

**TOWNSHIP OF MENDHAM  
TOWNSHIP COMMITTEE  
REGULAR MEETING**

**DATE:** Monday, September 12, 2022

**TIME:** 7:30 PM

**LOCATION:** **MUNICIPAL BUILDING**  
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](http://www.zoom.us)

Click on "Join a Meeting"

**Webinar ID: 836 9333 4318 Passcode: 773693**

Follow prompts

**ROLL CALL**

Mr. Baio

Ms. Duarte

Ms. Neibart

Mr. Orlins

Mayor Monaghan

**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 10, 2022. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**PROCLAMATION**

**HISPANIC HERITAGE MONTH PROCLAMATION**

**ANNOUNCEMENTS**

**OPEN TO THE PUBLIC - PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.**

*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.*

*If reading from a prepared statement, please provide a copy or email a copy to the Township Clerk at [mtclerk@mendhamtownship.org](mailto:mtclerk@mendhamtownship.org).*

**APPROVAL OF MEETING MINUTES**

- Special Meeting Minutes of June 29, 2022
- Regular Meeting Minutes of July 25, 2022
- Special Meeting Minutes and Executive Session of July 25, 2022 (Mr. Baio absent)

## **REGULAR AGENDA – RESOLUTIONS**

- 2022-138** Resolution of the Township of Committee of the Township of Mendham Authorizing the Award of a Contract to Deandrea Land and Stone of Brookside, New Jersey for Snow Plow Services
- 2022-139** Resolution of the Township Committee of the Township of Mendham Authorizing the Purchase of Mulch for Various Parks and Playgrounds to Downes Forest Products, LLC of Hawthorne, New Jersey through the ESCNJ Co-Op - Contract Number 20/21-02 in an Amount of \$12,750
- 2022-140** Resolution of the Township Committee of the Township of Mendham Authorizing the Purchase of a Generator for the Mendham Police Headquarters from Foley Power System of Piscataway, New Jersey through the ESCNJ CO-OP - Contract Number 21/22-11 in an Amount of \$107,804
- 2022-141** 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
- 2022-142** Resolution of the Township Committee of the Township of Mendham Authorizing the Municipal Clerk to Advertise for Bid and Notice to Bidders for Asbestos Remediation to the Municipal Building
- 2022-143** Resolution of the Township Committee of the Township of Mendham Authorizing the Execution of a Lease Agreement between John Kemp and the Township for Apartment C at 97 Ironia Road, Mendham, New Jersey 07945
- 2022-144** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

## **OPEN TO THE PUBLIC - PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.**

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## **DISCUSSION**

## **LIAISON REPORTS**

## **ADJOURN**

**RESOLUTION 2022-138**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A CONTRACT TO DEANDREA LAND AND STONE OF BROOKSIDE, NEW JERSEY FOR SNOW PLOW SERVICES**

**WHEREAS**, the Township bid and awarded a contract for Snow Plowing services during 2021, which included an option to extend the contract for 2022, and 2023 to DeAndrea Land and Stone of Brookside, New Jersey; and

**WHEREAS**, DeAndrea Land and Stone and the Township have agreed to renew the option for the period of October 1 2022 through April 30, 2023 at a 4% increase per the bid specifications; and

**WHEREAS**, the hourly rate per truck (2 trucks included per the bid) based on the 4% increase will be \$197.60; and

**WHEREAS**, the services provided in this bid will be provided for in the 2022 budget from accounts numbered 02-26-291-155– Snow Plow – Contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Mendham, County of Morris, State of New Jersey, as follows:

1. The Township Committee hereby awards a contract to DeAndrea Land and Stone, of Brookside, New Jersey for Snow Plowing services to be provided at a rate of \$197.60 per hour per truck.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with DeAndrea Land and Stone, in accordance with its bid for said Snow Plowing services.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: September 12, 2022

**RESOLUTION 2022-139**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PURCHASE OF MULCH FOR VARIOUS PARKS AND PLAYGROUNDS FROM DOWNES FOREST PRODUCTS, LLC OF HAWTHORNE, NEW JERSEY THROUGH THE ESCNJ CO-OP - CONTRACT NUMBER 20/21-02 IN AN AMOUNT OF \$12,750**

**WHEREAS**, the Township of Mendham, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.1, may by resolution and without advertising for bids, purchase any goods or services from an approved Cooperative Purchasing program; and

**WHEREAS**, the Township of Mendham is a member of the Educational Services Commission of New Jersey (ESCNJ) Purchasing Cooperative; and

**WHEREAS**, the Township of Mendham is need of mulch for various parks and playgrounds; and

**WHEREAS**, Downes Forest Products, LLC of Hawthorne, New Jersey offers mulch through the ESCNJ contract # 20/21-02 in an amount of \$12,750; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered as follows:

Current Funds – Parks – Maintenance and Repairs - 2-01-28-375-024 \$12,750

**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 Downes Forest Products, LLC of Hawthorne, New Jersey, in an estimated amount of \$12,750 for the purchase of mulch for various parks and playgrounds.

Adopted: September 12, 2022

**RESOLUTION 2022-140**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PURCHASE OF A GENERATOR FOR THE MENDHAM POLICE HEADQUARTERS FROM FOLEY POWER SYSTEM OF PISCATAWAY, NEW JERSEY THROUGH THE ESCNJ CO-OP - CONTRACT NUMBER 21/22-11 IN AN AMOUNT OF \$107,804**

**WHEREAS**, the Township of Mendham, pursuant to N.J.S.A 40A:11-11 and N.J.A.C. 5:34-7.1, may by resolution purchase any goods or services from approved Cooperative Purchasing programs; and

**WHEREAS**, the Township of Mendham is a member of the Educational Services Commission of New Jersey (ESCNJ) Purchasing Cooperative; and

**WHEREAS**, the Township of Mendham is in need of a generator for the new Police Headquarters; and

**WHEREAS**, Foley Power Systems of Piscataway, New Jersey offers a Caterpillar Emergency Generator System through the ESCNJ contract # 21/22-11 in an amount of \$107,804; and

**WHEREAS**, the Township has applied for and anticipates receiving a grant from the New Jersey Office of Emergency Management, FFY22 EMMA in an amount of \$20,000 to be applied to the cost of the generator; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered as follows:

General Capital Fund	C-04-55-028-006	\$75,000
Other Trust - Police Outside Detail – Admin Fees		\$32,804

**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 Foley Power Systems of Piscataway, New Jersey, in an estimated amount of \$107,804 for the purchase of a generator.

Adopted: September 12, 2022

**RESOLUTION 2022-141**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**WHEREAS**, the Township Committee of the Township of Mendham is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Mendham to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
- (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose right could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

TOWNSHIP CLERK  
STUDENT REPRESENTATIVES

(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 **September 12, 2022 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: September 12, 2022

**RESOLUTION 2022-142**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE MUNICIPAL CLERK TO ADVERTISE FOR BID AND NOTICE TO BIDDERS FOR ASBESTOS REMEDIATION TO THE MUNICIPAL BUILDING**

**BE IT RESOLVED**, by the Township Committee of the Township of Mendham, that the Municipal Clerk is authorized to advertise for Asbestos Remediation to the Municipal Building.

**BE IT FURTHER RESOLVED**, that the advertisement for bids shall conform with the requirements of N.J.S.A 40A: 11, et seq. by the insertion of the Notice to Bidders in the Daily Record for publication on September 26, 2022

Adopted: September 12, 2022



**RESOLUTION 2022-143**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN JOHN KEMP AND THE TOWNSHIP FOR APARTMENT C AT 97 IRONIA ROAD, MENDHAM, NEW JERSEY 07945**

**WHEREAS**, the Township owns and rents the apartments located at 97 Ironia Road and has a vacancy in Apartment C on the first floor; and

**WHEREAS**, the Apartments at 97 Ironia Road may only be rented to Township employees or volunteers; and

**WHEREAS**, John Kemp is a volunteer on the Brookside Fire Department and has expressed interest in renting Apartment C; and

**WHEREAS**, John Kemp meets the requirements and is qualified to enter into a lease for Apartment C with the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey to hereby authorize the execution of the lease of Apartment C at 97 Ironia Road, Mendham, New Jersey 07945 between the Township of Mendham and John Kemp, as follows:

1. Rent in the amount of \$3,600 (\$900 per month) is due on the first day of each month for the period of 9/1/2022 through 12/31/22.
2. Rent in the amount of \$11,400 (\$950 per month) is due on the first day of each month for the period of 1/1/2023 through 12/31/23.
3. Rent in the amount of \$12,000 (\$1,000 per month) is due on the first day of each month for the period of 1/1/2024 through 12/31/24.

Adopted: September 12, 2022

Attest:

TOWNSHIP OF MENDHAM,  
IN THE COUNTY OF MORRIS

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

\_\_\_\_\_  
Nick Monaghan, 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 September 12, 2022.

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

**RESOLUTION 2022-144**  
**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, State of 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 12, 2022

