



**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
REGULAR MEETING**

**DATE:** Monday, April 25, 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)

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

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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**

- Honoring Dispatchers and Public Safety Telecommunicators

**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**

- Executive Session of September 27, 2021
- Regular and Executive Session of October 13, 2021
- Regular Meeting of October 25, 2021
- Regular Meeting of November 22, 2021
- Regular Meeting of December 6, 2021
- Regular Meeting of December 13, 2021
- Special and Regular Meeting of December 27, 2021
- Regular Meeting Minutes of March 14, 2022
- Regular Meeting Minutes March 28, 2022
  
- Regular Meeting of November 8, 2021 (Mayor Monaghan abstain)

## **REGULAR AGENDA – RESOLUTIONS**

- 2022-063** Resolution of the Township Committee of the Township of Mendham Approving Raffle License for Brookside Engine Company No. 1 and West Morris Women’s Junior Club
- 2022-064** Resolution of the Township Committee of the Township of Mendham Approving Issuance of Social Affair Permit for Brookside Engine Company No. 1 – Fourth of July Event
- 2022-065** Resolution of the Township Committee of the Township of Mendham Approving Issuance of Social Affair Permit for Brookside Engine Company No. 1 – Annual Family Clambake
- 2022-066** Resolution of the Township Committee of the Township of Mendham Extending the Terms of Members of the Mendham East and West Water Pollution Control System Advisory Committee
- 2022-067** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

## **ORDINANCE(S) INTRODUCTION / FIRST READING**

- 06-2022** Bond Ordinance Providing for the Improvement of Roads in and by the Township of Mendham, in the County of Morris, New Jersey, Appropriating \$1,255,000 Therefor, Including \$411,700 Expected to be Received as a FY 2021 New Jersey Department of Transportation Grant, and Authorizing the Issuance of \$1,255,000 Bonds or Notes of the Township to Finance the Cost Thereof  
***Second Reading and Public Hearing scheduled for May 9, 2022***
- 07-2022** Ordinance Appropriating \$50,000 from the Capital Improvement Fund in Order to Provide for Guard Rail Replacement in and by the Township of Mendham, in the County of Morris, New Jersey  
***Second Reading and Public Hearing scheduled for May 9, 2022***

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

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**DISCUSSION**

Monarch Butterfly Pledge

**LIAISON REPORTS**

**ADJOURN**

**RESOLUTION 2022-063**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**APPROVING RAFFLE LICENSE FOR BROOKSIDE ENGINE COMPANY NO. 1**  
**AND WEST MORRIS WOMEN'S JUNIOR CLUB**

**WHEREAS**, the below listed organizations have applied for a raffle license; and

**WHEREAS**, the Township Clerk has reviewed said applications, finding them 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, that the following applications for a raffle license be and hereby approved.

<b>ORGANIZATION</b>	<b>DATE OF RAFFLE</b>	<b>TYPE OF RAFFLE</b>
Brookside Engine Company No. 1	September 10, 2022 Rain date: September 11, 2022	Off-Premise 50/50 Raffle
West Morris Women's Junior Club	May 19, 2022	On-Premise Merchandise Draw

Adopted: April 25, 2022

**RESOLUTION 2022-064**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING**  
**ISSUANCE OF SOCIAL AFFAIR PERMIT FOR BROOKSIDE ENGINE COMPANY NO. 1 – FOURTH OF JULY**  
**EVENT**

**WHEREAS**, the State of New Jersey Division of Alcoholic Beverage Control requires that a Social Affair Permit be obtained by a bona fide, non-profit organization that wishes to hold a fund-raising event that encompasses the sale of alcoholic beverages; and

**WHEREAS**, the monies that accrue should be used for civic, religious, educational, or other purposes that are not for personal or profit-making corporate gain; and

**WHEREAS**, the application must be endorsed by the local issuing authority; and

**WHEREAS**, Brookside Engine Company No. 1 has submitted an application for a Social Affair Permit for their Fourth of July Event on July 4, 2022 at Brookside Community Club, 1 East Main Street, Brookside, New Jersey; and

**WHEREAS**, the Township Committee of the Township of Mendham, as the local issuing authority, has no objection to the granting of this special permit and authorizes the Township Clerk to execute the application on its behalf.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mendham approves the issuance of a Social Affairs Permit to Brookside Engine Company No. 1 for its Fourth of July Event on July 4, 2022 and authorizes execution of the permit application.

Adopted: April 25, 2022

**RESOLUTION 2022-065**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING**  
**ISSUANCE OF SOCIAL AFFAIR PERMIT FOR BROOKSIDE ENGINE COMPANY NO. 1 - ANNUAL FAMILY**  
**CLAMBAKE**

**WHEREAS**, the State of New Jersey Division of Alcoholic Beverage Control requires that a Social Affair Permit be obtained by a bona fide, non-profit organization that wishes to hold a fund-raising event that encompasses the sale of alcoholic beverages; and

**WHEREAS**, the monies that accrue should be used for civic, religious, educational, or other purposes that are not for personal or profit-making corporate gain; and

**WHEREAS**, the application must be endorsed by the local issuing authority; and

**WHEREAS**, Brookside Engine Company No. 1 has submitted an application for a Social Affair Permit for their Annual Family Clambake Event on September 10, 2022 from 12pm to 6pm (Rain date September 11, 2022 from 12pm to 6pm) at Brookside Community Club, 1 East Main Street, Brookside, New Jersey; and

**WHEREAS**, the Township Committee of the Township of Mendham, as the local issuing authority, has no objection to the granting of this special permit and authorizes the Township Clerk to execute the application on its behalf.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mendham approves the issuance of a Social Affairs Permit to Brookside Engine Company No. 1 for its Annual Family Clambake Event on September 10, 2022 (Rain date September 11, 2022) and authorizes execution of the permit application.

Adopted: April 25, 2022

**RESOLUTION 2022-066**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM EXTENDING THE**  
**TERMS OF MEMBERS OF THE MENDHAM EAST AND WEST WATER POLLUTION CONTROL SYSTEM**  
**ADVISORY COMMITTEE**

**WHEREAS**, by Resolution 2021-082, adopted by the Township Committee of the Township of Mendham on April 12, 2021, the terms of the members of the Mendham East and West Water Pollution Control System Advisory Committee were set to expire on April 11 of their respective year, and

**WHEREAS**, the Township Committee deems it necessary and appropriate to extend and modify such terms of the members so as to ensure the continuity with the membership of the boards and commissions in the Township which end on December 31<sup>st</sup> of their respective year.

**NOW THEREFORE**, the following amendments to the members terms are enacted:

**TWO RESIDENTS REPRESENTING THE DRAKEWICK DEVELOPMENT**

Josh Cohen – 3-year term – 4/11/2024 (amended to 12/31/2024)  
Lisa Dumont – 2-year term – 4/11/2023 (amended to 12/31/2023)

**TWO RESIDENTS REPRESENTING THE BROOKRACE DEVELOPMENT**

Erich Zimmerman – 3-year term – 4/11/2024 (amended to 12/31/2024)  
Marissa McDonnell – 2-year term – 4/11/2023 (amended to 12/31/2023)

**RESIDENT AT-LARGE**

Richard Blood – 1-year term - 4/11/2022 (amended to 12/31/2022)

**MAYOR (OR A DESIGNEE)**

Kriss Replogle, Mayor's Designee – 1-year term - 4/11/2022 (amended to 12/31/2022)

This resolution shall take effect immediately

Adopted: April 25, 2022

**RESOLUTION 2022-067**  
**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: April 25, 2022



**ORDINANCE 06-2022  
TOWNSHIP OF MENDHAM  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF ROADS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$1,255,000 THEREFOR, INCLUDING \$411,700 EXPECTED TO BE RECEIVED AS A FY 2021 NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT, AND AUTHORIZING THE ISSUANCE OF \$1,255,000 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 (with 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 \$1,255,000, including \$411,700 expected to be received as a FY 2021 New Jersey Department of Transportation grant (the "NJDOT Grant"). No down payment is required for the purpose described in Section 3(a) hereof pursuant to N.J.S.A. 40A:2-11(c) due to the funding available from the NJDOT Grant.

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 \$1,255,000 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 the improvement of roads involving milling and paving of Mt. Pleasant Road, Harding Terrace, Standish Drive, Walsingham Drive, Devonshire Road, Tingley Road Section 1, Olmstead Lane, Governors Drive and related areas, including acquisition of road supplies and materials, related and incidental work, and engineering for Woodland Road Phase 2 road work.

(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 5 years.

(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 \$1,255,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$251,000 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 makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. 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 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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 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.

**ORDINANCE 07-2022  
TOWNSHIP OF MENDHAM  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**ORDINANCE APPROPRIATING \$50,000 FROM THE CAPITAL  
IMPROVEMENT FUND IN ORDER TO PROVIDE FOR GUARD RAIL  
REPLACEMENT 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. \$50,000 from the Capital Improvement Fund is hereby appropriated to provide for guard rail replacement 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  
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