

**TOWNSHIP OF MENDHAM
TOWNSHIP COMMITTEE
REGULAR MEETING**

DATE: Monday, October 24, 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

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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

None

PRESENTATION

- Highlands Council
- Recreation

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.

APPROVAL OF MEETING MINUTES

- Special Meeting Minutes of August 30, 2022
- Regular and Executive Session of September 12, 2022
- Regular and Executive Session of September 29, 2022

REGULAR AGENDA – RESOLUTIONS

- 2022-156** Resolution of the Township Committee of the Township of Mendham Regarding the Reduction in the Performance Surety Bond for K. Hovanian at Hillandale, LLC
- 2022-157** Resolution of the Township Committee of the Township of Mendham Authorizing the Renewal of a Lease Agreement with Harriet Zimmerman for 97 Ironia Road, Apt. A, Mendham
- 2022-158** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Competitive Bidding Contract to SMAC Corp. of Saddle Brook, New Jersey For Asbestos Remediation and Abatement of the Mendham Township Library and Town Hall at 2 West Main Street, Brookside
- 2022-159** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Contract to Maplecrest Ford for a 2022 Ford Utility Interceptor Vehicle through the NJ State Contract - Not to Exceed \$43,571
- 2022-160** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- 2022-161** Resolution of the Township Committee of the Township of Mendham Authorizing the Redemption of Tax Sale Certificate

ORDINANCE FOR INTRODUCTION

- 14-2022** Ordinance Appropriating \$20,000 from the Capital Improvement Fund in Order to Provide for a Study of Improvements to Mosle Fields and by the Township of Mendham, in the County of Morris, New Jersey
Public Hearing scheduled for November 14, 2022

ORDINANCE FO SECOND READING / PUBLIC HEARING

- 13-2022** Ordinance Appropriating \$52,000 from the Capital Improvement Fund in order to Provide for Fire Department Equipment and Tools in and by the Township of Mendham, in the County of Morris, New Jersey
Introduced on October 11, 2022

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.*

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DISCUSSION

Best Practices Inventory
Fund Balance and Capital Reserves
Recording Township Committee meetings
Volunteer Appreciation Reception Location (12/12)

LIAISON REPORTS

ADJOURN

RESOLUTION 2022-156
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM REGARDING THE
REDUCTION IN THE PERFORMANCE SURETY BOND FOR K. HOVANIAT AT HILLANDALE, LLC

WHEREAS, on April 11, 2022, via Resolution 2022-058, the Township of Mendham authorized the acceptance of a replacement Performance Surety Bond for K. Hovanian at Hillandale, LLC, in the amount of \$619,719.56 (Harco National Insurance Company – Bond # 0761393) and a cash bond in the amount of \$68,856.84 (Check No. 147242); and

WHEREAS, the Township Engineer has advised that in accordance with Article VI of the Builder’s Agreement and N.J.S.A. 40:55D-53 that the builder has successfully installed a portion of the required Site Improvements; and

WHEREAS, the Township Engineer has recommended that the above-referenced Performance Surety Bond be reduced from \$573,807 to \$181,290, resulting in a reduction of \$392,517; the calculation is based upon the enclosed engineers estimate for the remaining improvement to St. Johns Road.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris, State of New Jersey, that the Performance Surety Bond submitted by K. Hovanian at Hillandale, LLC be reduced to \$181,290.00 in accordance with the Township Engineer’s recommendation.

BE IT FURTHER RESOLVED, the updated bond can be reduced to the following:

Remaining Construction Costs:	\$181,290.00
120% Performance Guarantee:	\$217,548.00
10% Cash Portion:	\$ 21,754.80
90% Bond Portion:	\$195,793.20

Adopted: October 24, 2022

RESOLUTION 2022-157
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
RENEWAL OF A LEASE AGREEMENT WITH HARRIET ZIMMERMAN FOR
97 IRONIA ROAD, APT. A, MENDHAM 07945

WHEREAS, the Township owns and leases the apartments located at 97 Ironia Road, which are available to Township employees or volunteers; and

WHEREAS, the Township proposes to exercise its option to renew the lease for an additional year, and Harriet Zimmerman has expressed interest in continuing her occupancy of Apartment A.

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of the Township of Mendham authorizes the Township Administrator to renew the lease agreement with Harriet Zimmerman, leasing 97 Ironia Road, Apartment A, Mendham, New Jersey, with the following terms:

1. The lease amount shall be \$12,600 (\$1,050 per month), due on the first day of each month.
2. The lease renewal term shall be one year from January 1, 2023, through December 31, 2023.

Adopted: October 24, 2022

RESOLUTION 2022-158

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO SMAC CORP. OF SADDLE BROOK, NEW JERSEY FOR ASBESTOS REMEDIATION AND ABATEMENT OF THE MENDHAM TOWNSHIP LIBRARY AND TOWN HALL AT 2 WEST MAIN STREET, BROOKSIDE

WHEREAS, plans and specifications for the remediation and abatement of asbestos for the town hall and library at 2 West Main Street, Brookside, New Jersey, were prepared by RK Occupational and Environmental Analysis Inc., on behalf of the Township; and

WHEREAS, bid proposal and specifications were advertised on September 26, 2022 and bids were opened on October 19, 2022; and

WHEREAS, 7 bids were received, RK Occupational and Environmental, on behalf of the Township verified the adequacy of the low three bids and determine that the low Bid of SMAC Corp., of Saddle Brook, New Jersey complied with all bid requirements; and

WHEREAS, the bid of SMAC Corp., has been duly reviewed and analyzed by RK Occupational and Environmental, with relevant references contacted and been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written, as cited in the report attached to and made a part of this resolution; and

WHEREAS, the Chief Financial Officer of the Township has verified that funds for awarding of this contract are available in Bond Ordinance 11-2022.

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 SMAC Corp. of Saddle Brook, New Jersey, for the asbestos remediation and abatement of the town hall and library at 2 West Main Street, Brookside in response to the detailed bid prepared by RK Occupational and Environmental in a total amount not to exceed \$284,750.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with SMAC Corp., in accordance with its bid of October 19, 2022
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: October 24, 2022

RESOLUTION 2022-159

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A CONTRACT TO MAPLECREAST FORD FOR A 2022 FORD UTILITY INTERCEPTOR VEHICLE THROUGH THE NEW JERSEY STATE CONTRACT - NOT TO EXCEED \$43,571

WHEREAS, the Township Committee of the Township of Mendham authorized the purchase of a new police vehicle on June 13, 2022 via Ordinance 09-2022; and

WHEREAS, the Township of Mendham Police Department desires to purchase a 2022 Ford Utility Interceptor Base Vehicle through New Jersey State Contract; and

VENDOR: Maplecrest Ford of Mendham, NJ
COST: Not to Exceed \$43,571.00

WHEREAS, the Chief Financial Officer has certified that funds are available in account C-04-55-027-001.

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: October 24, 2022

RESOLUTION 2022-160
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: October 24, 2022

RESOLUTION 2022-161
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS, Tax Sale Certificate #22-00003 assessed to Block 147 Lot 42.15 QFARM, also known as Hardscrabble Road, and is held by USBANK CUST TOWER DB XII TRUST 2022-1; and

WHEREAS, the above-mentioned Tax Sale Certificate has been redeemed in the amount of \$61,865.25.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, that the Tax Collector is hereby directed to process the redemption of this Tax Sale Certificate.

Adopted: October 24, 2022

**TOWNSHIP OF MENDHAM
MORRIS COUNTY, STATE OF NEW JERSEY**

ORDINANCE 14-2022

**ORDINANCE APPROPRIATING \$20,000 FROM THE CAPITAL
IMPROVEMENT FUND IN ORDER TO PROVIDE FOR A STUDY OF
IMPROVEMENTS TO MOSLE FIELDS AND BY THE TOWNSHIP OF
MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:

Section 1. \$20,000 from the Capital Improvement Fund is hereby appropriated to provide for a study of Mosle Fields to assess the feasibility and costs of lights at Mosle Fields and to review the playing surfaces of the existing fields at Mosle Fields, in the Township of Mendham, in the County of Morris, New Jersey (the "Township").

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

**TOWNSHIP OF MENDHAM
MORRIS COUNTY, STATE OF NEW JERSEY**

ORDINANCE 13-2022

**ORDINANCE APPROPRIATING \$52,000 FROM THE CAPITAL IMPROVEMENT
FUND IN ORDER TO PROVIDE FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS
IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW
JERSEY**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:

Section 1. \$52,000 from the Capital Improvement Fund is hereby appropriated to provide for acquisition of Fire Department equipment and tools, including turnout gear, and major repair of fire apparatus, in the Township of Mendham, in the County of Morris, New Jersey (the "Township").

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

**TOWNSHIP COMMITTEE
ZOOM ACCESS INFORMATION**

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