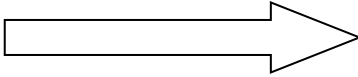


Final 9/22/2020



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
September 22, 2020
7:30 PM REGULAR MEETING**



**IN-PERSON & REMOTE VIA ZOOM
ACCESS INFORMATION TO ZOOM - PAGE 14**

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 Star Ledger and Daily Record on September 16, 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

RECOGNIZING NEW MEMBER

Blaise Pasquier has applied to be an Explorer at the Brookside Engine Company #1.

ANNOUNCEMENTS

- Mendham Township Construction Project Town Hall with Cornerstone Architectural Group, LLC will be held on Thursday, October 1, 2020 at 7:00pm. The presentation will take place at Mendham Township Middle School, 16 Washington Valley Road, Brookside – Gymnasium

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

- Regular Meeting Minutes of June 8, 2020

REGULAR AGENDA - RESOLUTIONS

- 2020-178** Resolution of the Township Committee of the Township of Mendham Awarding Winner Ford Through the State Contract# 88728 for 2021 Ford Utility Interceptor Base Vehicle Not to Exceed \$32,000
- 2020-179** Resolution of the Township Committee of the Township of Mendham for Renewal of Club Liquor License Mendham Golf and Tennis Club

- 2020-180** Resolution of the Township Committee of the Township of Mendham for the Renewal of Plenary Retail Consumption Liquor License Sammy's Ye Old Cider Mill
- 2020-181** Resolution of the Township Committee of the Township of Mendham Authorizing the Extension of a Non-Fair and Open Contract for Professional Architect Services with Cornerstone Architectural Group for Additional Services
- 2020-182** Resolution of the Township Committee of the Township of Mendham Urging the Secretary of State and the County Clerks to Utilize In-Person Machine Voting, In Conjunction with Mail-in Balloting, in the General Election of November 2020 and in all future elections
- 2020-183** Resolution of the Township Committee of the Township of Mendham Appointing Antoinette Gallicchio as Crossing Guard for the 2020-2021 School Year
- 2020-184** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2020-185** Resolution of the Township Committee of the Township of Mendham Authorizing Discussion Without the Presence of the Public - Matters Falling within Attorney-Client Privilege

ORDINANCE FOR INTRODUCTION / FIRST READING

- 11-2020** An Ordinance of the Township of Mendham Authorizing the Acceptance of a Deed of Dedication for the Acquisition of Real Property Designated as a Portion of Lot 137 In Block 127, on the Official Tax Map of the Township of Mendham More Commonly Known as a Portion of Hamilton Drive - **Public Hearing / Second Reading scheduled for October 13, 2020**

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

- Memo from Police Department to Morris County for hunting program at old Bartenstein property
- Community Garden
- **Administration**
 - Stormwater Management Regulations
- **Recreation Report**
- **Department of Public Works**
 - Brush Pick-up
 - Carry-in / Carry-out Garbage
- **Liaison Reports**

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

- Zoning Board

ADJOURN

RESOLUTION 2020-178

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AWARDING WINNER FORD THROUGH THE STATE CONTRACT# 88728 FOR 2021 FORD UTILITY INTERCEPTOR
BASE VEHICLE NOT TO EXCEED \$32,000**

WHEREAS, the Township Committee of the Township of Mendham authorized the purchase of a new police vehicle on May 26, 2020 via Ordinance 04-2020; and

WHEREAS, the Township of Mendham Police Department desires to purchase a 2021 Ford Utility Interceptor Base Vehicle through State Contract #88728, which exceeds the Pay to Play threshold:

VENDOR: Winner Ford
Cherry Hill, New Jersey

COST: Not to Exceed \$32,000; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account C-04-55-020-002.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee 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.

Adopted: September 22, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-179
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM FOR RENEWAL OF
CLUB LIQUOR LICENSE MENDHAM GOLF AND TENNIS CLUB

WHEREAS, application for the renewal of a Club License (1419-31-002-003) has been made by Mendham Golf and Tennis Club, for premises located at Golf Lane, Township of Mendham, the period of such renewal to commence on July 1, 2020; and

WHEREAS, the applicants have complied with all of the requirements of the New Jersey Alcoholic Beverage Act, as amended and supplemented, and Section 7-3, Alcoholic Beverage Control, of Chapter VII, Licensing, of the Revised General Ordinances of the Township of Mendham, 1970, as amended and supplemented, including the submission of the appropriate license fee to the Township Clerk; and

WHEREAS, no objections to the renewal of said license have been received.

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

1. The Township Clerk is hereby authorized and directed to issue and deliver the Club License in the form approved by the New Jersey Division of Alcoholic Beverage control for the year commencing July 1, 2020 and terminating June 30, 2021 to Mendham Golf and Tennis Club for premises situated on Golf Lane, Township of Mendham (License No. 1419-31-002-003).
2. A certified copy of this Resolution shall be forwarded by the Township Clerk to Mendham Golf and Tennis Club and to the State of New Jersey Division of Alcoholic Beverage Control.

Adopted: September 22, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-180

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM FOR THE RENEWAL OF
PLENARY RETAIL CONSUMPTION LIQUOR LICENSE SAMMY'S YE OLD CIDER MILL**

WHEREAS, application for the renewal of a Plenary Retail Consumption License (1419-33-001-002) has been made by Sammy's Ye Old Cider Mill, LLC, trading as Sammy's Ye Old Cider Mill, for premises located at 353 Mendham Road West, Township of Mendham, the period of such renewal to commence on July 1, 2020; and

WHEREAS, the applicants have complied with all of the requirements of the New Jersey Alcoholic Beverage Act, as amended and supplemented, and Section 7-3, Alcoholic Beverage Control, of Chapter VII, Licensing, of the Revised General Ordinances of the Township of Mendham, 1970, as amended and supplemented, including the submission of the appropriate license fee; and

WHEREAS, no objections to the renewal of said license have been received.

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

1. The Township Clerk is hereby authorized and directed to issue and deliver Retail Plenary Consumption License in the form approved by the New Jersey Division of Alcoholic Beverage Control for the year commencing July 1, 2020 and terminating June 30, 2021 to Sammy's Ye Old Cider Mill, LLC, trading as Sammy's Ye Old Cider Mill for premises situated on 353 Mendham Road West, Township of Mendham (License No. 1419-33-001-002).
2. A certified copy of this Resolution shall be forwarded by the Township Clerk to Sammy's Ye Old Cider Mill, LLC, trading as Sammy's Ye Old Cider Mill and State of New Jersey Alcoholic Beverage Control for their information and guidance.

Adopted: September 22, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-181
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
EXTENSION OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ARCHITECT SERVICES WITH
CORNERSTONE ARCHITECTURAL GROUP FOR ADDITIONAL 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 via resolution 2020-153 extended this contract by an additional \$10,000 for the preparation of plans for submitting a New Jersey Library Construction Bond Act Application for the renovation and/or construction of the Mendham Township Library; and

WHEREAS, the Township of Mendham via resolution 2020-168 extended this contract by an additional \$11,050 for plans that were outside the scope of the original project but necessary if the Township was to receive the total information necessary for a full analysis of the alternates available to the Township; and

WHEREAS, the Township Committee has requested Cornerstone to provide floor plans and a schematic design for a new police facility on West Main Street not to exceed \$5,500; and

WHEREAS, the Township Committee of the Township of Mendham wishes to extend Cornerstone's current non fair and open contract to include the creating a floor plan and schematic design for a new police facility; 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 \$5,500 to be encumbered from account 0-01-20-100-028 for preparation of alternate solutions.

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 \$48,550 total as described herein.

Adopted: September 22, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

RESOLUTION 2020-182

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM URGING THE SECRETARY OF STATE AND THE COUNTY CLERKS TO UTILIZE IN-PERSON MACHINE VOTING, IN CONJUNCTION WITH MAIL-IN BALLOTING, IN THE GENERAL ELECTION OF NOVEMBER 2020 AND IN ALL FUTURE ELECTIONS

WHEREAS, the State of New Jersey will be holding a General Election in November 2020; and

WHEREAS, mail-in ballots were used predominately in the Primary Election in July 2020; and

WHEREAS, according to the office of the New Jersey Secretary of State, in Morris County the ratio of ballots cast vs. ballots rejected in the predominantly mail-in ballot Primary election in 2020 was 230% higher than the same ratio of ballots cast vs. rejected in the predominantly in-person primary election in 2019; and

WHEREAS, this rate of ballot rejection is unconscionable, and represents tremendous voter disenfranchisement; and

WHEREAS, the practice of predominantly using mail-in ballots for all registered voters caused concerns for voter fraud, postal delivery delays, significant increase in election costs, and reliance on a flawed Statewide voter/DMV computer registration data base and resulted in significant delays in the counting of ballots; and

WHEREAS, well before the COVID-19 pandemic, New Jersey law permitted voting by mail for any reason, or no reason at all, allowing any voter, even remotely concerned about in-person voting the option to request a mail-in ballot thus enhancing voter choice; and

WHEREAS, numerous voters have expressed a desire to wait until Election Day to cast their ballot electronically, in-person, for the candidate of their choice to fully assess the latest information available; and

WHEREAS, the Mendham Township Committee is gravely concerned that the predominant use of mail-in ballots during the 2020 Primary Election was difficult at best and represents but a small fraction of the ballots to be cast when compared to the upcoming General Election; and

WHEREAS, the Mendham Township Committee feels strongly that voter "choice" should refer to "how" to vote, not just "who" to vote for in a given election cycle.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, opposes the mandatory use of mail-in balloting in the General Election in November 2020 and in all future elections; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Mendham urges the Secretary of State and the County Clerks to utilize in-person machine voting, in conjunction with mail-in balloting, in the General Election of November 2020 and in all future elections; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Mendham urges the Secretary of State and the County Clerks to utilize in-person machine voting, considering multiple days and/or outdoor spaces for added safety, in conjunction with mail-in balloting, in the General Election of November 2020 and in all future elections; and

BE IT FURTHER RESOLVED that the Township Clerk is directed to forward a certified true copy of this resolution to the Governor of the State of New Jersey, the New Jersey Secretary of State, the President of the New Jersey State Senate, the Speaker of the General Assembly, the Morris County Board of Chosen Freeholders, The Morris County Clerk, and the Morris County Legislative Delegation.

Adopted: September 22, 2020

RESOLUTION 2020-183
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
APPOINTING ANTOINETTE GALLICCHIO AS CROSSING GUARD

WHEREAS, the position of afternoon crossing guard was appointed via resolution 2020-051A to Antoinette Gallicchio on February 25, 2020 for the remainder of the 2020 school year; and

WHEREAS, it is the recommendation of the Police Chief to extend the appointment of Antoinette Gallicchio to future school years.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mendham, County of Morris that Antoinette Gallicchio be appointed the position of Crossing Guard and be provided a stipend from September 1st through June 15th in the amount of \$162.50 per pay period.

Adopted: September 22, 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 September 22, 2020.

Maria F. Coppinger, Township Clerk

RESOLUTION 2020-184
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: September 22, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

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

RESOLUTION 2020-185
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 (7) – Matters Falling within Attorney-Client Privilege

Pending or anticipated litigation or contract negotiation other than in subsection b. (4) herein in which the public body is, or may become, a party, or 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; and

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: September 22, 2020

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

ORDINANCE NO. 11-2020

AN ORDINANCE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION FOR THE ACQUISITION OF REAL PROPERTY DESIGNATED AS A PORTION OF LOT 137 IN BLOCK 127, ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MENDHAM MORE COMMONLY KNOWN AS A PORTION OF HAMILTON DRIVE.

Statement of Purpose: The purpose of this ordinance is to bring the property lines of the subject property and contiguous roadways into compliance with the Mendham Township Master Plan and to facilitate municipal access.

WHEREAS, N.J.S.A. 40A:12-3 authorizes a municipality to acquire real property; and

WHEREAS, N.J.S.A. 40A:12-5 requires that the acquisition of real property by municipalities be accomplished by ordinance; and

WHEREAS, Patrick Daley (Grantor) is the owner of real property located in the Township of MENDHAM (Township) at the end of Hamilton Drive which is under the jurisdiction of the Township, an

WHEREAS, Grantor has tendered a deed of dedication to the Township, which is attached hereto and made a part hereof by reference, for the purposes of conveying to the Township a fee simple interest in a portion of Lot 137 in Block 127 which is the designation of such real property on the Official Tax Map of the Township of Mendham: and

WHEREAS, it has been determined by the Township Engineer that it is advantageous for the Township to accept the deed of dedication in order to facilitate snow plow and emergency vehicle operations, and

WHEREAS, it has been determined by the Township Committee that accepting this deed of dedication and thereby acquiring fee simple interest in the subject real property would be in the best interest of the Township;

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

SECTION 1. The Township is hereby authorized to acquire the real property hereinbefore described as a portion of Lot 137 in Block 127 of the Official Tax Map of the Township of Mendham, which property is more specifically described in the attached deed of dedication. After all requirements respecting the enactment of this ordinance have been fulfilled the deed of dedication shall be recorded in the Office of the Morris County Clerk.

SECTION 2. Having passed a first reading, this Ordinance shall be published in the manner required by N.J.S.A. 40:49-6, at least once not less than ten (10) days prior to the time fixed for further consideration for final passage.

SECTION 3. Pursuant to N.J.S.A. 40:49-6, at least one week prior to the time fixed for final passage, a copy of the Ordinance, together with notice of the introduction, including time and place fixed for final passage, shall be mailed to every person whose land may be affected by the Ordinance.

SECTION 4. The Township Clerk shall, within sixty (60) days after the Ordinance becomes effective, file a certified copy thereof, under the seal of the Township of Mendham, together with a copy of the proof of publication thereof, in the Office of the Clerk of Morris County, pursuant to N.J.S.A. 40:67-21.

SECTION 5. The Mayor and Township Clerk are hereby authorized to execute any and all instruments and to do all things necessary to effectuate the purposes hereof.

SECTION 6. All Ordinances, resolutions, and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed as to the extent of such inconsistency.

SECTION 7. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 8. This Ordinance shall take effect upon final passage and approval in accordance with law.

The 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 remote via Zoom.

The Township Committee will continue to host the meetings remotely via the Zoom platform. Kindly note the access information below:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81291644909?pwd=TXBkUENhakw2M2xURUFuVVdRUINUdz09>

Passcode: 021071

Or iPhone one-tap:

US: +13126266799,,81291644909#,,,,,0#,,021071# or +16465588656,,81291644909#,,,,,0#,,021071#

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: 812 9164 4909

Passcode: 021071

International numbers available: <https://us02web.zoom.us/j/81291644909?pwd=TXBkUENhakw2M2xURUFuVVdRUINUdz09>