



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: Monday, October 25, 2021

TIME: 7:30 PM

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.

PRESENTATION

WHIPPANY RIVER WATERSHED ACTION COMMITTEE (WRWAC)

Mr. Siva Jonnada, WRWAC Chair and Alison Deed, WRWAC Facilitator

PROCLAMATION

World Polio Day – Sunday, October 24, 2021

Breast Cancer Awareness Month – October 2021

COVID – 19 UPDATE

ANNOUNCEMENTS

OPEN TO THE PUBLIC

Please state your name and address for the record. Speakers are asked to limit their comments to 5 minutes.

*Zoom Attendees: If you wish to make a comment, please click 'Raise hand' in the webinar controls. If you join the webinar by phone, **dial *9** to raise your hand.*

APPROVAL OF MEETING MINUTES

- April 12, 2021 – Regular Meeting, Special Meeting and Executive Session
- April 19, 2021 – Special Meeting and Executive Session
- April 26, 2021 – Special Meeting and Executive Session
- April 26, 2021 – Regular Meeting and Executive Session

RESOLUTIONS - REGULAR AGENDA

- 2021-214** Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of Taxes Due to New Jersey State Tax Court Judgement
- 2021-215** Resolution of the Township Committee of the Township of Mendham to Affirm the Township of Mendham Civil Rights Policy with Respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public that Come into Contact with Municipal Employees, Officials and Volunteers
- 2021-216** Resolution of the Township Committee of the Township of Mendham Authorization for the Township of Mendham to Apply for, Accept and Participate in the State Grant Program Administered by the State of New Jersey, Department of Law & Public Safety
- 2021-217** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2021-218** 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

FOR INFORMATIONAL PURPOSES ONLY

- 15-2021** An Ordinance of the Township Committee of the Township of Mendham for a Change in Zoning for Block 147, Lots 42.01 - 42.16 from R-10 to R-5
Scheduled for Second Reading / Public Hearing on November 8, 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

- Best Practices Inventory
- Adopt a Hydrant
- (Local) Agricultural Advisory Committee/Board
- Welcome Signs

LIAISON REPORTS

COMMITTEE MEMBER BAIO

- *Construction*
- *Fire Department*
- *Historic Preservation*
- *Planning Board*
- *Zoning Board*
- *Police Station Design*
- *Pitney Park*

COMMITTEE MEMBER DUARTE

- *Environmental Commission*
- *First Aid Squad*
- *Mendham Sewer East & West*
- *Mendham TV*
- *Shared Court*
- *Stigma-Free Initiative*
- *Ad Hoc Marketing Committee*

COMMITTEE MEMBER MONAGHAN

- *Public Works, Department*
- *Health, Board*
- *Library*
- *Police*
- *Surrounding Town Outreach*
- *Wildlife Management*
- *Pitney Park*

COMMITTEE MEMBER ORLINS

- *Finance Committee*
- *Mendham Township School District*
- *Recreation Committee*
- *Surrounding Town Outreach*
- *Tax Assessor*

MAYOR NEIBART

- *Finance Committee*
- *Mendham Sewer East & West*
- *Police*
- *Recreation Committee*
- *Regional School District*
- *Tree Committee*
- *Police Station Design*
- *Emergency Management*

RESOLUTION 2021-214
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING
REFUND OF OVERPAYMENT OF TAXES DUE TO NEW JERSEY 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 New Jersey State Tax Court Judgment; 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, County of Morris, State of New Jersey being the Governing Body thereof that payment is refunded as follows:

BLOCK & LOT & QUALIFIER	REFUND TO:	AMOUNT:
Block 106 Lot 7 16 Springcroft Road	Jennifer R. Jacobus, Trustee for Lieblich, Frederick & Cheryl 201 Littleton Road, Suite 100 Morris Plains, NJ 07950	\$4,398.00

Adopted: October 25, 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 October 25, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-215

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM TO AFFIRM THE TOWNSHIP OF MENDHAM CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of Mendham to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of Mendham has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE BE IT ADOPTED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that:

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Administrator. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

Adopted: October 25, 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 October 25, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-216

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZATION FOR THE TOWNSHIP OF MENDHAM TO APPLY FOR, ACCEPT AND PARTICIPATE IN THE STATE GRANT PROGRAM ADMINISTERED BY THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY

WHEREAS, the Township of Mendham, Police Department has been awarded SFY21 Body-Worn Camera Grant Program from the New Jersey Department of Law and Public Safety Office of the Attorney General, State Account Number, BFY21-100-066-1020-495, with the award period of January 1, 2021, thru December 31, 2025; and

WHEREAS, the Grant consists of a total of \$30,570.00 where no matching funds are required; and

WHEREAS, the Grant award incorporates all conditions and representations contained or made in the application and notice of award; and

WHEREAS, the Mendham Township Police Department has submitted an application for the Grant Award that has been required by the State of New Jersey Department of Law & Public Safety for the award period of January 1, 2021, through December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED, The Township Committee of the Township of Mendham, County of Morris, State of New Jersey accepts and authorizes the Mendham Township Police Department to accept the award of SFY21 Body-Worn Camera Grant Program in the amount of \$30,570.00 for the purposes described in the application.

BE IT FURTHER RESOLVED copies of this resolution shall be forwarded to the New Jersey, Department of Law & Public Safety, Mendham Chief of Police, Township Administrator and Township Chief Financial Officer.

Adopted: October 25, 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 October 25, 2021.

Maria F. Coppinger, Township Clerk

RESOLUTION 2021-217
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: October 25, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

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Maria F. Coppinger, Township Clerk

RESOLUTION 2021-218
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.

- **Janitorial Services Contract**



(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.

- **Finance Department**
- **Technical Assistant (Construction Office), Planning Board & Board of Adjustment Secretary**



(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, State of New Jersey, assembled in public session on **October 25, 2021 at 7:30 P.M.** in the Township Municipal Building, 2 West Main Street, Brookside, New Jersey, that the Township Committee shall meet in Executive Session, from which the public shall be excluded, for the discussion of matters relating to the specific items designated above.

BE IT FURTHER RESOLVED that it is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Adopted: October 25, 2021

Attest:

TOWNSHIP OF MENDHAM,
IN THE COUNTY OF MORRIS

Maria F. Coppinger, Township Clerk

Sarah Neibart, Mayor

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Maria F. Coppinger, Township Clerk

ACCESS INFORMATION
TOWNSHIP COMMITTEE MEETING

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

<https://us02web.zoom.us/j/89476388075?pwd=dTJwYXlONU1YUUVNzA0SW5DVIYyZz09>

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=dTJwYXlONU1YUUVNzA0SW5DVIYyZz09>