \$475,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof
Public Hearing Scheduled for May 24, 2021

ORDINANCE FOR SECOND READING / PUBLIC HEARING

08-2021 An Ordinance of the Township of Mendham Providing for Various Capital Improvements and Appropriating \$488,500 Therefor from the Capital Improvement Fund
Ordinance was introduced on April 26, 2021

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

- Construction Project Update
- Qualified Purchasing Agent (QPA)
- Sale of Bond Anticipation Notes (BANs)
- Pitney Park Construction Update

**The Township Committee will host a special meeting to discuss the new Marijuana Legislation on Monday, May 24, 2021 at 6:00 PM – Town Hall / Remote via Zoom.
Residents are encouraged to attend.**

RESOLUTION 2021-096

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM PROVIDING FOR THE SELF-EXAMINATION OF THE 2021 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Mendham has been declared eligible to participate in the program by the Division of Local Government Services, and the Acting Chief Financial officer has determined that the Township meets the necessary conditions to participate in the program for the 2021 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Acting Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Adopted: May 10, 2021

RESOLUTION 2021-097
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
BUDGET TO BE READ BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8, provides that the budget may be read by title only at the time of the public hearing, if a resolution is passed by not less than a majority of the full governing body, provided that at least one (1) week prior to the date of the hearing a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

WHEREAS, these two conditions, as set forth above, have been met.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mendham authorizes the 2021 Budget to be read by title only.

Adopted: May 10, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 10, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-098
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ADOPTION OF 2021
MUNICIPAL BUDGET

SECTION 2 - UPON ADOPTION FOR YEAR 2021

RESOLUTION
 Be it Resolved by the **COMMITTEEPERSONS** of the **TOWNSHIP**
 of **MENDHAM**, County of **MORRIS** that the budget hereinbefore set forth is hereby
 adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 8,181,295.20 (Item 2 below) for municipal purposes, and
- (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 197,665.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
- (f) \$ - (Item 5 Below) Minimum Library Tax

RECORDED VOTE
 (Insert last name)

Ayes

Nays

Abstained

Absent

SUMMARY OF REVENUES			
1. General Revenues			
Surplus Anticipated		08-100	\$ 1,360,830.00
Miscellaneous Revenues Anticipated		13-099	\$ 1,377,028.80
Receipts from Delinquent Taxes		15-499	\$ 225,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSED (Item 6(a), Sheet 11)		07-190	\$ 8,181,295.20
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42		07-195	\$ -
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	\$ -
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY			\$ -
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	\$ -
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX		07-192	\$ -
Total Revenues		13-299	\$ 11,144,154.00

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:				xxxxxx	xxxxxxxxxxxxxx
Within "CAPS"				xxxxxx	xxxxxxxxxxxxxx
(a & b) Operations Including Contingent		34-201	\$ 6,589,384.00		
(e) Deferred Charges and Statutory Expenditures - Municipal		34-209	\$ 931,296.00		
(g) Cash Deficit		46-885	\$ -		
Excluded from "CAPS"				xxxxxx	xxxxxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"		34-305	\$ 282,000.00		
(c) Capital Improvements		44-999	\$ 513,500.00		
(d) Municipal Debt Service		45-999	\$ 1,785,385.00		
(e) Deferred Charges - Municipal		46-999	\$ 14,000.00		
(f) Judgments		37-480	\$ -		
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)		29-405	\$ -		
(g) Cash Deficit		46-885	\$ -		
(k) For Local District School Purposes		29-410	\$ -		
(m) Reserve for Uncollected Taxes		50-899	\$ 1,028,589.00		
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)		07-195			
Total Appropriations		34-499	\$ 11,144,154.00		

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 10th day of MAY, 2021. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2021 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 10th day of MAY, 2021, Maria Coppinger (mtclerk@mendhamtownship.org), Clerk

RESOLUTION 2021-099

RESOLUTION OF THE TOWNSHIP OF COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO FOR FRENCH AND PARRELLO ASSOCIATES, PA FOR ENGINEERING SERVICES ASSOCIATED WITH SITE SURVEY AND DEMOLITION AT 4 WEST MAIN STREET, BROOKSIDE

WHEREAS, the Township of Mendham has a need to appoint a licensed professional engineer as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, French and Parrello Associates, PA of Wall, New Jersey will provide licensed professional engineer services as sought by the Township of Mendham for preparing a site plan, building demolition specifications and related activities at 4 West Main Street, Mendham as outlined in a proposal on file in the Office of the Township Clerk in an amount not to exceed \$29,600 for site plan and \$8,800 for demolition services for a total of \$38,400; 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, French and Parrello Associates, PA has completed and submitted 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, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account C-04-55-021-002.

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 French and Parrello Associates, PA of Wall, New Jersey not to exceed \$38,400 for engineering and survey services 4 West Main Street, Brookside.

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

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

Adopted: May 10, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 10, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-100

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO AMERICAN ASPHALT AND MILLING SERVICES, LLC., OF KEARNY, NEW JERSEY, FOR THE MILLING AND PAVING OF COLD HILL AND WOODLAND ROADS

WHEREAS, the Township Engineer publicly opened bids on May 4, 2021 for the Milling and Paving of Cold Hill Road and Woodland Road as a part of NJDOT Grants for the reconstruction to portions of these two roads; and

WHEREAS, 13 bids were received, and the Township Engineer has prepared the attached Bid Summary Form; and

WHEREAS, the Township Engineer has determined that the low bid of AMERICAN ASPHALT AND MILLING SERVICES, LLC., OF KEARNY, NEW JERSEY is in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS the Township Administrator and Attorney have reviewed the bids and the Township Engineer's recommendation and concur in his evaluation; and

WHEREAS, funds for this contract award are available in the flowing accounts:

Ordinance 2019-12 - C-04-55-015-001 Cold Hill Road - \$237,000

Ordinance 2020-3 – C-04-55-017-001 Woodland Rd - \$181,000

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Mendham, County of Morris, State of New Jersey, as follows:

1. The Township Committee hereby awards a contract to AMERICAN ASPHALT AND MILLING SERVICES, LLC., OF KEARNY, NEW JERSEY, for Milling and Paving of Cold Hill Road and Woodland Road as cited in the Specifications dated March 24, 2021 in a total amount not to exceed \$418,000.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with AMERICAN ASPHALT AND MILLING SERVICES, LLC., OF KEARNY, NEW JERSEY, in accordance with its bid for said Milling and Paving Improvements.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: May 10, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 10, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-101

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING A CHANGE ORDER TO THE CONTRACT OF ADS CONTRACTORS OF PITTSTOWN, NEW JERSEY FOR DRAINAGE AND ADA IMPROVEMENTS TO COLD HILL AND WOODLAND ROADS: \$12,885

WHEREAS, a contract was awarded to ADS Contractors of Pittstown, New Jersey, on March 22, 2021 for various Drainage and ADA Improvements to Cold Hill Road and Woodland Road as a part of NJDOT Grants for the reconstruction to portions of these two roads; and

WHEREAS, the Township Engineer and Administrator recommend that this contract be amended to include additional work on Cold Hill Road to provide sidewalk and handicap access improvements between Ballentine and Shelton Roads; and

WHEREAS, funds for this contract award are available in the flowing accounts:

Ordinance 2019-12 - C-04-55-015-001 Cold Hill Road - \$12,885.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Mendham, County of Morris, State of New Jersey, as follows:

1. The Township Committee hereby approved a change order to the existing contract with ADS Contractors of Pittstown, New Jersey for \$12,885 additional work on Cold Hill Road to provide sidewalk and handicap access improvements between Ballentine Rd and Shelton Road resulting in a total contract of a total amount not to exceed \$126,385 for this portion of the original contract.
2. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: May 10, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 10, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-102

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN SERVICE PROFESSIONAL SERVICE CONTRACT WITH ASSOCIATED APPRAISAL GROUP, CRANFORD, NEW JERSEY FOR THE REASSESSMENT OF ALL PROPERTIES IN THE TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$260,000

WHEREAS, the Township Tax Assessor has recommended the reassessment of all properties in the Township to reduce the tax appeal activity currently impacting the Township; and

WHEREAS, the Morris County Tax Board has concurred with the Township Assessor's recommendation; and

WHEREAS, Associated Appraisal Group, Cranford, New Jersey has the necessary experience and credentials to accomplish the reassessment of all properties in the Township in a timely manner; and

WHEREAS, the Acting Chief Financial Officer has determined that the value of the services exceeds \$17,500 and the contract should be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5 as appropriate; and

WHEREAS, the Acting Chief Financial Officer has determined the contract is exempt from public bidding per Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, Associated Appraisal Group, Cranford, New Jersey, will provide both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that they have 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 Associated Appraisal Group, Cranford, New Jersey, from making any reportable contributions through the term of the contract; and

WHEREAS, the Acting Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from Ordinance 2021-06.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham as follows:

1. The Mayor & Township Clerk be and are hereby authorized to execute a contract with Associated Appraisal Group, Cranford, New Jersey for the reassessment of all Properties in the Township.
2. This contract is awarded without competitive bidding as an "Exception" pursuant to N.J.S.A. 40A:11. 5(1)(a)(i) and non-fair and open pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5 as appropriate, not to exceed \$260,000. The Acting CFO has certified to the availability of funds for these services.
3. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: May 10, 2021

RESOLUTION 2021-103
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING THE PAYMENT OF BILLS

BE IT RESOLVED, by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, that the Chief Financial Officer be and hereby is authorized to pay current bills as attached hereto and made a part hereof, contingent upon the approval of the Finance Committee.

Adopted: May 10, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 10, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-104

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING THE SUBMISSION OF AN APPLICATION TO THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICE FOR THE CONSTRUCTION OF A NEW POLICE FACILITY AT 4 WEST MAIN STREET

WHEREAS, the Township of Mendham owns 4 West Main Street, which was originally purchased by the Township for future use for township facilities; and

WHEREAS, Cornerstone Architectural Group has prepared exterior design drawings and specifications for a new Police Facility at 4 West Main Street; and

WHEREAS, the Township Committee as well as a citizens committee of affected and concerned residents appointed by the Township Committee has reviewed and approved these design plans; and

WHEREAS, Main Street plus intersecting streets in Brookside are a part of the Brookside Historic Preservation District; and

WHEREAS, the State Historic Preservation Office (SHPO) is requiring the Township to obtain permits for all significant construction activity within the Brookside Historic Preservation District in order to maintain the overall integrity of the Preservation District; and

WHEREAS, under the SHPO requirements the Township needs to have their approval of the exterior plans and any related site improvements the construction of a new police facility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, New Jersey, that the Township Administrator is authorized to file the necessary application form with the State of New Jersey Historic Preservation Office in order to obtain their approval for the design of the exterior of the proposed Police Facility and any related site improvements for 4 West Main Street, Brookside, NJ.

Adopted: May 10, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 10, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-105

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING THE JANUARY 21, 2021 NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH EI ASSOCIATES FOR CONSULTANT SERVICES FOR SEPTIC ANALYSIS OF THE TOWN HALL RENOVATIONS/ NEW POLICE BUILDING FACILITIES

WHEREAS, the Township of Mendham has authorized a contract with EI Associates to determine alternate methods for providing septic services for a proposed Police Facility at 4 West Main Street; and

WHEREAS, the original resolution cited the fact that to create this new septic system requires geotechnical work plus further analysis but this additional work was not included in the EI contract; and

WHEREAS, to expediate the design process, the Township Administrator authorized EI Associates to obtain a third-party subcontractor qualified to do the necessary on-site testing; and

WHEREAS, the cost of this third-party testing was \$1,725 which was paid by EI Associates but not included in their original design proposal; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account C- 04-55-009-002.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the contract with EI Associates for originally set with a limit of \$5,000 is hereby increased to a maximum of \$7,500.

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

Adopted: May 10, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Clerk of the Township of Mendham, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mendham Township Committee at a meeting held on May 10, 2021.

Maria F. Coppinger, Township Clerk

2021-106

Resolution of the Township Committee of the Township of Mendham Authorizing the Township of Mendham to Appy and Provide Local Matching Funds for the Library Construction Bond Act Grant Application - **PENDING**

**TOWNSHIP OF MENDHAM
MORRIS COUNTY – NEW JERSEY**

ORDINANCE 09-2021

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF ROADS IN AND BY THE
TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING
\$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES
OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Mendham, in the County of Morris, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$500,000, including the sum of \$25,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$475,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the improvement of Township roads described on the 2021 list on file in the office of the Township Clerk, hereby incorporated in this bond ordinance by this reference, involving milling and paving, repairs of affected storm drains and guardrails and intersection improvements in cooperation with the County of Morris, with materials, equipment and costs necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$475,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes

described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCED: 5/10/2021

ADVERTISED:

PUBLIC HEARING:

ADOPTED:

ADVERTISED:

ACCESS INFORMATION

TOWNSHIP COMMITTEE MEETING

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