

TOWNSHIP COMMITTEE TOWNSHIP OF MENDHAM REGULAR MEETING

DATE: Tuesday, November 24, 2020

TIME: 6:00 PM Executive Session

7:30 PM Regular Session

LOCATION: IN-PERSON LOCATION

Town Hall

2 West Main Street

Brookside

REMOTE VIA ZOOM – Link on the last page

Webinar ID: 838 8095 2143

Passcode: 021071

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 3, 2020. The notice of change in meeting start time was given to Star Ledger and Daily Record on November 20, 2020. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

REGULAR AGENDA – RESOLUTIONS

2020-222 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

ADJOURN TO EXECUTIVE SESSION

REGULAR SESSION STARTS AT 7:30PM

DISCUSSION

Ad Hoc Marketing Committee

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.

MINUTES

Regular Meeting Minutes of August 10, 2020

REGULAR AENDA

- 2020-223 Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of Taxes
- 2020-224 Resolution of the Township Committee of the Township of Mendham Authorizing Township Administrator to Execute NJDEP/Treatment Works Approval Application for the Community of Saint John The Baptist Church Block 104 Lot 22
- 2020-225 Resolution of the Township Committee of the Township of Mendham Authorize the Renewal of a Temporary Certificate of Occupancy for Outdoor Dining in Tents
- 2020-226 Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Non-Fair and Open Contract for Tubgrinding Services to J.H. Reid Recycling
- 2020-227 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
- 2020-228 Resolution of the Township Committee of the Township of Mendham Cancellation of Outstanding Checks
- 2020-229 Resolution of the Township Committee of the Township of Mendham to Approve a Shared Service Agreement with the Morris County Utilities Authority for Recycling Collection and Disposal Services
- 2020-230 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2020-231 Resolution of the Township Committee of the Township of Mendham Appointing Members to the Construction Project Exterior Design Advisory Committee PENDING
- 2020-232 Resolution of the Township Committee of the Township of Mendham Authorizing the Contract for Architectural Service for Town Hall Renovation *PENDING*

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, <u>dial *9</u> to raise your hand.

DISCUSSION

- Administration
 - Police Promotional Process
- o Township Committee
 - Land Use Organization: Combining Planning and Zoning Boards
 - Committee Ordinances
 - o 2021 Appointment Process Seeking and Evaluating Volunteer
 - Construction Project Proposed Schedule

ADJOURN

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 <u>Open Public Meetings Act</u>, N.J.S.A. 10:4-6, <u>et seq.</u>; 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.

	anticipated litigation or contract negotiation in w	and the Attorney-Client Privilege: Any pending or nich the public body is, or may become a party. Any to the extent that confidentiality is required in order wyer.
	appointment, termination of employment, termination or disciplining of any specification or disciplining of any specification or employee employed or appointed	tionship: Any matter involving the employment, and conditions of employment, evaluation of the ecific prospective public officer or employee or current by the public body, unless all the individual employees exted request in writing that such matter or matters be
	Chief Financial Officer	
	after a public hearing that may result in the impo	e Penalty: Any deliberations of a public body occurring osition of a specific civil penalty upon the responding or permit belonging to the responding party bears
the Cou at 6:00 Townsh	unty of Morris and State of New Jersey, asse PM in the Township Municipal Building, 2 W	ip Committee of the Township of Mendham, in mbled in public session on November 24, 2020 est Main Street, Brookside, New Jersey, that the in, from which the public shall be excluded, for its designated above.
may be	•	t the deliberations conducted in closed session ion of the Township Committee that the public lity.
Adopte	d: November 24, 2020	
Attest:		TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS
———— Maria F	Coppinger, Township Clerk	Sarah Neibart, Mayor

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING REFUND OF OVERPAYMENT OF 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 or by the property owner; 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 104.05 Lot 42 1 McVickers Ln	Kim, Dennis Y & Vande Weghe, J G 1 McVickers Lane Mendham, NJ 07945	\$20,359.99
Block 107 Lot 48.01 1 Pine Hollow Ln	Corelogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9760	\$6,548.62
Block 125 Lot 27 9 Standish Dr	Corelogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9760	\$5,273.81
Block 127 Lot 1 1 Woodland Road	Corelogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9760	\$1,875.13
Block 138 Lot 1 14 Cherry Ln	Corelogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9760	\$3,038.21
Block 147 Lot 13 32 Corey Ln	Corelogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9760	\$5,492.40

Adopted: November 24, 2020	
Attest:	TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS
Maria F. Coppinger, Township Clerk	Sarah Neibart, Mayor

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING TOWNSHIP ADMINISTRATOR TO EXECUTE NJPDES/TREATMENT WORKS APPROVAL APPLICATION FOR THE COMMUNITY OF SAINT JOHN THE BAPTIST CHURCH - BLOCK 104 LOT 22

WHEREAS, the Township of Mendham has been requested to endorse (without assuming responsibility therefore) a Treatment Works Approval (TWA) application submitted by the COMMUNITY OF SAINT JOHN THE BAPTIST CHURCH at 82 West Main Street, , Block 104 Lot 22; and

WHEREAS, NJ Department of Protection regulations require that the governing body of the municipality in which the applicant's property is located must consent to the submission certifying that the proposed project is in conformity with the municipality's ordinances; and

WHEREAS, the proposed septic rehabilitation program outlined in a letter dated October 20, 2020 by Applicant's Engineer, Ferriero Engineering, is not changing the use of the property and consequently is not contrary to the existing ordinances of the Township.

NOW, THEREFORE, BE IT HEREBY RESOLVED by Township Committee of the Township of Mendham as follows: the Township Administrator is hereby authorized to sign the Governing Body consent line in section A-1 on page 1 of the WQM-003 form attached to the TWA application.

It is further noted that by so approving the execution of the WQM-003 form, the Township of Mendham assumes no liability for, nor does it enter into any undertaking or other agreement to maintain, operate, own, repair or support the associated sewerage treatment plant and that the sole purpose of such consent is to allow the project to move forward.

Attest	TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS
Maria F. Coppinger, Township Clerk	Sarah Neibart, Mayor

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM TO AUTHORIZE THE RENEWAL OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR OUTDOOR DINING IN TENTS

WHEREAS; March 21, 2020, Governor Murphy signed Executive Order No. 107 which limited restaurants to offer only food delivery and/or take-out services in accordance with their existing liquor licenses to mitigate the spread of COVID-19; and

WHEREAS, on June 3, 2020, Governor Murphy signed Executive Order No. 150 which permits restaurants to offer in-person service at outdoor areas starting at 6:00am on June 15, 2020, provided that the establishment complies with certain safety, health, and social distancing requirements issued by the New Jersey Department of Health; and

WHEREAS, on May 26, 2020 the Township Committee authorized the issuance of a temporary certificate of occupancy for outdoor dining in tents to any Township restaurant or food establishment that was lawfully operating prior to the March 2020 closure of all indoor eating establishment; and

WHEREAS, commercial activities in the Township of Mendham are regulated through the Land Use/Site Plan Process to address public health and safety issues; and

WHEREAS, to formally seek Land Use and Construction Code compliance for outdoor dining requires an extensive, regulated process thereby negating the goal of the Governor to restart the State economy and the Township Committee's support of the phased reopening effort.

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM that:

- On an emergency basis due to the time constraints impacting the restarting of the State's
 economy, the Township Committee hereby waives existing zoning restrictions that would
 prevent the serving of food outside of the normal restaurant structure using tents or other
 temporary structures provided that temporary structure is on property owned by the
 applicant.
- 2. On an emergency basis due to the time constraints impacting the restarting of the State's economy, the Township Committee hereby waives existing detailed site plan review procedures and substitutes the abbreviated procedures outlined in this Resolution provided that temporary structure is on property owned by the applicant.
- 3. The Zoning Official is hereby authorized to issue a temporary zoning use permit for any Township restaurant or food establishment that was lawfully operating prior to the March 2020 closure of all indoor eating establishments. Said temporary use permit shall remain in

effect as long as the emergency health proclamation remains in effect unless suspended by

the Township Committee.

4. The Construction Official is hereby authorized to issue a Temporary Certificate of Occupancy

for any Township restaurant or food establishment that was lawfully operating prior to the

March 2020 closure of all indoor eating establishments upon approval by the relevant

construction code officials, the Fire Prevention Official, the Police Chief, and the Local Board

of Health Officials. Said temporary use permit shall remain in effect as long as the

emergency health proclamation remains in effect unless suspended by the Township

Committee.

5. In order to assist the local businesses in this process, the Township Committee hereby

authorizes the waiver of all fees relating to the required inspections and licensing necessary

to reopen a local business for outside dining.

6. If the local business establishment had an approved liquor license prior to the March 2020

closing, the Township Committee agrees to allow the extension of the use of that license to

an outside eating area owned by or under the legal control of the license holder subject to

the temporary approvals issued by the State Alcoholic Beverage Control Board and required

local approvals of the Township Clerk and Police Chief without further review by the

Township Committee.

Adopted: November 24, 2020

7. The above approvals do not apply to structures located upon public property.

Attest:	TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS
Maria F. Coppinger, Township Clerk	 Sarah Neibart, Mayor

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR TUBGRINDING SERVICES TO J.H. REID RECYCLING

WHEREAS, the Township of Mendham has a need to acquire tubgrinding services 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, the Chief Financial Officer has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, J. H. Reid Recycling of South Plainfield, NJ, has submitted a proposal indicating they will provide tubgrinding services not to exceed \$27,200; and

WHEREAS, J.H. Reid Recycling has completed and submitted a Business Entity Disclosure Certification which certifies that J.H. Reid Recycling 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 J.H. Reid Recycling from making any reportable contributions through the term of the contract, and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mendham authorizes the Township Clerk and Mayor to enter into a contract with J.H. Reid Recycling 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.

Attest:	TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS
Maria F. Coppinger, Township Clerk	 Sarah Neibart, Mayor

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 of Mendham via resolution 2020-181 extended this contract by an additional \$5,500 for floor plans and a schematic design for a new police facility on West Main Street; and

WHEREAS, the Township Committee of the Township of Mendham wishes to extend Cornerstone's current non fair and open contract to further study and refine the exterior image, interior floor plan layout and site placement for a new Police Department Headquarters; 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 \$7,500 to be encumbered from account 0-01-20-100-028 for \$500 and account C-04-67-990-005 for \$7,000.

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 \$56,050 total as described herein.

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Attest:	TOWNSHIP OF MENDHAM,	
	IN THE COUNTY OF MORRIS	
Maria F. Coppinger, Township Clerk	Sarah Neibart Mayor	

RESOLUTION 2020-228 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM CANCELLATION OF OUTSTANDING CHECKS

WHEREAS, there exists outstanding checks which has been outstanding for over six months; and

WHEREAS, it is necessary to formally cancel the outstanding checks and the expenditures be deposited into the accounts of origination; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, New Jersey, that the following outstanding checks be cancelled:

FUND	CHECK NO	CHECK DATE	PAYEE	AMOUNT
Current	6750	8/12/19	Mendham Garden Center	\$15.50
Recreation	7668	3/9/20	Basking Ridge Country Club	\$500.00

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Township Auditor and Chief Financial Officer for their records.

Maria F. Coppinger, Township Clerk	Sarah Neibart, Mayor
	IN THE COUNTY OF MORRIS
Attest:	TOWNSHIP OF MENDHAM,
Adopted: November 24, 2020	

RESOLUTION OF THE TOWNSHIP OF MENDHAM TO APPROVE A SHARED SERVICE AGREEMENT WITH THE MORRIS COUNTY UTILITIES AUTHORITY FOR RECYCLING COLLECTION AND DISPOSAL SERVICES

WHEREAS, the Township of Mendham requires RECYCLING COLLECTION AND DISPOSAL SERVICES to meet its statutory recycling activities; and

WHEREAS, studies have determined that a cost effective and efficient method of providing these services is through a Shared Services Agreement with another governmental agency wherein the economies of scale result in a reduced municipal cost; and

WHEREAS, the Township of Mendham bid out recycling collection and disposal services and received a proposal from the Morris County Utilities Authority for recycling collection and disposal services through a shared service agreement that was more cost effective than the bids received from two vendors; and

WHEREAS, it is necessary to set forth the terms and conditions and procedures for the for recycling collection and disposal services between the Morris County MUA and the Township of Mendham which are a party to this Agreement; and

WHEREAS, the Interlocal Services Act (N. J. S. A. 40:65-1 et seq.) provides the mechanism for local governments to enter into contracts for the joint provision of required services.

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS, NJ AS FOLLOWS:

- The RECYCLING COLLECTION AND DISPOSAL SERVICES Shared Service Agreement between
 the Township of Mendham and the Morris County Utilities Authority attached to and made
 a part of this Resolution is hereby approved, the Mayor is Authorized to execute the same
 on behalf of the Township, and the Township Administrator is authorized to take the
 necessary actions to implement the Agreement.
- 2. A certified copy of this resolution and the Recycling Collection and Disposal Contract is to be provided to the Morris County Utilities Authority for their approval and implementation.

Maria F. Coppinger, Township Clerk	Sarah Neibart, Mayor	•
	IN THE COUNTY OF MORRIS	
Attest:	TOWNSHIP OF MENDHAM,	
Adopted: November 24, 2020		

RESOLUTION 2020-230 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: November 24, 2020		
Attest:	TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS	
Maria F. Coppinger, Township Clerk	Sarah Neibart, Mayor	

Bills list will be posted to the township website under the agenda & minutes tab on <u>Monday</u>, <u>November 23rd</u>. Locate the meeting date and click on "other docs."

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPOINTING MEMBERS TO THE CONSTRUCTION PROJECT EXTERIOR DESIGN ADVISORY COMMITTEE

PENDING

RESOLUTION 2020-232 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE ARCHITECTURAL PLANS FOR TOWN HALL

PENDING

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/83880952143?pwd=V1JvSEhwSklLR0FGTEdKelBzUkw0Zz09

Passcode: 021071

Or iPhone one-tap:

US: +13017158592,,83880952143#,,,,,0#,,021071# or +13126266799,,83880952143#,,,,,0#,,021071#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):
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Webinar ID: 838 8095 2143

Passcode: 021071

International numbers available: https://us02web.zoom.us/u/kdEhwhGm91