

**TOWNSHIP OF MENDHAM  
TOWNSHIP COMMITTEE  
REGULAR MEETING**

**DATE:** Monday, April 10, 2023

**TIME:** 6:30 PM

**LOCATION:** **ZOOM ONLY**

**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**

**PROCLAMATION**

Autism Awareness Month

**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**

- March 27, 2023 Regular Meeting

**REGULAR AGENDA RESOLUTIONS**

- 2023-064** RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM AUTHORIZING THE EXECUTION OF LEASE AGREEMENT BETWEEN MICHELLE STADTA AND THE TOWNSHIP FOR APARTMENT E AT 97 IRONIA ROAD, MENDHAM, NJ 07945
- 2023-065** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING STAFF APPOINTMENTS FOR THE DEPARTMENT OF PUBLIC WORKS FOR SEASONAL HELP
- 2023-066** RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM AUTHORIZING A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TIER A MS4 PERMIT AND GRANT APPLICATION
- 2023-067** RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM GRANTING LIMITED LICENSE TO WOOD HUNTLY TO ACCESS PROPERTY AT 13 ROXITICUS ROAD VIA PUBLIC LANDS KNOWN AS RALSTON PARK/WYSONG FIELD
- 2023-068** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS
- 2023-069** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING STEPHEN MAHONEY FOR THE SERVICE OF PART-TIME/TEMPORARY BUILDING, ELECTRICAL, AND PLUMBING SUB-CODE INSPECTOR
- 2023-070** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE AWARD OF A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF CHESTER FOR FLEET MAINTENANCE SERVICES
- 2023-071** RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM AUTHORIZING THE MENDHAM CHESTER BASEBALL ASSOCIATION LLC TO MAKE IMPROVMENTS AT WYSONG FIELD
- 2023-072** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE ACQUISITION OF PURCHASING CARDS AND AMENDING THE PERSONNEL POLICY FOR THE TOWNSHIP OF MENDHAM TO INCLUDE PURCHASING CARD AND ELECTRONIC FUNDS TRANSFER POLICIES
- 2023-073** RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM AUTHORIZING THE APPOINTMENT OF PETER SETTINERI, A LABORER IN THE DEPARTMENT OF PUBLIC WORKS
- 2023-074** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING REFUND OF OVERPAYMENT OF TAXES DUE TO NJ STATE TAX COURT JUDGMENT

**ORDINANCE FOR INTRODUCTION/FIRST READING**

- 03-2023** ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4 45.14)  
Public Hearing scheduled on April 24, 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.

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.

**DISCUSSION**

Pitney Park art project  
Logo contest  
Mendham Promo Video  
Highlands

**LIAISON REPORTS**

**ADJOURN**

**RESOLUTION 2023-064**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM AUTHORIZING**  
**THE EXECUTION OF LEASE AGREEMENT BETWEEN MICHELLE STADTA AND THE TOWNSHIP FOR**  
**APARTMENT E AT 97 IRONIA ROAD, MENDHAM, NJ 07945**

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

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

**WHEREAS**, Michelle Stadta is an employee with the Mendham Township Public Works and has expressed interest in renting Apartment E; and

**WHEREAS**, Michelle Stadta meets the requirements and is qualified to enter into a lease for Apartment E 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 E at 97 Ironia Road, Mendham, NJ 07945 between the Township of Mendham and Michelle Stadta, as follows:

1. Rent in the amount of \$7,350 (\$1,050 per month) is due on the first day of each month for the period of 6/1/2023 through 12/31/23;
2. rent in the amount of \$13,800 (\$1,100 per month) is due on the first day of each month for the period of 1/1/2024 through 12/31/24;
3. rent in the amount of \$14,400 (\$1,200 per month) is due on the first day of each month for the period of 1/1/2025 through 12/31/25;

Adopted April 10, 2023

**RESOLUTION 2023-065**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING STAFF**  
**APPOINTMENTS FOR THE DEPARTMENT OF PUBLIC WORKS FOR SEASONAL HELP**

**BE IT RESOLVED** by the Township Committee of Township of Mendham that the following named persons to be paid from the Township Budget, DPW Salaries and Wages in accordance with the following:

**DEPARTMENT OF PUBLIC WORKS**

ROCCO TIMPANO	Laborer	\$15/hour
---------------	---------	-----------

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Mendham that the following changes in salary be made, effective April 10, 2023.

Adopted April 10, 2023

**RESOLUTION 2023- 066**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM**  
**AUTHORIZING A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**TIER A MS4 PERMIT AND GRANT APPLICATION**

**WHEREAS**, The New Jersey Department of Environmental Protection has made funds available for municipalities to help implement and/or work towards compliance with the new storm water Tier A MS regulation in an amount \$25,000; and

**WHEREAS**, the Township of Mendham is submitting a grant application to the New Jersey Department of Environmental Protection in an amount of \$25,000 for a various storm water projects to include a Storm Water Infrastructure Map, identifying and logging all public and private basins, and other storm water related improvements; and

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee of Township of Mendham do hereby authorize the preparation and submission of a grant application to the New Jersey Department of Environmental Protection for Tier MS4 storm water

**BE IT FURTHER RESOLVED**, that upon receipt of the application, an initial \$15,000 will be awarded immediately, and the final \$10,000 will be awarded upon the completion and submission a Storm Water Infrastructure Map.

Adopted April 10, 2023

**RESOLUTION 2023-067**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM**  
**GRANTING LIMITED LICENSE TO WOOD HUNTLY TO ACCESS PROPERTY AT**  
**13 ROXITICUS ROAD VIA PUBLIC LANDS KNOWN AS RALSTON PARK/WYSONG FIELD**

**WHEREAS**, the Township of Mendham has been requested to allow access through and across public lands in order to facilitate the repair/installation of a retaining wall for the purposes of providing lateral support to the driveway and dwelling at 13 Roxiticus Road (Block 107 Lot 26); and

**WHEREAS** the affected property has no alternate means of reaching the property to install these repairs; and

**WHEREAS**, the petitioner has secured approval from the NJDEP for his contractor, Trout Scapes River Restoration, LLC to enter the waters of the Raritan River to affect these repairs; and

**WHEREAS**, the Engineers for the Township have reviewed the proposal and recommend approval subject to certain conditions listed below;

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Township Committee of the Township of Mendham does hereby grant a revocable license to Wood Huntly, his agents and assigns to enter upon property of the Township of Mendham under the guidance of the Engineers and at the areas indicated on the attached map for the purposes described herein and upon the following conditions:

- Lot Grading Approval – The project disturbs over 3,500 square feet of land, and is therefore subject to a Lot Grading permit. The applicant would be required to first obtain the subject permit before work can begin. It is noted that the applicant has already submitted for the subject permit.
- Insurance – An insurance certificate should be provided which includes the Township as additional insured. - Restoration
- The applicant/contractor shall be responsible for restoring all Township owned property back to its current condition or better.
- Bond – The applicant should post a cash bond which will be held until all areas are restored to their existing condition. The bond will be used in the event restoration is not suitably performed. We would recommend a bond in the amount of \$2,500.
- Preconstruction Meeting – Prior to any work commencing, the contractor shall hold a preconstruction meeting with the Township to coordinate all activities.
- Unencumbered Use of the Park – The construction activities shall not infringe upon the public's access to the park at any time.
- Material Storage – Any construction material storage shall be limited in area, and shall not infringe on the use of the park. This shall be coordinated with the Township.
- Access Rights – The applicant shall submit documentation that they have obtained access authorization from the two privately held property which they intend to utilize for access.
- This resolution shall not be recorded.
- The license conferred herein shall automatically terminate six months from the date hereof.

Adopted April 10, 2023

**RESOLUTION 2023-068**  
**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 April 10, 2023



**RESOLUTION 2023-069**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING**  
**STEPHEN MAHONEY FOR THE SERVICE OF PART-TIME/TEMPORARY BUILDING, ELECTRICAL, AND**  
**PLUMBING SUB-CODE INSPECTOR**

**WHEREAS,** The Township of Mendham Construction Official has recommended that the hiring of an inspector is necessary on an “as-needed” basis to help with increased volume of construction due to the Hillendale Development; and

**WHEREAS,** Stephen Mahoney holds multiple inspector licenses, including plumbing, electric, and building and has the ability to be on call as needed to help the Township manage the extra volume of inspections at a rate of \$40 per hour; and

**NOW, THEREFORE BE IT RESOLVED,** by the Township Committee of the Township of Mendham that Stephen Mahoney be appointed as a temporary, on- call building sub-code inspector.

Adopted April 10, 2023

**RESOLUTION 2023-070**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE**  
**AWARD OF A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF CHESTER**  
**FOR FLEET MAINTENANCE SERVICES**

**WHEREAS**, each of the Parties hereto is authorized pursuant to N.J.S.A. 40A:11-1 et seq., to enter into an agreement with other municipalities and/or local units to jointly provide for any lawful service; and

**WHEREAS**, The Township of Mendham is in need of a mechanic and fleet maintenance services; and

**WHEREAS**, The Chester Township has the ability to provide said services to the Township of Mendham; and

**WHEREAS**, Mendham Township and Chester Township desire to enter into an agreement in which Mendham Township shall utilize Chester Township's mechanic for the maintenance of its fleet

**NOW THEREFORE BE IT RESOLVED** by the Township of Chester and the Township of Mendham as follows:

1. Services Performed. The Township of Chester, Department of Public Works Department shall provide labor and repair services on Mendham's vehicles and heavy equipment at the rate of \$70.00 per hour. The overtime rate is \$105.00 per hour if overtime repairs are requested in writing by Mendham. Limitations on vehicles and equipment to be serviced are as follows:

- a. All Police Department and Public Works Department vehicles will be serviced.
- b. Small engine 2-cycle equipment will not be serviced.
- c. Fire Department and First Aid vehicles and equipment will not be serviced.

2. Parts. Mendham will be responsible for the cost of any parts and/or fluids that may be needed. Parts will be purchased from local vendors under State contract or public purchasing cooperatives where available.

3. Tires. Tires will be purchased under State contract pricing or public purchasing cooperatives where available. The hourly labor rate of \$70.00 will apply for tire change-overs performed by Chester.

4. Body Repairs. All body repairs done by outside vendors will be performed by State contract or public purchasing cooperative vendors where available. Prior to work being done by a vendor, Chester is to receive written approval from Mendham for the vehicle to be transported and repaired at another location.

5. Insurance and Indemnification. All Mendham vehicles are to be insured with insurance coverage limit of \$5,000,000.00. Chester shall not be responsible for any loss or damage to Mendham vehicles or heavy equipment in the possession of Chester unless caused by Chester's gross negligence. Mendham holds Chester harmless for any loss, liabilities or damages incurred to Mendham's vehicles and/or heavy equipment.

6. Vendor List. Mendham's vendor list will be provided following the signing of this agreement.

7. Labor Time. Chester will provide an estimate for time and cost of repair or service prior to undertaking the repair or service.

8. Unscheduled Repairs. Unscheduled repairs will be billed at an hourly rate of \$70.00 per hour, plus parts and materials. If overtime repairs are requested in writing by Mendham, the hourly rate will be \$105.00 per hour.

9. Pickup and Delivery. Mendham shall deliver and pick up its vehicles/heavy equipment to and from the Chester Public Works facility located at 65 Furnace Road, Chester.

10. Payment. The administration of scheduling and billing will be the responsibility of the Parties' Public Works Departments. Chester DPW will bill Mendham on a monthly basis for all maintenance and repairs. All invoices for parts, etc., are to accompany the monthly invoices. Payment shall be made to Chester within thirty (30) days of the date of the monthly invoice. The costs exceed \$12,000.00, written approval from Mendham is to be given to Chester before additional repairs/services are provided by Chester.

11. Miscellaneous.

(a) As much notice as possible shall be given to Chester for the scheduling of maintenance and repairs. In the event of an emergency, every effort will be made to make the necessary repairs as quickly as possible. The timeframe for completion will be communicated to Mendham at the start of the repair. Mendham will reimburse Chester at the hourly rate of \$70.00 for all emergency work, or \$105.00 if overtime repairs are requested in writing, including the reimbursement of administrative fees at the rate of \$50.00 per hour where applicable.

(b) In the event that Chester is unable to perform necessary repairs or maintenance, every reasonable accommodation will be made to have the work completed by a State contracted or public purchasing cooperative outside repair shop. No outside repairs will be made without written approval from Mendham.

12. Duration. This Agreement shall be effective April 4, 2023, and will terminate without notice on October 31, 2023. Either party can terminate this contract with a 30-day prior written notice delivered to the other party. This Agreement may be extended by six months upon written agreement of both parties. The cost for repairs and parts for the six-month extension period shall not exceed \$12,000.

13. Legal Action. The parties agree that any disputes under this Agreement shall be resolved in the New Jersey Superior Court, Morris County and not by arbitration.

14. Governing Law; Jurisdiction. This Agreement shall be construed under, subject to, and governed by the laws of the State of New Jersey.

15. Entire Agreement. This Agreement constitutes the sole and complete agreement among the Parties. Neither of the Parties are relying upon any representation, understanding, undertaking or agreement, whether oral or in writing, not set forth in this Agreement. This Agreement may not be amended, changed, altered, modified or terminated except in a writing signed by both the Parties hereto.

16. Headings. The headings contained in this Agreement are for convenience and reference purposes only and shall not be deemed to be a part of the Agreement or to offer the meaning or interpretation of this Agreement.

17. Exhibits. All documents referenced herein are made part of this Contract as if set forth in length herein.

18. Resolution. This Agreement is expressly contingent upon the adoption of Resolutions by Mendham and Chester.

19. Signatures. Both Parties have read and agree to this Agreement and the signatories hereto warrant and represent that they are legally authorized and empowered to enter into this Agreement on behalf of the Parties. The Parties hereby signify their agreement to the above terms by their signatures below. All signatories to this Agreement represent that they have carefully read the Agreement, have had sufficient time to review this Agreement before signing it, and have had an opportunity to consult with and have consulted with an attorney prior to signing this Agreement.

Adopted April 10, 2023

**RESOLUTION 2023- 071**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM**  
**AUTHORIZING THE MENDHAM CHESTER BASEBALL ASSOCIATION LLC**  
**TO MAKE IMPROVMENTS AT WYSONG FIELD**

**WHEREAS**, there exists in and about the Township of Mendham certain municipally owned lands which have uses restricted to open space, passive recreation and active recreation; and

**WHEREAS**, the municipally owned property known as the Wysong Baseball Field has been used for many years for active recreation, particularly for youth football, baseball and soccer; and

**WHEREAS**, the Township has been providing maintenance for these playing fields in the form of basic repair, seeding, and grass cutting; and

**WHEREAS**, the Mendham Chester Baseball Association has coordinated with the Township Department of Recreation regarding the use of these fields; and

**WHEREAS**, the Township of Mendham has, as have all New Jersey municipalities struggled with the budgetary constraints associated with recreational fields and programs; and

**WHEREAS**, popularity of youth sports has resulted in the heavy use of these fields; and

**WHEREAS**, the Association has requested permission to install certain improvements to the field such as fencing and dugouts; and

**WHEREAS**, the cost of these improvements is such that the Township cannot reasonably absorb the same; and

**WHEREAS**, the Association has approached the Township with a plan to install the improvements at the expense of the Association; and

**WHEREAS**, the parties wish to memorialize the terms of that agreement:

**NOW THEREFORE** it is agreed between the parties as follows:

1. The Association and the Township shall develop an approved plan for the improvements and a budget
2. The Township shall allow the construction of the improvements to commence upon being provided with adequate proof of funds.
3. Once begun, the work shall be promptly completed.
4. The improvements shall be Construction Code compliant and approved by the Township's Engineer and Construction Official before and after installation.
5. Notwithstanding this agreement, the Mendham Township Recreation Department remains the sole authority for the scheduling of field use and allocation between users.
6. The Township remains the sole authority for the establishment of hours of operation and the permitting of any upgrades or modifications to the property.
7. Notwithstanding the investment by the Association, no rights of ownership or interest beyond those of the other citizens of the Township shall accrue to the Association and it shall have no right to demand preferential treatment or special dispensations.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mendham authorizes the above outlined improvements to Wysong Field.

Adopted April 10, 2023

**RESOLUTION 2023-072**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING THE ACQUISITION OF PURCHASING CARDS AND AMENDING THE PERSONNEL POLICY**  
**FOR THE TOWNSHIP OF MENDHAM TO INCLUDE PURCHASING CARD AND ELECTRONIC FUNDS**  
**TRANSFER POLICIES**

**WHEREAS**, the Township of Mendham Chief Financial Officer (CFO) believes it necessary to obtain a purchasing card for minor purchasing purposes; and

**WHEREAS**, the Township of Mendham has recently been approved by Valley National Bank for the acquisition of three (3) purchasing cards, each with a \$5,000 monthly spending limit and a \$10 yearly fee associated with each of them; and

**WHEREAS**, the Township currently has no policy regarding purchasing card transactions; and

**WHEREAS**, the Township currently has no policy regarding electronic funds transfer; and

**WHEREAS**, the Township Committee sees fit to implement such policies in light of the new purchasing card approval and acquisition.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mendham, in the County of Morris, and State of New Jersey, that the Township shall accept and make use of the purchasing cards for which it is approved. A statement shall be generated monthly and sent electronically to the Township where the statement shall be verified against charges made and accrued. Payments will then be withdrawn monthly by Valley National Bank on a set date. The Chief Financial Officer (CFO) or designee shall oversee all electronic payments or purchasing card transactions under the purview of the personnel policy of the Township of Mendham

Improper use of Purchasing Cards shall be considered improper use of Township property, and therefore is a violation of criminal laws of the State of New Jersey and is grounds for disciplinary action.

**Electronic Funds Transfer**

To ensure that vendors are being paid in a timely manner and given issues with mailing a paper check an electronic funds transfer (EFT) can be processed when a time constraint exists. EFTs shall take place after the Bills List is approved by the Township Committee and issued by either the Chief Financial Officer (CFO) or designee. No other employee shall issue an EFT without prior approval of the CFO or designee.

Improper use of EFTs shall be considered improper use of Township property, and therefore is a violation of criminal laws of the State of New Jersey and is grounds for disciplinary action.”

**BE IT FURTHER RESOLVED** that the Township Administrator is hereby authorized and directed to distribute and implement the policy and that it shall take effect immediately.

Adopted: April, 10 2023

**RESOLUTION 2023-073**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF MENDHAM AUTHORIZING**  
**THE APPOINTMENT OF PETER SETTINERI, A LABORER IN THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, due to the resignation of an employee in the Department of Public Works the Department of Public Works is in a need of a full-time laborer;

**WHEREAS**, the Public Works Superintendent and Township Administrator have recommended that Peter Settineri be appointed as a laborer pending passing his background check and medical exam.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mendham that Peter Settineri is hereby appointed as a full-time employee assigned to the Department of Public Works at an annual rate of \$39,330 effective as of April 24, 2023 pending the passing of a background check and medical exam.

Adopted April 10, 2023

**RESOLUTION 2023-074**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING REFUND OF OVERPAYMENT OF TAXES DUE TO NJ STATE TAX COURT JUDGMENT**

**WHEREAS**, the Tax Collector has certified to the Township of Mendham that a payment be refunded due to an overpayment of taxes as a result of NJ State Tax Court Judgment; and

**WHEREAS**, the Governing Body has reviewed said certification and approved the same.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, being the Governing Body thereof that payment is refunded as follows:

<b>Block &amp; Lot &amp; Qualifier</b>	<b>Refund to:</b>	<b>Amount:</b>
Block 118 Lot 79 1 Tall Oaks Court	McKirdy, Riskin, Olson & DellaPelle, PC Attorneys for Christie Properties, LLC 201 Littleton Road Suite 135 Morris Plains, NJ 07950	\$13,546.03

Adopted: April 10, 2023



**ORDINANCE 03-2023  
TOWNSHIP OF MENDHAM  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
  
CALENDAR YEAR 2023**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4 45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Governing Body of the Township of Mendham, in the County of Morris, finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Committee hereby determines that a 3.5% increase in the budget for said year, is estimated to be \$262,530.91 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Township of Mendham, in the County of Morris, a majority of the full authorized of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Mendham shall, in accordance with this ordinance and N.J.S.A. 40: 45.14, be increased by 3.5%, amounting to \$262,530.91 and that the CY 2023 municipal budget for the Township of Mendham be approved and adopted in accordance with this ordinance; and,

**BE IF FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance be sent to the Division of Local Government Services within 5 days of introduction; and,

**BE IF FURTHER ORDAINED** that a certified copy of adoption, with the recorded vote included thereon be sent within 5 days after such adoption and filed with said Director

Introduced April 10, 2023

## ZOOM ACCESS

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

Click on "Join a meeting"

**Webinar ID:** 815 1320 8401

**Passcode:** 577312

Follow Prompts

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81513208401?pwd=Z3pVOWI6c2szb2NmbDdHYsS5ZWUwUT09>

Passcode: 577312

mobile : US: +13126266799,,81513208401#,,,,\*577312# or +16465588656,,81513208401#,,,,\*577312#

Telephone:

US: +1 312 626 6799 or +1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592 or +1 305 224  
1968 or +1 309 205 3325 or +1 346 248 7799 or +1 360 209 5623

Webinar ID: 815 1320 8401

Passcode: 577312

International numbers available: <https://us02web.zoom.us/j/kfro0dovl>