

**Kindly note the access information on the last page. The public is welcome to join in-person or virtually.**



**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
July 28, 2020  
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 July 23, 2020. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**SALUTE TO THE FLAG**

**COVID-19 UPDATE**

**ANNOUNCEMENTS**

**OPEN TO THE PUBLIC**

**APPROVAL OF MINUTES**

- Regular Meeting Session of May 26, 2020

**RESOLUTIONS**

- 2020-148** Resolution of the Township Committee of the Township of Mendham Establishing Dates for Hunting from Tree Stands on Township Owned Natural Areas
- 2020-149** Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of Taxes Due to NJ State Tax Court Judgment
- 2020-150** Resolution of the Township Committee of the Township of Mendham Approving Concept Plan 1 for the Intersection Safety Improvements at Tempe Wick Road and Corey Lane
- 2020-151** Resolution of the Township Committee of the Township of Mendham Authorizing the Tax Collector to hold an Electronic Tax Sale
- 2020-152** Resolution of the Township Committee of the Township of Mendham Establishing Salaries for Certain Employees of the Township for the Year 2020

- 2020-153** Resolution of the Township Committee of the Township of Mendham Authorizing the Extension of a Non-Fair and Open Contract for Professional Architect Services
- 2020-154** Resolution of the Township Committee of the Township of Mendham Authorizing the Mayor to Execute a Lease Agreement Between the Township of Mendham and Stanley (Nicholas) Witczak and Krista Underhill for the lease of Certain Municipal Property
- 2020-155** Resolution of the Township Committee of the Township of Mendham Revising the Public Access Hours for the Township Recycling Drop-off Center
- 2020-156** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2020-157** 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 Kelly Engineering for Consultant Services for the Sewer East Operation
- 2020-158** Resolution of the Township Committee of the Township of Mendham Authorizing Discussion Without the Presence of the Public – Personnel Matter
- \*2020-159** Resolution of the Township Committee of the Township of Mendham Establishing a Township Code of Conduct for Participation in Recreation Programs / Use of Township Facilities
- \*2020-160** Resolution of the Township Committee of the Township of Mendham Establishing Regulations for the Use of Township Parks and Recreation Facilities

**ORDINANCE FOR SECOND READING / PUBLIC HEARING**

- 08-2020** An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Authorizing a Special Emergency Appropriation in the Amount of \$70,000 for the Preparation of an Approved Tax Map for the Township of Mendham Pursuant to N.J.S.A. 40A:4-53  
***Introduction / First Reading held on July 13, 2020***

**OPEN TO THE PUBLIC**

**DISCUSSION**

- ***Administration***
  - Solid Waste and Recycling Bids
- ***Town Hall Reassessment Project Update and Working Group Date Announcement***
- ***Buttermilk Falls Update\****
- ***Liaison Reports***

<ul style="list-style-type: none"> <li>○ Construction</li> <li>○ Communication Committee, Marketing</li> <li>○ Department of Public Works</li> <li>○ Environmental Commission</li> <li>○ Finance Committee</li> <li>○ Fire Department</li> <li>○ First Aid Squad</li> <li>○ Historic Preservation</li> <li>○ Library</li> <li>○ Mendham Sewer East &amp; West</li> <li>○ Mendham Township School District</li> <li>○ Mendham TV</li> </ul>	<ul style="list-style-type: none"> <li>○ Planning Board</li> <li>○ Police</li> <li>○ Pitney Park</li> <li>○ Recreation Committee</li> <li>○ Regional School District</li> <li>○ Shared Court</li> <li>○ Stigma-Free Initiative</li> <li>○ Surrounding Town Outreach</li> <li>○ Tax Assessor</li> <li>○ Tree Committee</li> <li>○ Wildlife Management</li> <li>○ Zoning Board</li> </ul>
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**ADJOURN**

**RESOLUTION 2020-148**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING DATES FOR HUNTING FROM TREE STANDS ON TOWNSHIP OWNED NATURAL AREAS**

**WHEREAS**, the Township Committee appointed a Wildlife Management Committee to advise the Governing Body on matters involving non-domestic animals; and

**WHEREAS**, the Wildlife Management Committee has recommended that deer and all fish and game regulated as hunting, from tree stands only, be allowed according to the following calendar schedule in the natural areas:

**SHOTGUN DEER HUNTING FROM TREE STANDS:**

With only residents, employees and former employees from the Mendhams, Chesters, Harding Township and Randolph participating

Bartenstein, Burnett Brook, Buttermilk Falls, Dismal Harmony, Dos Passos, India Brook, Meadowood Preserve, Mosle Preserve

*November 23, 2020*

*December 7, 2020 – December 12, 2020*

*January 9, 15, 16, 23, 29, 30, 2021*

**CLYDE POTTS RESERVOIR:**

*December 7, 2020– December 12, 2020*

*January 9, 16, 23, 30, 2021*

These areas will be closed to the public on the dates listed above.

**BOW AND ARROW DEER HUNTING FROM TREE STANDS OVER BAIT:**

Bartenstein, Burnett Brook, Buttermilk Falls, Cold Hill Preserve, Dismal Harmony, Dos Passos, India Brook, Meadowood Preserve, Mosle Preserve, Tempe Wick, Wysong Natural Area

*September 12, 2020 – February 13, 2021 (excludes Sundays)*

*Dawn to Dusk*

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, to approve the schedule noted above and to authorize that appropriate measures be taken to post the Natural Areas to note the dates and hours of closure to the public.

**BE IT FURTHER RESOLVED** that the Mendham Township Wildlife Management Committee is responsible for scheduling hunters with valid permits in the parks.

Adopted: July 28, 2020

Attest:

TOWNSHIP OF MENDHAM,  
IN THE COUNTY OF MORRIS

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

\_\_\_\_\_  
Sarah Neibart, Mayor

**RESOLUTION 2020-149**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING REFUND OF OVERPAYMENT OF TAXES DUE TO NJ STATE TAX COURT JUDGMENT**

**WHEREAS**, the Tax Collector has certified to the Township of Mendham that a payment be refunded due to an overpayment of taxes as a result of NJ State Tax Court Judgments; 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:

<b>Block &amp; Lot &amp; Qualifier</b>	<b>Refund to:</b>	<b>Amount:</b>
Block 104.02 Lot 14 15 Brookrace Drive	Irwin & Heinze, PA Attny Trust Account FBO Ina Reilly 383 Main Street, Ste 101 Chatham, NJ 07928	\$5,213.95
Block 123 Lot 26 4 Dukes Court	Brach Eichler LLC & Weinstein, Larry & Zagofsky, Beverl 101 Eisenhower Parkway Roseland, NJ 07068	\$11,327.88
Block 144 Lot 33 54 Tempe Wick Road	Brach Eichler LLC & Middleton, Frank A & Jan 101 Eisenhower Parkway Roseland, NJ 07068	\$9,644.40

Adopted: July 28, 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 July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2020-150**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING CONCEPT PLAN 1 FOR THE INTERSECTION SAFETY IMPROVEMENTS AT TEMPE WICK ROAD AND COREY LANE**

**WHEREAS**, the Morris County Department of Public Works, Division of Engineering and Transportation has proposed safety improvement at the intersection of Tempe Wick Road and Corey Lane to correct sight distance problems causing a traffic hazard to motorist; and

**WHEREAS**, French and Parrello Associates, the design engineers for this project have proposed two alternate improvement plans; and

**WHEREAS**, after reviewing the plans and discussing the impact on adjacent property owners the Township Committee believes that Concept Plan #1 is in the best interest of the Township.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS, New Jersey** that the Mayor is authorized to advise the County of Morris, Dept. of Public Works, Division of Engineer, that the Township supports Concept Plan #1 for the traffic safety improvements at the intersection of Tempe Wick Road and Corey Lane and will finance the estimated municipal share of \$28,300 in this project.

Adopted: July 28, 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 Special Meeting held on July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2020-151**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING THE TAX COLLECTOR TO HOLD AN ELECTRONIC TAX SALE**

**WHEREAS**, N.J.S.A.54:5-19.1 et seq. permits municipalities to conduct electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services; and

**WHEREAS**, the rule thus promulgated requires a municipality to authorize said electronic tax sale by resolution of the governing body; and

**WHEREAS**, an electronic tax sale may be necessary due to COVID-19 and the unknown restrictions that may be implemented.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mendham, that the Tax Collector has the authority to conduct an electronic tax sale.

Adopted: July 28, 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 July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2020-152**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING SALARIES FOR CERTAIN EMPLOYEES OF THE TOWNSHIP FOR THE YEAR 2020**

**WHEREAS**, the salary ranges for Mendham Township employees have been established by Ordinance 11-2019 adopted on July 23, 2019; and

**WHEREAS**, the funding necessary to pay the salaries as established by ordinance has been appropriated in the 2020 Municipal Budget which was adopted on May 26, 2020; and

**BE IT RESOLVED** by the Township Committee of the Township of Mendham, that the following named persons be paid the salaries indicated:

<u>NAME</u>	<u>2020 SALARY</u>
Steven Bittman	\$132,651.00
Antoinette Gallicchio	\$43,860.00
Ross Johnson	\$143,575.20
David Read, Jr.	\$112,098.00
Joseph Guanill	\$81,600.00
Nicholas Rigas	\$66,300.00
Richard Cabri	\$56,100.00
Colin Baker	\$14,790.00
Joseph Caputo	\$17,850.00
Maria Coppinger	\$72,828.00
Karen Fornaro	\$109,140.00
David Guida	\$30.60 per hour
Scott Holzhauer	\$24,610.59
Wendy Parrinello	\$25.50 per hour
Len Perre	\$54,060.00
Robert Rosendale	\$14,320.80
Michael Shay	\$7,490.88
Robert Smith	\$19,486.99
Beth Foley	\$60,054.22
Pam Weiner	\$44,664.37

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham that the following changes in salary be made, effective January 1, 2020.

Adopted: July 28, 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 July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2020-153**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE EXTENSION OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ARCHITECT SERVICES**

**WHEREAS**, the Township Committee authorized the award of a non-fair and open contract to Cornerstone Architectural Group to perform a Feasibility Study on Town Hall via resolution 2020-089 on May 11, 2020 not to exceed \$22,000; and

**WHEREAS**, the Township of Mendham plans on submitting a New Jersey Library Construction Bond Act Application for the renovation and/or construction of the Mendham Township Library; and

**WHEREAS**, the New Jersey Library Construction Bond Act Application requires the assistance of an architect; and

**WHEREAS**, Cornerstone Architectural Group has become familiar with the Township of Mendham's facility needs and can provide assistance with the grant application; and

**WHEREAS**, the Township Committee of the Township of Mendham wishes to extend Cornerstone's current non fair and open contract to include assistance with the New Jersey Library Construction Bond Act Application contract; and

**WHEREAS**, the purchasing agent has determined and certified in writing that the value of the total services provided by Cornerstone Architectural Group exceeds \$17,500; 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 as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds not to exceed \$10,000 to be encumbered from account 0-01-20-100-028 for assistance with the New Jersey Library Construction Bond Act Application.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mendham authorizes the Mayor and Township Clerk to extend the current contract with Cornerstone Architectural Group not to exceed \$32,000 total 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: July 28, 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 the Regular Meeting held on July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk



**RESOLUTION 2020-154**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF MENDHAM AND STANLEY (NICHOLAS) WITCZAK AND KRISTA UNDERHILL FOR THE LEASE OF CERTAIN MUNICIPAL PROPERTY**

**WHEREAS**, Stanley Witczak and Krista Underhill (“Tenants”) wish to lease certain municipal property situated in the Township of Mendham, Morris County, New Jersey; and

**WHEREAS**, the Township of Mendham and “Tenants” have agreed upon the terms and conditions of a lease agreement which the Township of Mendham deems just, fair and reasonable.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, MORRIS COUNTY, NEW JERSEY:**

Section 1: That the Township of Mendham, Morris County, New Jersey is authorized to enter into a lease agreement with “Tenants”.

Section 2: That Mayor Neibart is authorized and directed to execute the lease agreement on behalf of the Township of Mendham and Township Clerk Maria Coppinger is authorized and directed to attest the execution of the lease agreement by Mayor Neibart and affix the seal of the Township of Mendham.

Section 3: That this Resolution shall be in full force and effect from and after its passage and approval.

Adopted: July 28, 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 July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2020-155**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM REVISING THE PUBLIC ACCESS HOURS FOR THE TOWNSHIP RECYCLING DROP-OFF CENTER**

**WHEREAS**, the Township of Mendham at the Department of Public Works (DPW) Operations Center, 40 Mt Pleasant Road, provides a Recycling Drop-off Center for Mendham residents to dispose of electronic goods, oil, and tires; and

**WHEREAS**, experience has shown that to insure the proper use of the recyclables drop off center there should be a DPW staff person present to assist the residents, to collect required fees, and to insure that the recyclable materials is properly stored on site; and

**WHEREAS**, currently although the Center is advertised to be opened daily 7 a.m. to noon Monday thru Friday or on an appointment basis, residents frequently arrive at the site unannounced or arrive when there are no employees present and do not leave materials in their designated location / storage location; and

**WHEREAS**, the Public Works Superintendent has recommended changes in the regulations governing the Recycling Drop-off Center and the Township Administrator endorses these recommendations.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS, NEW JERSEY that:**

1. The Recycling Drop-off Center be available on Fridays from 7:00 a.m. to 11:00 a.m. and the first Saturday of every month from 9:00 a.m. to 12:00 noon, or by appointment at a time when DPW staff can be present.
2. The following fees shall be charged for drop off:
  - i. Electronic waste – no charge
  - ii. Tires \$5 rimless and \$10 mounted on rims
  - iii. Automobile batteries \$10 (no other batteries accepted)
  - iv. Used motor oil, \$.50 per gallon (minimum charge \$1.00)

**BE IT FURTHER RESOLVED** that these changes take effect August 1 after publication on the Township website.

Adopted: July 28, 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 July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2020-156**  
**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: July 28, 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 July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**Bills list can be found on the website under the  
agenda & minutes tab. Locate the meeting date  
and click on "other docs."**

**RESOLUTION 2020-157**

**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 KELLY ENGINEERING. FOR CONSULTANT SERVICES FOR THE SEWER EAST OPERATION**

**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**, Kelly Engineering 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 \$5,000 for engineering and survey services: Sewer East Plant Operations

**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 0-07-55-502-028

**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 a contract with Kelly Engineering. not to exceed \$5,000 for engineering services: in the following project: Sewer Utility East Operations.

**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

Adopted: July 28, 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 July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2020-158**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC**

**WHEREAS**, the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Township Committee wishes to discuss without the presence of the public the following:

**N.J.S.A. 10:4-12.b (8) – Personnel Matter**

(8) 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 rights could be adversely affected request in writing that the matter or matters be discussed at a public meeting.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey that the Township Committee shall meet in executive session, from which the public shall be excluded, for the matters mentioned above.

**BE IT FURTHER RESOLVED**, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

Adopted: July 28, 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 Special Meeting held on July 28, 2020.

\_\_\_\_\_  
Maria F. Coppinger, Township Clerk

**RESOLUTION 2020-159**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING A TOWNSHIP CODE OF CONDUCT FOR PARTICIPATION IN RECREATION PROGRAMS / USE OF TOWNSHIP FACILITIES**

**WHEREAS**, the Township Recreation director has recommended that the Township establish a code of conduct for participating in recreation programs and using township owned facilities; and

**WHEREAS**, the Recreation Director has recommended that the township establish a process for insuring that employees and volunteers who have direct involvement with and/or access to youth in the municipalities go through a criminal background review process; and

**WHEREAS**, although the establishing of a code of conduct and a criminal history background check both require ordinances to be enforceable, the Recreation Director is requesting that the Township Committee take immediate action for guidance until the necessary ordinances can be prepared and duly adopted.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS** that the following policies are hereby established for participation in Township recreation activities and the use of Township owned parks and facilities:

**1. Mandatory criminal history record background checks.**

- a. The Township of Mendham requires that all Township employees and volunteers, 18 years of age and older, of a nonprofit youth-serving organization as a condition of coaching or using the Township of Mendham's facilities, submit to a criminal history record background check by an authorized vendor.
  - i. The criminal history record background check shall be required of any Township employees or of any coach or any person with direct access to minors involved in any youth-serving recreation program as determined by the Recreation Director.
  - ii. The criminal history record background check shall be performed annually or in a frequency as determined by state statute. The specific process to be used in this criminal background check shall be approved by the Township Police Chief and Township Administrator.
  - iii. The costs of said criminal history record background check will be borne by the applicant.
  - iv. A nonprofit youth serving organization that has its own established criminal background check program that is acceptable to the Township Chief of Police and Township Recreation Director may be substituted for the process used by the Township of Mendham.
- b. Failure to comply with a background check may result in the Township withholding funding for the program or league, and/or prohibiting use of Township facilities.

- c. A person may be disqualified from serving as an employee or volunteer of a nonprofit youth-serving organization if that person's criminal history record background check reveals a record of conviction of any of the following crimes or offenses:
  - i. Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11-1 et seq., N.J.S.A. 2C:12-1 et seq., N.J.S.A. 2C:13-1 et seq., N.J.S.A. 2C:14-1 et seq., or N.J.S.A. 2C:15-1 et seq.
  - ii. Against the family, children or incompetent, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:14-1 et seq.
  - iii. Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Revised Statutes.
  - iv. Involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Revised Statutes except Paragraph (4) of Subsection (a) of N.J.S.A. 2C:35-10.
  - v. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offense described in Subsection E(1) of this section.

- d. Challenge of accuracy of criminal history report.
  - i. If a criminal history record may disqualify an employee or volunteer for any purpose, the employee or volunteer shall be provided with an opportunity to complete and challenge the accuracy of the information contained in the criminal history record.
  - ii. The employee or volunteer shall be afforded a reasonable period of time to correct and complete this record.
  - iii. A person is not presumed guilty of any charges or arrests for which there are no final dispositions indicated on the record.
  - iv. The Recreation Department in conjunction with the Township Chief of Police shall coordinate between the employee or volunteer and the Division of the State Police or the authorized vendor any such opportunity to complete or challenge the accuracy of the information contained in the criminal history record.

2. **The following activities are prohibited in any township operated recreation program or on any township owned park recreation facility:**

- a. **Fights, scuffles, aggressive verbal arguments, and threats.** Initiating a fight, scuffle, aggressive verbal argument or any type of physical altercation or abuse or threats of abuse, towards any participant, parent, guest, spectator, coach or official.
- b. **Interference with recreational activities.** Interfering with recreational activities, including, but not limited to, entering the field of play, court, or rink, during any recreational activity

conducted under the auspices of the Mendham Township Recreation Department for the purpose of physically or verbally abusing or confronting coaches.

- c. **Use of obscene or profane language.** Using obscene or profane language, verbally abusing an official, player, or spectator, which abuse shall be deemed to include the use of obscene or profane language, or gesture, or racial, ethnic or sexual slurs.
- d. **Throwing objects onto the field of play.** Throwing or causing to be deposited any object onto the field of play, court, or rink.
- e. **Bullying, harassment or other forms of aggressive behavior.** Bullying, harassing, or exhibiting other forms of aggressive behavior.
- f. **Aggressive physical contact with participants.** Having aggressive physical contact with recreation participants, including, but not limited to, hitting, kicking, pushing or other forms of aggressive physical contact.
- g. **All other detrimental behavior.** Other behavior which may be determined by the Recreation Director to be inappropriate and detrimental to recreational participants shall include, but not be limited to, encouraging recreation participants to engage in prohibited activity or **inappropriate activity.**
- h. **Refusing to follow the order of officials.** Parents, coaches, spectators, and all other parties at any recreation event must comply with the requests and demands of all field officials, including appointed league officials. Such authority shall include the authorization to direct any person or person to immediately remove themselves from the premises.

**3. All activities must remain smoke, alcohol and drug free.**

**4. Enforcement of Code of Conduct.**

- a. The Recreation Director is hereby directed to review behavior at events at which teams or individuals participate under the auspices of the Mendham Township Recreation Department, including events outside the Township of Mendham, and to make every effort to ensure that behavior at said events complies with the Code of Conduct established by this chapter.
- b. Individual sports organizations shall not take any enforcement action with regards to potential Code of Conduct violations, but must report all violations to the Township Recreation Director.
- c. The Recreation Director shall be responsible for enforcement of the Code of Conduct. Any and all allegations, claims, or charges regarding violations of the Code of Conduct may be presented to the Recreation Director.



**RESOLUTION 2020-160**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING**  
**REGULATIONS FOR THE USE OF TOWNSHIP PARKS AND RECREATION FACILITIES**

**WHEREAS**, the Township Recreation Director has recommended that the Township establish regulations for the use of township parks and recreation facilities; and

**WHEREAS**, although the regulations for the use of township parks and recreation facilities to be enforceable require a duly adopted ordinance, the Recreation Director is requesting that the Township Committee take immediate action for guidance until the necessary ordinances can be prepared and duly adopted.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS** that the following policies are hereby established for the use of township parks and recreation facilities:

**Facility Allocation, Use, and Maintenance.**

- A. Facility use will be allocated to the various sports programs in accordance with policies established by the Recreation Director, with the advice and consent of the Township Administrator and the Recreation Advisory Committee.
- B. Use of Township facilities shall occur only after all required paperwork has been submitted to the Recreation Director. The required paperwork includes but is not limited to coach information, verification of coach training, criminal history record background checks, player information, and proof that the Code of Conduct has been distributed and enacted by every person involved.
- C. After each practice or event, the user must return the facility in a satisfactory condition, free of debris, rubbish and equipment, and shall observe all Township ordinances, regulations, rules and guidelines.

**Facility Use Fees.**

All industrial, commercial and retail establishments or groups desiring to use a public park or playground of the Township of Mendham shall pay the following fees:

- A. Mendham Township industrial, commercial, retail and not-for-profit establishments or groups located in Mendham Township using a facility or sponsoring a team shall pay a user fee of \$10 per child participating in the program or 10% of the registration fee, whichever is lesser.
- A. Non-Mendham-Township industrial, commercial, retail and not-for-profit establishments or groups using a facility or sponsoring a team shall pay a user fee of \$20 per child participating in the program or 20% of the registration fee, whichever is lesser.
- B. Individual Mendham Township residents may reserve a facility at a Township park for a single-day family event up to 50 people for a fee established by the Recreation Director after review and approval by the Township Recreation Advisory Committee and Township Administrator.
- C. User fees may be waived by the Recreation Director with the advice and consent of the Township Administrator and the Recreation Advisory Committee for not-for-profit groups and associations serving Mendham Township area residents and providing recreational, educational, and cultural programming.

Adopted: July 28, 2020

**TOWNSHIP OF MENDHAM  
MORRIS COUNTY - NEW JERSEY  
ORDINANCE 08-2020**

**AN ORDINANCE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING  
A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$70,000 FOR THE PREPARATION OF AN  
APPROVED TAX MAP FOR THE TOWNSHIP OF MENDHAM PURSUANT TO N.J.S.A. 40A:4-53**

**WHEREAS**, the Township Tax Assessor has recommended that a complete reassessment of Township properties be accomplished; and

**WHEREAS**, to accomplish a reassessment the Morris County Board of Taxation requires that the local tax maps be properly GIS configured and current as to accuracy; and

**WHEREAS**, the County Board of Taxation has a program to assist municipalities in updating their tax maps to meet new GIS standards; and

**WHEREAS**, the Township has received a proposal to update their tax maps costing \$70,000.

**NOW, THEREFOR BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY**, as follows:

Section 1. Pursuant to the Local Budget Law of New Jersey, and in particular N.J.S.A. 40A:4-53, a special emergency appropriation in the amount of \$70,000 is hereby authorized and made for the purpose of the preparation of an approved tax map for the Township of Mendham, in the County of Morris, State of New Jersey.

Section 2. The Township of Mendham is hereby authorized to finance such appropriation from surplus funds available or by issuing special emergency notes from time to time in accordance with the provisions of N.J.S.A. 40A:4-55, all as shall be determined by and pursuant to a resolution or resolutions of the Township to be hereafter adopted. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to N.J.S.A. 40A:4-55.

Section 3. In accordance with the requirements of N.J.S.A. 40A:4-53, a copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 4. This ordinance shall take effect after publication after final adoption, as provided by law.

INTRODUCED: 07/13/2020

ADVERTISED:

PUBLIC HEARING: 07/28/2020

ADOPTED:

ADVERTISED:

The July 28, 2020 Township Committee meeting will be held in-person at Town Hall, 2 West Main Street, Brookside. The meeting room will be arranged to comply with the 6 feet social distancing requirement. **Masks are required to enter the municipal building.**

**The public is welcome to join in-person or virtually.**

The Township Committee will continue to host the meetings virtually via the Zoom platform. Currently, the virtual meeting will be held in listen-mode with the opportunity for the public to speak during the designated 'open to the public' sections. Kindly note the access information below:

**You are invited to a Zoom webinar.**

**When: Jul 28, 2020 07:30 PM Eastern Time (US and Canada)**

**Topic: July 28, 2020 Township Committee Meeting**

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/81910818732?pwd=eWdydG5PQ291VEhaSHZoL0hhQXp2Zz09>

**Webinar ID: 819 1081 8732**

**Passcode: 408592**

**Or iPhone one-tap:**

**US: +13017158592,,81910818732# or +13126266799,,81910818732#**

**Or Telephone:**

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

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

**Webinar ID: 819 1081 8732**

**International numbers available: <https://us02web.zoom.us/j/81910818732?pwd=eWdydG5PQ291VEhaSHZoL0hhQXp2Zz09>**