

**TOWNSHIP OF MENDHAM
TOWNSHIP COMMITTEE
REGULAR MEETING**

DATE: Monday, November 28, 2022

TIME: 7:30 PM

LOCATION: **MENDHAM TOWNSHIP MIDDLE SCHOOL**
All Purpose Room
16 Washington Valley Road, 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. Change of Meeting Location Notice provided to the Daily Record and Observer Tribune on November 2, 2022. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

PROCLAMATION

None

PRESENTATION

None

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.

REGULAR AGENDA – RESOLUTIONS

2022-168 Resolution of the Township Committee of the Township of Mendham Authorizing and Approving the Amendment for the Shared Services Agreement with the Township of Chester for the Purposes of the Establishment and Operation of a Shared Municipal Court with Mendham Township, Chester Township and Chester Borough

2022-169 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

ORDINANCE FOR INTRODUCTION

16-2022 An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Amending the Sewer Service Charges for the Mendham East Water Pollution Control System

Public Hearing scheduled for December 12, 2022

17-2022 An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Amending the Sewer Service Charges for the Mendham West Water Pollution Control System

Public Hearing scheduled for December 12, 2022

ORDINANCE FOR SECOND READING / PUBLIC HEARING

15-2022 Ordinance Appropriating \$125,000 from the Capital Improvement Fund in Order to Provide for Purchase S.C.B.A. Equipment for the Brookside and Ralston Engine Companies by the Township of Mendham, in the County of Morris, New Jersey

Introduced on November 14, 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.*

If reading from a prepared statement, please provide a copy or email a copy to the Township Clerk at mtclerk@mendhamtownship.org.

DISCUSSION

LIAISON REPORTS

ADJOURN

RESOLUTION 2022-168

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING AND APPROVING THE AMENDMENT FOR THE SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF CHESTER FOR THE PURPOSES OF THE ESTABLISHMENT AND OPERATION OF A SHARED MUNICIPAL COURT WITH MENDHAM TOWNSHIP, CHESTER TOWNSHIP AND CHESTER BOROUGH

WHEREAS, the Township of Mendham (“Mendham”), the Township of Chester (“Chester”) and the Borough of Chester (“Chester Borough”) have reviewed their needs, resources and personnel and have found that they can assist each other by establishing a shared municipal court; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1, et seq., any municipality of the State of New Jersey may contract with any other municipality for the shared provision within their several jurisdictions of any service that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, pursuant to N.J.S.A. 2B:12-1(c), two or more municipalities, by resolution, may agree jointly to provide for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court; and

WHEREAS, in a Shared Municipal Court, each Court retains its own identity; and

WHEREAS, the Shared Municipal Court shall be operated as three separate courts, pursuant to which Chester is the host municipality and provides the services described in this Agreement to Mendham and Chester Borough; and

WHEREAS, the Shared Services Agreement, in the form attached hereto and made a part hereof, was negotiated and agreed to by Chester, Mendham Township and Chester Borough, which establishes a municipal court and provides for the sharing of court facilities and court staff including the court administrators, prosecutors and security personnel; and

WHEREAS, Chester, Mendham and Chester Borough have negotiated a Shared Service Agreement, which is attached hereto and made a part hereof; and

WHEREAS, the Shared Services Agreement has been reviewed by the Mendham Township Attorney, along with representatives of Mendham; and

WHEREAS, the Mayor and Committee of the Township of Mendham finds it to be in the best interest of Mendham and its residents to enter into this Shared Services Agreement with Chester and Chester Borough for the establishment and operation of a shared municipal court.

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

1. There shall be established a shared municipal court servicing the Township of Chester, the Township of Mendham and the Borough of Chester effective January 1, 2023.
2. The Mayor and Township Clerk are hereby authorized and directed to execute the attached Shared Services Agreement with the Township of Chester and Borough of Chester, which Agreement sets forth the terms and conditions for the operation of the shared municipal court, including the sharing of court facilities and court staff including the court administrators, prosecutor and security personnel.

3. The Township Clerk, Administrator, Township Attorney and other appropriate Township officials are further authorized to take any and all action required to comply with this agreement.
4. This Resolution shall take effect immediately upon adoption, and the adoption of the appropriate mechanism approving the Shared Services Agreement adopted by the Township of Chester and Chester Borough.

Adopted: November 28, 2022

RESOLUTION 2022-169
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: November 28, 2022

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

ORDINANCE 16-2022

**AN ORDINANCE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY,
AMENDING THE SEWER SERVICE CHARGES FOR THE MENDHAM EAST WATER POLLUTION CONTROL
SYSTEM**

WHEREAS, Ordinance 10-96 entitled “An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Establishing Sewer Services charges for the Mendham East Water Pollution Control System” established sanitary sewer service fees to be charged to the owners of properties served by such system; and

WHEREAS, Ordinance 10-96 was amended by Ordinance 17-97, Ordinance 21-2003, Ordinance 28-2006, and Ordinance 14-2007, ordinance 15-2015, ordinance 14-2017, and ordinance 7-2020; and

WHEREAS, The Township has determined that the sanitary sewer service fees to be charged to the owners of properties served by the Mendham East Water Pollution Control System shall be amended to adequately meet the managerial, professional, overhead and all other operating expenses.

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

SECTION ONE:

1. The owner of every property connected to and served by the Mendham East Water Pollution Control System (a self-liquidating municipal utility established by Ordinance 8-96 entitled “An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Providing for the Acceptance of the Mendham East Water Pollution Control System and its Operating and Maintenance by the Township as a Self-Liquidating Municipal Utility”) shall pay to the Township and annual service charge in accordance with the following schedule:

<u>Property Use</u>	<u>Annual Service Charge</u>
Single-family dwelling unit and Condominium dwelling unit:	
1 Bedroom Dwelling	\$1,085
2 Bedroom Dwelling	\$2,170
3 Bedroom Dwelling	\$3,255
4 Bedroom Dwelling	\$4,341
5 Bedroom Dwelling	\$5,524

2. The annual service charges provided in Paragraph 1 of this ordinance shall be billed by the Collector of Taxes of the Township and be due and payable quarter-annually on February 1, May 1, August 1 and November 1 in each and every year.
3. If any bill for service charges remains unpaid after the due date, the amount due shall bear interest at the rate of eight percent (8%) per annum up to \$1,500 and eighteen percent (18%) over \$1,500. No interest shall be charged if payment of any quarterly service charge is made within the tenth calendar day following the date upon which the quarterly service charge became due. Service

charges, and any interest thereon, provided by this Ordinance shall be liens on the respective properties against which such charges are made, and the payment may be enforced in the same manner provided for the collection of taxes.

4. All service fees received by the Township pursuant to this ordinance shall be dedicated revenues to adequately meet the managerial, professional, overhead and all other operating expenses of the Mendham East Water Pollution Control System in accordance with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.
5. The rate structure established herein shall be effective January 1, 2018 and continue thereafter until amended or modified.

SECTION TWO:

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE:

All ordinances of the Township of Mendham which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR:

This ordinance shall take effect upon final passage and publication thereof as provided by law.

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

ORDINANCE 17-2022

**AN ORDINANCE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY,
AMENDING THE SEWER SERVICE CHARGES FOR THE MENDHAM WEST WATER POLLUTION CONTROL
SYSTEM**

WHEREAS, Ordinance 10-96 entitled “An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Establishing Sewer Services charges for the Mendham West Water Pollution Control System” established sanitary sewer service fees to be charged to the owners of properties served by such system; and

WHEREAS, Ordinance 10-96 was amended by Ordinance 15-2016; and

WHEREAS, The Township has determined that the sanitary sewer service fees to be charged to the owners of properties served by the Mendham West Water Pollution Control System shall be amended to adequately meet the managerial, professional, overhead and all other operating expenses.

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

SECTION ONE:

1. The owner of every property connected to and served by the Mendham West Water Pollution Control System (a self-liquidating municipal utility established by Ordinance 8-96 entitled “An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Providing for the Acceptance of the Mendham West Water Pollution Control System and its Operating and Maintenance by the Township as a Self-Liquidating Municipal Utility”) shall pay to the Township and annual service charge in accordance with the following schedule:

<u>Property Use</u>	<u>Annual Service Charge</u>
Single-family dwelling unit and Condominium dwelling unit	
Single - Family	\$1,621
Condo Unit	\$ 669

2. The annual service charges provided in Paragraph 1 of this ordinance shall be billed by the Collector of Taxes of the Township and be due and payable quarter-annually on February 1, May 1, August 1 and November 1 in each and every year.
3. If any bill for service charges remains unpaid after the due date, the amount due shall bear interest at the rate of eight percent (8%) per annum up to \$1,500 and eighteen percent (18%) over \$1,500. No interest shall be charged if payment of any quarterly service charge is made within the tenth calendar day following the date upon which the quarterly service charge became due. Service charges, and any interest thereon, provided by this Ordinance shall be liens on the respective properties against which such charges are made, and the payment may be enforced in the same manner provided for the collection of taxes.
4. All service fees received by the Township pursuant to this ordinance shall be dedicated revenues to adequately meet the managerial, professional, overhead and all other operating expenses of the

Mendham West Water Pollution Control System in accordance with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

5. The rate structure established herein shall be effective January 1, 2023 and continue thereafter until amended or modified.

SECTION TWO:

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE:

All ordinances of the Township of Mendham which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR:

This ordinance shall take effect upon final passage and publication thereof as provided by law.

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

ORDINANCE 15-2022

**ORDINANCE APPROPRIATING \$125,000 FROM THE CAPITAL
IMPROVEMENT FUND IN ORDER TO PROVIDE FOR PURCHASE S.C.B.A.
EQUIPMENT FOR THE BROOKSIDE AND RALSTON ENGINE COMPANIES
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. \$125,000 from the Capital Improvement Fund is hereby appropriated to provide for the purchase of S.C.B.A. equipment including but not limited to CGA for the use of the Brookside and Ralston Engine Companies of the Township of Mendham

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
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