



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
SPECIAL MEETING**

DATE: Monday, May 24, 2021
TIME: 6:00 PM Public Forum on New Cannabis Legislation
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
Passcode: 323628
Follow prompts

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.

PUBLIC FORUM ON NEW CANNABIS LEGISLATION

ADJOURN

REGULAR MEETING STARTS AT 7:30 PM

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: Monday, May 24, 2021

TIME: 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

Passcode: 323628

Follow prompts

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.

COVID – 19 UPDATE

PROCLAMATION

- National Emergency Medical Services (EMS) Week
- Asian/Pacific American Heritage Month
- Jewish American Heritage Month

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

- Special Meeting of November 19, 2020
- Executive Session of November 19, 2020

RESOLUTIONS

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

*Tabled from May 10, 2021

2021-106A Resolution of the Township Committee of the Township of Mendham Authorizing the Township of Mendham, in Cooperation with the Mendham Library, to Apply for a Construction Grant and Provide Local Matching Funds under the New Jersey Construction Bond Program

2021-106B Resolution of the Township Committee of The Township of Mendham Authorizing the Township of Mendham, in Cooperation with the Mendham Library, to Apply for a Construction Grant and Provide Local Matching Funds under the NJ Construction Bond Program

2021-107 Resolution of the Township Committee of the Township of Mendham Authorizing the Mendham Township Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, C.72

2021-108 Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of 2021 Taxes

2021-109 Resolution of the Township Committee of the Township of Mendham Supplementing the Professional Services Contract with Phoenix Consulting Group for Additional Chief Financial Officer Services

2021-110 Resolution of the Township Committee of the Township of Mendham Appointing Police Officer Evan Bevere

2021-111 Resolution of the Township Committee of the Township of Mendham Approving Staff Appointments for the Department of Recreation Summer Season

2021-112 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

2021-113 Resolution of the Township Committee of the Township of Mendham Allocating Unexpended Balances in the Recreation Trust Fund

2021-114 Resolution of the Township Committee of the Township of Mendham Making a Contribution to the Mendham Chester Little Leage for Fencing Repairs and Maintenance at Various Township Recreation Ballfields

2021-115 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

2021-116 Resolution of the Township Committee of the Township of Mendham Amending the Liquor License Fee for Sammy's Ye Old Cider Mill for Renewal Period 2021-2022

ORDINANCE FOR SECOND READING / PUBLIC HEARING

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

Ordinance was introduced May 10, 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

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 24, 2021

RESOLUTION 2021-106A
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE TOWNSHIP OF MENDHAM, IN COOPERATION WITH THE MENDHAM LIBRARY, TO APPLY FOR A CONSTRUCTION GRANT AND PROVIDE LOCAL MATCHING FUNDS UNDER THE NEW JERSEY CONSTRUCTION BOND PROGRAM

WHEREAS, the Township of Mendham and the Mendham Library wish to apply for funding under the 2021 NJ Library Construction Bond Program; and

WHEREAS the application process requires a formal resolution by each participant authorizing the application; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, N.J. and the Mendham Library Board of Directors, that the appropriate officials of each agency are hereby authorized to apply for a grant from the 2021 NJ Library Construction Bond Program in the amount of \$877,593 for a total project in the amount of \$1,755,186.

BE IT FURTHER RESOLVED that the Township of Mendham has available and appropriated the required matching funds for the grant in the amount of \$877,593 as required under the State Library grant program in Ordinance 2020-12.

For the Township of Mendham:

Adopted: May 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

For the Mendham Library Board of Directors:

ADOPTED: May ____, 2021

Attest:

MENDHAM LIBRARY

Secretary

President

CERTIFICATION I, _____, Secretary of the Mendham Library, do hereby certify the foregoing resolution was duly adopted by the Mendham Library at a Regular Meeting held on May ____, 2021.

Secretary

RESOLUTION 2021-106B

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE TOWNSHIP OF MENDHAM, IN COOPERATION WITH THE MENDHAM LIBRARY, TO APPLY FOR A CONSTRUCTION GRANT AND PROVIDE LOCAL MATCHING FUNDS UNDER THE NEW JERSEY CONSTRUCTION BOND PROGRAM

WHEREAS, the Township of Mendham wishes to partner with the Mendham Library to apply to the New Jersey Library Construction Bond Act, for a project not to exceed a total project cost of \$1,755,186; and

WHEREAS, the Township of Mendham has bonded \$2,600,000 for the purpose of renovations to the shared Town Hall and Library building; and

WHEREAS, the Township Committee of the Township of Mendham and the Library Board of Directors of the Mendham Library recognize that, if awarded, the Township will be required to document its matching funds at an amount no less than 50% of the grant award, or an amount not to exceed \$877,593; and

WHEREAS, the Township Committee of the Township of Mendham and the Board of Directors of Mendham Library recognize that, if awarded, within three months the Township will be required to submit evidence that funds have been appropriated or bonds or debt have been authorized for financing the project; and

WHEREAS, the purpose of this application is to secure funds to renovate and improve public space, with a focus on barrier free improvements, within the Mendham Library; and

WHEREAS, the Township Committee of the Township of Mendham and the Board of Directors of the Mendham Library recognize that, if awarded, will be granted no more than 50% of the total project cost proposed in this grant application, in an amount not to exceed \$877,593.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM as follows:

1. The Township Committee hereby authorizes the application to the New Jersey State Library Construction Bond Act Grant Program.
2. The Committee hereby authorizes acceptance of a grant award from the program, in an amount not to exceed \$877,593, should the Township be awarded.
3. The Committee hereby authorizes that its match will be sourced from bonded funds as per Ordinance 12-2020.

For the Township of Mendham:

Adopted: May 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-106B

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE TOWNSHIP OF MENDHAM, IN COOPERATION WITH THE MENDHAM LIBRARY, TO APPLY FOR A CONSTRUCTION GRANT AND PROVIDE LOCAL MATCHING FUNDS UNDER THE NJ CONSTRUCTION BOND PROGRAM (CONTINUED)

For the Mendham Library Board of Directors:

Adopted: May ____, 2021

Attest:

MENDHAM LIBRARY

Secretary

President

CERTIFICATION I, _____, Secretary of the Mendham Library, do hereby certify the foregoing resolution was duly adopted by the Mendham Library at a Regular Meeting held on May ____, 2021.

Secretary

RESOLUTION 2021-107
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
MENDHAM TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN
ACCORDANCE WITH P.L. 1994, C.72

WHEREAS, Morris County Board of Taxation is unable to certify Township of Mendham's tax rate at this time and the Mendham Township Tax Collector will be unable to mail the Township's final 2021 tax bills on a timely basis; and

WHEREAS, the Mendham Township Tax Collector in consultation with the Mendham Township Acting Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris and State of New Jersey on this 24th day of May, 2021, as follows:

1. The Mendham Township Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2021 taxes.
2. The entire estimated tax levy for 2021 is hereby set at \$41,423,471.66.
3. In accordance with law the third installment of 2021 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Adopted: May 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-108
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING REFUND OF OVERPAYMENT OF 2021 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 mortgage company; 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 107 Lot 12 15 Kendall Court	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$6,534.88
Block 113 Lot 12 45A Old Mill Rd	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$2,543.69
Block 118 Lot 15 7 Briarwood Ln	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$4,810.31
Block 129 Lot 43 17 Summit Rd	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$3,239.68

Adopted: May 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-109

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM SUPPLEMENTING THE PROFESSIONAL SERVICES CONTRACT WITH PHOENIX CONSULTING GROUP FOR ADDITIONAL CHIEF FINANCIAL OFFICER SERVICES

WHEREAS, through Resolution 2020-221 the Township of Mendham appointed Phoenix Consulting Group to provide Chief Financial Officer Services to the Township in the absence of a certified Chief Financial Officer being available to the Township; and

WHEREAS, the Township has been unable to obtain a Chief Financial Officer (CFO) to provide required CFO services; the funding made available through Resolution 2020-221 has been expended; and the Township must have access to a qualified Chief Financial Officer to properly maintain the Township's accounting system in accordance with State of New Jersey regulations; and

WHEREAS, Phoenix Consulting Group is available to provide Chief Financial Officer Services to the Township for the period March 1 thru June 30, if required; 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 01-20-130-028.

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 Amendment #1 to the contract with Phoenix Consulting Group for Chief Financial Officer Services in an amount not to exceed \$18,000.

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 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-110
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
APPOINTING POLICE OFFICER EVAN BEVERE

WHEREAS, a vacancy exists in the rank of patrolman within the Mendham Township Police Department;
and

WHEREAS, an interview process was conducted to find the most qualified person to hire in this capacity
and Evan Bevere possesses the necessary qualifications for employment as a Police Officer; and

WHEREAS, Evan Bevere has been interviewed by the Police Committee; and

WHEREAS, Chief Ross Johnson recommends Evan Bevere be appointed as a Probationary Police Officer at
a salary in accordance with the contract between the Township of Mendham and Mendham Township
PBA Local 402.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Mendham
that Evan Bevere is hereby appointed as full-time Police Officer for the Township of Mendham.

Adopted: May 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-111
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING STAFF
APPOINTMENTS FOR THE DEPARTMENT OF RECREATION SUMMER SEASON

BE IT RESOLVED by the Township Committee of the Township of Mendham that the following named persons be paid from the Recreation Trust in accordance with the following:

SUMMER 2021

BROOKSIDE BEACH

Valencia Grob	Lifeguard	\$12.25/hour
Matt Sullivan	Lifeguard Manager	\$14.25/hour
Cate Gangemi	Lifeguard	\$12.25/hour
Drew Brauner	Lifeguard	\$12.00/hour
Mike McGrath	Lifeguard	\$12.50/hour
Abigail McGrath	Lifeguard	\$12.50/hour
Carly Orlins	Lifeguard	\$12.00/hour
Cassandra Grob	Lifeguard	\$12.00/hour

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, approves the hiring of seasonal employees and a copy of this resolution be provided to the Recreation Director and the Chief Financial Officer.

Adopted: May 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-112

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.

- o **Administrator Position**
- o **Chief Financial Officer Position**
- o **Qualified Purchasing Agent Position**



(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 24, 2021 at 7:30 P.M.** via the virtual platform Zoom, 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 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-113
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
ALLOCATING UNEXPENDED BALANCES IN THE RECREATION TRUST FUND

WHEREAS, the Recreation Trust Fund is a separate fund within the Township of Mendham where funds for specific recreation program uses are received and expended independent of the normal General Fund Appropriations; and

WHEREAS, the Division of Local Government Services has regulations governing the use of these trust funds; and

WHEREAS, funds were received a number of years ago for the purpose of creating a cross county trail and this activity has been dormant for a number of years and is not anticipated to be reactivated; and

WHEREAS, the Recreation Director, in consultation with the Recreation Advisory Board has recommended that these received funds be repurposed as indicated below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM COUNTY OF MORRIS, NEW JERSEY that the \$49,030.01 in the Recreation Trust Fund earmarked for Cross County Trail is hereby reallocated as follows:

Dredging of Brookside Beach – \$35,000
Brookside Beach equipment purchases – \$5,000
Ski Club – \$9030.01

BE IT FURTHER RESOLVED that the Township Administrator, Recreation Director and Chief Financial Officer shall make the necessary adjustments to the Trust Fund to accomplish the above.

Adopted: May 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-114

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM MAKING A CONTRIBUTION TO THE MENDHAM CHESTER LITTLE LEAGUE FOR FENCING REPAIRS AND MAINTENANCE AT VARIOUS TOWNSHIP RECREATION BALLFIELDS

WHEREAS, the 2021 Capital budget of the Recreation Department provided funds for new outfield fencing at Ralston Park and fencing repairs to Brookside and Wysong Fields; and

WHEREAS, the Township budget / capital funding process did not allow for these fencing repairs / improvements to be made in time for the 2021 season; and

WHEREAS, the Mendham Chester Little League in conjunction with the Township Recreation Director determined that it was advisable to make the repairs in 2021 to remove hazardous conditions which could injure Little League players / spectators; and

WHEREAS, the Mendham Chester Little League, a 501c3 non-profit organization, volunteered to make these fence improvements / repairs with their own funding and to seek Township reimbursement when funds were available with the understanding that this reimbursement was not assured; and

WHEREAS, the Township is advised that cost to the Mendham Chester Little League for these fencing repairs / improvements was in excess of \$18,000; and

WHEREAS, the required work has been accomplished in a manner satisfactory to the Township Recreation Director; and

WHEREAS, the Township Recreation Director recommends that the Township reimburse the Mendham Chester Little League \$10,540, the amount remaining in the 2021 Capital Appropriation for fencing improvements with the after certain other Recreation fencing improvements to various ballfields are made.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS, NJ that the recommendation of the Recreation Director is hereby approved, and \$10,540 be donated to the Mendham Chester Little League as a contribution to the fencing repairs that were made to various Township Facility's in 2021 once verification is received that the new fencing has been paid for.

BE IT FURTHER RESOLVED that the Township Administrator and Chief Financial Officer take the necessary action to implement this contribution.

Adopted: May 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-115
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 24, 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 24, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-116
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING THE
LIQUOR LICENSE FEE FOR SAMMY'S YE OLD CIDER MILL FOR RENEWAL PERIOD 2021-2022

WHEREAS, in an e-mail dated May 13, 2021, owners of Sammy's Ye Old Cider Mill, LLC trading as Sammy's Ye Old Cider Mill, holder of Plenary Retail Consumption License (1419-33-001-002) requested that the Township Committee consider an amendment to their annual municipal filing fee for renewal period 2021-2022 due to the economic conditions brought on by the unprecedented health crisis posed by Covid-19; and

WHEREAS, Ordinance 09-2010 establishes the annual municipal filing fee for a Plenary Retail Consumption License at \$2,500; and

WHEREAS, in 2020, the Township Committee at their regular meeting of September 9, 2020 authorized an amendment to the annual municipal filing fee for the renewal period (2020-2021) from \$2,500 to \$2,000; and

WHEREAS, the Township Committee in response to the May 13, 2020 e-mail wishes to extend the amendment of the annual municipal filing fee for the renewal period 2021-2022.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, that the annual municipal filing fee for Plenary Retail Consumption License (1419-33-001-002) is hereby reduced to \$_____ for the 2021-2022 renewal period.

Adopted: May 24, 2021

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 24, 2021.

Maria F. Coppinger, Township Clerk

**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: 5/13/2021

PUBLIC HEARING: 5/24/2021

ADOPTED:

ADVERTISED:

ACCESS INFORMATION

TOWNSHIP COMMITTEE MEETING

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

<https://us02web.zoom.us/j/89476388075?pwd=dTJwYXlONUtt1YUUvNzA0SW5DVIryZz09>

Passcode: 323628

OR IPHONE ONE-TAP:

US: +13126266799,,89476388075#,,,,*323628# or
+16465588656,,89476388075#,,,,*323628#

OR TELEPHONE:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or
+1 646 558 8656 or
+1 301 715 8592 or
+1 346 248 7799 or
+1 669 900 9128 or
+1 253 215 8782

Webinar ID: 894 7638 8075

Passcode: 323628

International numbers available: <https://us02web.zoom.us/j/89476388075?pwd=dTJwYXlONUtt1YUUvNzA0SW5DVIryZz09>