

****Access Information for the Virtual Meeting can be found on the last page of this document. ****



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
May 11, 2020 VIRTUAL MEETING
7:30 PM REGULAR MEETING**

ROLL CALL

Mr. Baio
Ms. Duarte
Mr. Monaghan
Mr. Orlins
Mayor Neibart

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 3, 2020. The Notice of Change in Meeting Format was given to the Daily Record and Star Ledger on May 5, 2020. Notice was posted on the bulletin board in the township offices, front door of Town hall and notice was filed with the Township Clerk.

SALUTE TO THE FLAG

COVID-19 UPDATE

PROCLAMATION - Mental Health Awareness Month

PRESENTATION

- Mendham Township School District Budget - Salvatore M. Constantino, Ed.D., Superintendent of Schools
- Nitrate Dilution Study – Nicole Venezia, Township Planner - H2M Architects and Engineers and Paul Cooper, Senior Ecologist – Princeton Hydro

ANNOUNCEMENTS

OPEN TO THE PUBLIC

APPROVAL OF MINUTES

- Regular Meeting Minutes of February 24, 2020
- Executive Session Minutes of February 24, 2020 – as amended

RESOLUTIONS

2020-086 Resolution of the Township Committee of the Township of Mendham Authorizing the Appointment of Cameron Miller to the Position of Seasonal Laborer

- 2020-087** Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of 2020 Taxes
- 2020-088** Resolution of the Township Committee of the Township of Mendham Authorizing Expenditures from the Capital Improvement Fund for Preliminary Expenses for a Feasibility Study of Town Hall
- 2020-089** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Non-Fair and Open Contract for Professional Architect Services to Perform a Feasibility Study on Town Hall to Cornerstone Architectural Group
- 2020-090** Resolution of the Township Committee of the Township of Mendham Awarding MRC, Inc through the State Contract# 16-Fleet-00121 for Ralston Playground Equipment not to Exceed \$40,000
- 2020-091** Resolution of the Township Committee of the Township of Mendham In Support of the Mendham Township Police Department
- 2020-092** Resolution of the Township Committee of the Township of Mendham Designating Township Stakeholders to the Historic Park at Pitney Farm Improvement Project
- 2020-093** Resolution of the Township Committee of the Township of Mendham Extending the Grace Period for Second Quarter 2020 Taxes and/or Sewer Charges
- 2020-094** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2020-095** Resolution of the Township of Mendham 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, PA for Engineering Services Associated with the Milling and Paving of Woodland Road
- 2020-096** Resolution of The Township of Mendham Committee of The Township of Mendham Endorsing the Application of Chester Township for A Leap Challenge Grant

ORDINANCE FOR INTRODUCTION / FIRST HEARING

- 04-2020** An Ordinance of the Township of Mendham Providing for Various Capital Improvements and Appropriating \$290,000 Therefore, from the Capital Improvement Fund
Second Reading and Public Hearing scheduled for May 26, 2020

05-2020 Bond Ordinance Providing for the Improvement of Roads In and By the Township of Mendham, In the County of Morris, New Jersey, Appropriating \$550,000 Therefor and Authorizing the Issuance of \$523,000 Bonds Or Notes of the Township to Finance Part of the Cost Thereof.

Second Reading and Public Hearing scheduled for May 26, 2020

06-2020 Ordinance Reappropriating \$60,000 Proceeds of Obligations Not Needed for Their Original Purpose in Order to Provide for the Acquisition of Self-Contained Breathing Apparatus Units for the Fire Department in and By the Township of Mendham, In the County of Morris, New Jersey

Second Reading and Public Hearing scheduled for May 26, 2020

OPEN TO THE PUBLIC

DISCUSSION

- Administration
 - Tax Collection

- Liaison Reports
 - Construction
 - DPW
 - Environmental Commission
 - Finance Committee
 - Fire Department
 - First Aid Squad
 - Historic Preservation
 - Library
 - Mendham Sewer East & West
 - Mendham Township School District
 - Mendham TV
 - Planning Board
 - Police
 - Recreation Committee
 - Regional School District
 - Shared Court
 - Stigma-Free Initiative
 - Surrounding Town Outreach
 - Tax Assessor
 - Tree Committee
 - Wildlife Management
 - Zoning Board
 - Recreation Committee
 - Regional School District
 - Shared Court
 - Stigma-Free Initiative

ADJOURN

RESOLUTION 2020-086
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING
THE APPOINTMENT OF CAMERON MILLER TO THE POSITION OF SEASONAL LABORER

WHEREAS, there is a need for a seasonal DPW laborer; and

WHEREAS, Cameron Miller has applied for the position and appears to meet the qualifications necessary to perform the duties of said laborer; and

WHEREAS, The Township Administrator has recommended that Cameron Miller be appointed as a seasonal laborer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham that Cameron Miller be appointed to the position of a seasonal laborer, effective May 11, 2020 at an hourly rate of \$13.50.

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-087
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING
REFUND OF OVERPAYMENT OF 2020 TAXES

WHEREAS, the Tax Collector has certified to the Township of Mendham that a payment be refunded due to an overpayment of taxes by the property owner as a result of a payment made in error; and

WHEREAS, the Governing Body has reviewed said certification and approved the same.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mendham, being the Governing Body thereof that payment is refunded as follows:

BLOCK & LOT & QUALIFIER:	REFUND TO:	AMOUNT:
Block 127 Lot 67 11 Levitan Lane	Barbara Thorburn 18 Spaulding Lane Newton, MA 02459-3408	\$2,587.44

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-088
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING EXPENDITURES FROM THE CAPITAL IMPROVEMENT FUND FOR
PRELIMINARY EXPENSES FOR A FEASIBILITY STUDY OF TOWN HALL

WHEREAS, per N.J.A.C.5:30-2.3, the New Jersey Local Finance Board, by regulation, permits municipalities to fund preliminary expenses such as architect fees, engineering costs, etc. from the Capital Improvement Fund; and

WHEREAS, the Township Committee wishes to perform an architectural feasibility study to study the potential functions that can fit within the confines of the current Town Hall space; and

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available.

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

Section 1. The Township hereby establishes in the General Capital Fund and account designated "Town Hall Feasibility Study" in the amount of \$22,000.

Section 2. Upon completion of the project, any unused funds in said Reserve shall be returned to the Capital Improvement Fund.

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-089

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ARCHITECT SERVICES TO PERFORM A FEASIBILITY STUDY ON TOWN HALL TO CORNERSTONE ARCHITECTURAL GROUP

WHEREAS, the Township Committee wishes to perform an architectural feasibility study on Town Hall to determine the existing condition of the Town Hall and the potential functions that can fit within the confines of the current Town Hall space; and

WHEREAS, the Township wishes to contract with an architect firm 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 purchasing agent has determined and certified in writing that the value of the services exceeds \$17,500; and

WHEREAS, proposals were solicited from various architecture firms and interviews were conducted with the top selected firms by a Committee of staff, a resident expert and several members of the governing body; and

WHEREAS, after 5 firms were interviewed the Committee selected Cornerstone Architectural Group from South Plainfield, New Jersey; and

WHEREAS, Cornerstone Architectural Group, submitted a proposal and statement of qualifications on April 21, 2020 and was interviewed on April 28, 2020; and

WHEREAS, Cornerstone Architectural Group has the necessary qualifications and experience to complete the building analysis and utilization study; and

WHEREAS, Cornerstone Architectural group has completed and submitted a Business Entity Disclosure Certification which certifies that Cornerstone Architectural Group has not made any reportable contributions to a political or candidate committee in the Township of Mendham in the previous one year, and that the contract will prohibit Cornerstone Architectural Group from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mendham authorizes the Mayor and Township Clerk to enter into a contract with Cornerstone Architectural Group of South Plainfield, NJ not to exceed \$22,000 to perform an analysis of existing conditions in the existing town hall and potential reuses of this building as described herein.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-090
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AWARDING
MRC, INC THROUGH THE STATE CONTRACT# 16-FLEET-00121 FOR RALSTON PLAYGROUND
EQUIPMENT NOT TO EXCEED \$40,000

WHEREAS, the Township of Mendham desires to purchase playground equipment for Ralston Playground through State Contract #16-FLEET-00121, which exceeds the prevailing bid threshold:

VENDOR: MRC Inc,
PO Box 106,
Spring Lake, NJ 07762

COST: Not to Exceed \$40,000; and

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Mendham, County of Morris and State of New Jersey does hereby authorize the Mayor and Township Clerk to execute a contract with the above-named vendor to complete the project.

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-091
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
IN SUPPORT OF THE MENDHAM TOWNSHIP POLICE DEPARTMENT

WHEREAS, The Mendham Township Police Department was founded in 1956 and has continued to serve this community with pride and dedication; and

WHEREAS, the Mendham Township Police Department consists of a Patrol Division and Detective Bureau with a total of fifteen police officers with ranks of Chief, Lieutenant, Sergeants, Officers and one full-time administrative secretary; and

WHEREAS, the sworn officers and civilian staff of the Mendham Township Police Department remain committed and dedicated to protecting all who work, learn, worship, and live in Mendham Township; and

WHEREAS, amid the COVID-19 health crisis, our Chief of Police Ross Johnson has shown tremendous leadership in guiding our town and neighboring agencies on their preparedness during this pandemic; and

WHEREAS, the Mendham Township Police Officers continue to risk their health, well-being, and that of their families, to ensure the safety of the residents of Mendham Township; and

WHEREAS, over the last few weeks, there have been community efforts to honor our first responders through Sirens for Solidarity, Lawn Signs, and Proclamations; and

WHEREAS, the Police Department deserves to know where the Township Committee stands with respect to the agency and Interlocal Services Agreements (ISA) affecting Police Services; and

WHEREAS, there is no ISA regarding a contract for Police Services.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mendham strongly supports the Mendham Township Police Department and seeks to maintain the local agency; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Township Committee of the Township of Mendham expresses its deep gratitude to Police Chief Ross Johnson and the Mendham Township Police Department for their hard work, dedication, and service to the Township of Mendham and its residents.

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at the Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-092

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM DESIGNATING TOWNSHIP STAKEHOLDERS TO THE HISTORIC PARK AT PITNEY FARM IMPROVEMENT PROJECT

WHEREAS, on November 27, 2018 the Pitney Seven Acres Task Force presented a conceptual plan for the Mendham Township Historic Park at Pitney Farm; and

WHEREAS, as a result of the conceptual plan, the Township was awarded a Stewardship grant from the New Jersey Department of Environmental Protection Green Acres Program and a grant from the Morris County Trail Grant Program; and

WHEREAS, on April 13, 2020 the Township Committee authorized a contract with Edward Clark Landscape Architect to develop landscape construction drawings and bid form for the project at the Mendham Township Historic Park at Pitney Farm; and

WHEREAS, on April 28, 2020, the Township Committee appointed Diana Orban-Brown, Nick Monaghan, and Tom Baio to oversee the project at the Historic Park at Pitney Farm; and

WHEREAS, on April 28, 2020, the Township Committee discussed the importance of including Township stakeholders throughout the lifecycle of the Historic Park at Pitney Farm Improvement Project; and

WHEREAS, Diana Orban-Brown, Nick Monaghan, and Tom Baio convened a meeting with the Township Engineer Denis Keenan and the Landscape Architect Ed Clark on Friday, May 1, 2020; and

WHEREAS, during that meeting the group established themselves as the Historic Park Steering Committee. The team also established future meeting dates and discussed standing committees.

NOW, THEREFORE, BE IT RESOLVED the Township Committee recommends that the following individuals are reached out to and included in future discussions at least quarterly or more frequently, as needed:

- Director of Recreation
- Director of the Department of Public Works
- Chair of the Environmental Commission
- Chair of the Historic Preservation Committee
- Chair of the Tree Protection Committee
- Boy Scouts/Girl Scouts Leaders or designees
- The Friends of Pitney Farm designee
- Chair of the Pitney HOA, or designee

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at the Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-093

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM EXTENDING THE GRACE PERIOD FOR SECOND QUARTER 2020 TAXES AND/OR SEWER CHARGES

WHEREAS, pursuant to N.J.S.A. 54:4-66(a), second quarter property taxes are due May 1, 2020; and

WHEREAS, on March 24, 2020 the Township Committee of the Township of Mendham was one of the first municipalities in the state to take action regarding delinquent tax payments and sewer charges when the governing body voted to change the rate of interest for all delinquent taxes and/or sewer charges to 0% per annum effective until the the Local State of Emergency currently in effect was terminated; and

WHEREAS, on April 28, 2020, in response to New Jersey's ongoing COVID-19 Public Health Emergency and State of Emergency, Governor Murphy signed Executive Order 130 that authorizes any governing body of a municipality to adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for the payment of second-quarter property taxes; and

WHEREAS, this order is in the same spirit of the resolution that was previously passed by the Township Committee of the Township of Mendham to provide financial relief to property owners who may be incurring financial hardships during the COVID-19 emergency.

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Mendham to be consistent with the process outlined in Executive Order 130 is extending the grace period for the second quarter property taxes and/or sewer charges to June 1, 2020; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Township Committee plans to further investigate what more can be done to provide financial relief to residents past the June 1st extension in accordance with municipality's statutory authority and within the Governor's Executive Order.

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at the Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-094
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 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on Monday, May 11, 2020.

Maria F. Coppinger, Township Clerk

**The bills list can be found on the township
website under the agenda & minutes tab.
Locate the meeting date and click on
“other docs.”**

RESOLUTION 2020-095

**RESOLUTION OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY
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 THE MILLING AND PAVING OF WOODLAND ROAD**

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 and outlined in a contract on file in the Office of the Township Clerk in an amount not to exceed \$55,000 for engineering and survey services for the milling and paving of Woodland Road; 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-04-55-017-001

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 \$55,000 for engineering and survey services in the following project: Milling and Paving of Woodland Road.

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 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-096

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ENDORSING THE APPLICATION OF CHESTER TOWNSHIP FOR A LEAP CHALLENGE GRANT

WHEREAS, the State of New Jersey has allocated \$150,000 within each county for a statewide total of \$3.15 million in Local Efficiency Achievement Program (LEAP) funds to promote innovation among peer local units across New Jersey, and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

WHEREAS, the LEAP Challenge Grant exists to challenge municipalities and counties to collaborate on more extensive partnership and collaborations to produce efficiencies through shared services; and

WHEREAS, Chester Township has determined to apply for a LEAP Challenge Grant through the State of New Jersey Local Efficiency Achievement Program in the amount of \$6871.38; and

WHEREAS, Chester Township has agreed to be the lead agency in this program; and

WHEREAS, the Governing Body of Chester Township is acknowledging and accepting the responsibility of acting as applicant and administrator for this grant on behalf of all participating local units.

WHEREAS, the State of New Jersey has made LEAP grants available to assist local units to study, develop and implement new shared services initiatives; and

WHEREAS, the purpose of the project submitted in this grant application is intended to provide benefits to the participant local units' residents through the sharing of a Municipal Court for Chester Township, Mendham Township and Chester Borough.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Mendham endorsing the application of the Township of Chester for a LEAP challenge grant to support the Shared Service Municipal Court serving the Township of Mendham.

Adopted: May 11, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

CERTIFICATION: I, Maria F. Coppinger, Township Clerk of the Township of Mendham, do hereby certify the foregoing resolution was duly adopted by the Township Committee at a Regular Meeting held on May 11, 2020.

Maria F. Coppinger, Township Clerk

**TOWNSHIP OF MENDHAM
MORRIS COUNTY – NEW JERSEY
ORDINANCE 04-2020**

**AN ORDINANCE OF THE TOWNSHIP OF MENDHAM PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS AND APPROPRIATING \$290,000 THEREFORE, FROM THE CAPITAL
IMPROVEMENT FUND**

BE IT ORDAINED by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, as follows:

Section 1. The funding for the Various Capital Improvements is hereby authorized and such cost is not to exceed \$290,000.

Section 2. The several improvements hereby authorized are as follows:

Fire Department – PPE Gear, Equipment, Major Apparatus Repairs	\$50,000
Police Department - Police Vehicle(s)	\$50,000
Recreation Department – Various capital improvements to recreation areas including but not limited to irrigation system for India Brook Field, Park Furnishings	\$15,000
Township Signs – Repair and/or Replace	\$5,000
Department of Public Works- Various Road Improvements	\$170,000
Total	\$290,000

Section 3. The funding for the Various Improvements is hereby appropriated from the Capital Improvement Fund.

Section 4. This ordinance shall take effect following passage and publication as provided by law.

INTRODUCED: 5/11/2020

ADVERTISED:

PUBLIC HEARING: 5/26/2020

ADOPTED:

ADVERTISED:

ATTEST:

TOWNSHIP OF MENDHAM
IN THE COUNTY OF MORRIS

Maria Coppinger
Township Clerk

Sarah Neibart
Mayor

**TOWNSHIP OF MENDHAM
MORRIS COUNTY – NEW JERSEY
ORDINANCE 05-2020**

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF ROADS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$550,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$523,000 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 \$550,000, including the sum of \$27,000 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 \$523,000 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 list on file in the office of the Township Clerk, hereby incorporated in this bond ordinance by this reference, involving milling and paving and work, 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 10 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 \$523,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$110,000 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.

**TOWNSHIP OF MENDHAM
MORRIS COUNTY – NEW JERSEY
ORDINANCE 06-2020**

ORDINANCE REAPPROPRIATING \$60,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF SELF-CONTAINED BREATHING APPARATUS UNITS FOR THE FIRE DEPARTMENT IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL 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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$60,000 of the proceeds of obligations originally made available pursuant to the following bond ordinance of the Township of Mendham, in the County of Morris, New Jersey (the "Township") is no longer necessary for the purpose for which the obligations previously were authorized:

<u>Bond Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to Be Reappropriated</u>
2017-12	Section 3(a) - acquisition and, where applicable, installation of equipment for Ralston Fire Company consisting of personal protective equipment and gear, replacement of undercarriage of water tender truck, communications and firefighting equipment and major repair of fire trucks, finally adopted 11/28/2017	\$60,000

Section 2. The \$60,000 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to provide for the acquisition of self-contained breathing apparatus units for the Fire Department.

Section 3. 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 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 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR

When: May 11, 2020 07:30 PM Eastern Time (US and Canada)

Topic: Township Committee Meeting

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Public input will be available during the 'open to the public' session via the webinar option or telephone option. The Township Committee will also accept comments or questions in advance of the meeting at mtclerk@mendhamtownship.org.