

**TOWNSHIP OF MENDHAM  
TOWNSHIP COMMITTEE  
REGULAR MEETING**

**DATE:** Monday, March 13, 2023  
**TIME:** 6:30 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

**ROLL CALL**

Ms. Duarte  
Ms. Moreen  
Ms. Neibart  
Ms. Spirig  
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 6, 2023 and again on January 31, 2023. Notice was posted on the bulletin board in the Township offices and notice was filed with the Township Clerk.

**FINANCE COMMITTEE**

Administrative  
Recreation

**PRESENTATION**

**PROCLAMATION**

Eagle Scout Candidate- Brian Janacek

**RECOGNIZING NEW MEMBER**

Eren Onat has applied to be an active member of the Ralston Engine Company #1 (served as a junior member)

**ANNOUNCEMENTS**

**OPEN TO THE PUBLIC**

Mayor Monaghan will recognize individuals wishing to make a comment. Once recognized, please clearly state your name and address for the record (the speaker does not need to provide their address if they have been verified by the office of information privacy as a covered person in the township under Daniel's Law)

All comments should be directed to Mayor Monaghan.

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**

- February 27,2023 Regular Meeting

**REGULAR AGENDA RESOLUTIONS**

- 2023-058      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS**
- 2023-059      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING THE PROFESSIONAL SERVICES CONTRACT TO CORNERSTONE ARCHITECTURAL GROUP FORARCHITECTURAL DESIGN AND CONSTRUCTION SERVICES FOR THE RENOVATION OF THE MENDHAM TOWNSHIP MUNICIPAL BUILDING/TOWN HALL**
- 2023-060      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING RAFFLE LICENSE – WEST MORRIS JUNIOR WOMANS CLUB**
- 2023-061      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE**
- 2023-062      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**

**BOND ORDINANCE FOR SECOND READING / PUBLIC HEARING**

- 02-2023      BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$2,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF**

Introduced February 27, 2023

**OPEN TO THE PUBLIC**

Mayor Monaghan will recognize individuals wishing to make a comment. Once recognized, please clearly state your name and address for the record. (the speaker does not need to provide their address if they have been verified by the office of information privacy as a covered person in the township under Daniel’s Law) All comments should be directed to Mayor Monaghan.

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**DISCUSSION**

Fund Balance Policy  
Logo  
Highlands Council

**LIAISON REPORTS**

**EXECUTIVE SESSION**

**ADJOURN**

## ZOOM ACCESS

[www.zoom.us](http://www.zoom.us)

Click on "Join a meeting"

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**Passcode: 055467**

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**RESOLUTION 2023-058**  
**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 March 13, 2023

**RESOLUTION 2023-059**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING  
THE PROFESSIONAL SERVICES CONTRACT TO CORNERSTONE ARCHITECTURAL GROUP FOR  
ARCHITECTURAL DESIGN AND CONSTRUCTION SERVICES FOR THE RENOVATION  
OF THE MENDHAM TOWNSHIP MUNICIPAL BUILDING/TOWN HALL**

**WHEREAS**, the Township of Mendham has appointed Cornerstone Architectural Group, LLC for the of Town Hall at 2 West Main Street in an amount not to exceed \$209,000; and

**WHEREAS**, this existing contract was increased by \$56,000 by Resolution 2022 -128 to provide for project and site management;

**WHEREAS**, upon review of the building after the initial interior demolition and asbestos remediation the need as arisen to redesign certain aspects of the project which includes the review of structural and mechanical engineers and additions site visits; and

**WHEREAS**, it necessary to amend this contract for the town hall renovation design and management for an amount not to exceed \$45,000.00; 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 from account C- 04-55-021-001

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the contract with Cornerstone be amended for an additional \$45,000 for a revised total contract amount of \$310,000.00

**BE IT FURTHER RESOLVED** that the contract, resolution, and all other pertinent documents shall remain on file in the office of the Township Clerk; and

Adopted: March 13, 2023

**RESOLUTION 2023-060**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**APPROVING RAFFLE LICENSE – WEST MORRIS JUNIOR WOMANS CLUB**

**WHEREAS**, the below listed organization has applied for a raffle license; and

**WHEREAS**, the Acting Township Clerk has reviewed said application, finding the application to be satisfactory and recommends that the Township Committee approve same; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the following application for a raffle license be and hereby approved.

<b>ORGANIZATION</b>	<b>DATE OF RAFFLE</b>	<b>TYPE OF RAFFLE</b>
West Morris Junior Womans Club	March 23, 2023	Off-Premise Merchandise Draw

Adopted: March 13, 2023

**RESOLUTION 2023-061**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE**

**WHEREAS**, Tax Sale Certificate #22-00002 assessed to Block 127 Lot 84, also known as 22 Schoolhouse Lane, and is held by Evolve Bank & Trust; and

**WHEREAS**, the above-mentioned Tax Sale Certificate has been redeemed in the amount of \$78,122.62.

**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: March 13, 2023

**RESOLUTION 2023-062**

**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.  
ATTORNEY CLIENT PRIVILEGE MATTER
- (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.

SEWER PLANTS





(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.

DPW  
INDIA BROOK APARTMENTS



(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 **March 13, 2023 at 7:30 P.M.** in the Mendham Township Middle School, 16 Washington Valley Road, 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: March 13, 2023

**ORDINANCE NO. 02-2023  
TOWNSHIP OF MENDHAM  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$2,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Mendham, in the County of Morris, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$2,800,000. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement since the project described in Section 3(a) hereof is being funded in part from grants to be received from the New Jersey Department of Transportation in the aggregate amount of \$548,320 and in part by the New Jersey Infrastructure Bank ("NJIB").

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,800,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various road improvements, consisting of the paving and milling of municipally owned streets, including but not limited to, Hunter Glen, Carriage Hill, Green Hills Road, Indian Hollow Road, Yardley Road, Yardley Place, Knollwood Trail, East Main Street, West Main Street, and Woodland Road, and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or

rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 bond 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 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years or such longer period as may be permitted by the NJIB terms of financing.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond

ordinance by \$2,800,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$560,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**Introduced February 27, 2023**