

**TOWNSHIP OF MENDHAM
TOWNSHIP COMMITTEE
REGULAR MEETING**

DATE: Monday, June 12, 2023
TIME: 6:30 PM
LOCATION: MENDHAM TOWNSHIP ELEMENTARY SCHOOL
Cafeteria
18 West Main Street, 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 again on January 31, 2023 and June 1, 2023. Notice was posted on the bulletin board in the Township offices and notice was filed with the Township Clerk.

LOW INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM(LIHWAP)

The State Low Income Household Water Assistance Program (LIHWAP) can help you pay arrears for your water and sewer bills. The program may also be able to help address tax liens due to water and sewer arrears. To get more information and apply, go to waterassistance.nj.gov

2023 BUDGET

Presentation and Resolutions

**2023-100 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING THE BUDGET TO BE READ BY TITLE ONLY**

**2023-101 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
ADOPTION OF THE 2023 MUNICIPAL BUDGET**

PRESENTATION

Forestry Management Plan
EIS Study for Mosle

PROCLAMATION(s)

Andrew Christmann
Pride 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

- May 22, 2023 Meeting Minutes
- May 22, 2023 Executive Session Minutes

REGULAR AGENDA RESOLUTIONS

2023-102	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS
2023-103	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM FOR RENEWAL OF CLUB LIQUOR LICENSE MENDHAM GOLF AND TENNIS CLUB
2023-104	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM RATIFYING THE LABOR AGREEMENT BETWEEN THE TOWNSHIP OF MENDHAM AND TEAMSTER LOCAL 469
2023-105	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING REFUND OF OVERPAYMENT OF 2023 TAXES
2023-106	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE
2023-107	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE MENDHAM MUNICIPAL ALLIANCE FOR FISCAL GRANT CYCLE OCTOBER 2020-JUNE 2025
2023-108	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF AGREEMENT BETWEEN THE COUNTY OF MORRIS AND THE MENDHAM MUNICIPAL ALLIANCE FOR GRANT ADMINISTRATION OF THE MENDHAM MUNICIPAL ALLIANCE FOR THE PERIOD OF JULY 1, 2023 TO JUNE 30, 2024
2023-109	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87
2023-110	RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

**2023-111 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
APPROVAL OF CORRECTIVE ACTION PLAN**

**2023-112 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
APPROVING A FORESTRY MANAGEMENT PLAN**

OPEN TO THE PUBLIC

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DISCUSSION

Mosle Advisory Committee

Open Space Ordinance

LIAISON REPORTS

ADJOURN

RESOLUTION 2023-100
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
BUDGET TO BE READ BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8, provides that the budget may be read by title only at the time of the public hearing, if a resolution is passed by not less than a majority of the full governing body, provided that at least one (1) week prior to the date of the hearing a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

WHEREAS, these two conditions, as set forth above, have been met.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mendham authorizes the 2023 Budget be read by title only.

Adopted: June 12, 2023

RESOLUTION 2023-101
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
ADOPTION OF THE 2023 MUNICIPAL BUDGET

BE IT RESOLVED by the Township Committee of the Township of Mendham, County of Morris, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$11,347,332.88 (Item 2 below) for municipal purposes, and

SUMMARY OF REVENUES

1. General Revenues:	
Surplus Anticipated	\$1,556,448.35
Miscellaneous Revenues Anticipated	\$2,906,044.42
Receipts from Delinquent Taxes	\$260,000.00
2. Amount to Be Raised by Taxation	
For Municipal Purposes (Item 6, Sheet 11)	<u>\$8,181,288.46</u>
3. Total Revenues	\$11,347,332.88

SUMMARY OF APPROPRIATIONS

5. General Appropriations:	
Salaries & Wages	\$3,288,157.84
Other Expense s	\$3,953,406.48
(a) Capital Improvements	\$265,100.00
(b) Municipal Debt Service	\$1,786,200.00
(c) Deferred Charges – Municipal	\$-0-
(d) Reserve for Uncollected Taxes (Include Other Reserves if Any)	<u>\$1,019,170.71</u>
6. Total Appropriations	\$11,347,332.88

SEWER UTILITY EAST
SUMMARY OF REVENUES

1. Surplus	\$6,500.00
2. Total Miscellaneous Revenues	\$388,500.00
Total Revenues	395,000.00

GENERAL BUDGET
SUMMARY OF APPROPRIATIONS

1. General Appropriations:	
Salaries & Wages	\$-0-
Other Expenses	\$191,903.83
Capital Improvements	\$-0-
Debt Service	<u>\$203,096.17</u>
Total Appropriations	\$395,000.00

SEWER UTILITY WEST
SUMMARY OF REVENUES

1. Surplus	17,295.00
2. Total Miscellaneous Revenues	<u>\$150,000.00</u>
Total Revenues	\$167,295.00

GENERAL BUDGET
SUMMARY OF APPROPRIATIONS

1. General Appropriations:	
Salaries & Wages	\$4,000.00
Other Expenses	\$118,600.00
Capital Improvements	\$18,000.00
Debt Service	<u>\$26,695.00</u>
Total Appropriations	\$167,295.00

Adopted June 12, 2023

RESOLUTION 2023-102
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 June 12, 2023

RESOLUTION 2023-103

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM FOR RENEWAL OF CLUB LIQUOR LICENSE MENDHAM GOLF AND TENNIS CLUB

WHEREAS, application for the renewal of a Club License (1419-31-002-003) has been made by Mendham Golf and Tennis Club, for premises located at Golf Lane, Township of Mendham, the period of such renewal to commence on July 1, 2023; and

WHEREAS, the applicants have complied with all of the requirements of the New Jersey Alcoholic Beverage Act, as amended and supplemented, and Section 7-3, Alcoholic Beverage Control, of Chapter VII, Licensing, of the Revised General Ordinances of the Township of Mendham, 1970, as amended and supplemented, including the submission of the appropriate license fee to the Township Clerk; and

WHEREAS, no objections to the renewal of said license have been received.

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

1. The Township Clerk is hereby authorized and directed to issue and deliver the Club License in the form approved by the New Jersey Division of Alcoholic Beverage Control for the year commencing July 1, 2023 and terminating June 30, 2024 to Mendham Golf and Tennis Club for premises situated on Golf Lane, Township of Mendham (License No. 1419-31-002-003).
2. A certified copy of this Resolution shall be forwarded by the Township Clerk to Mendham Golf and Tennis Club and State of New Jersey Division of Alcoholic Beverage Control, for their information and guidance.

Adopted: June 12, 2023

RESOLUTION 2023-104
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
RATIFYING THE LABOR AGREEMENT BETWEEN
THE TOWNSHIP OF MENDHAM AND TEAMSTER LOCAL 469

WHEREAS, the Township of Mendham has participated in negotiations with Teamsters Local 469 with respect to a new collective bargaining agreement covering the time period from January 1, 2023 to December 31, 2025; and

WHEREAS, the parties have reached a satisfactory agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Township Committee of the Township of Mendham that said Township Committee does hereby ratify and approve of the Collective Bargaining Agreement between the Township of Mendham and Teamsters Local 469, subject to the terms of the formal collective bargaining agreement.

Adopted: June 12, 2023

RESOLUTION 2023-105
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING
REFUND OF OVERPAYMENT OF 2023 TAXES

WHEREAS, the Tax Collector has certified to the Township of Mendham that a payment be refunded due to an overpayment of taxes by the mortgage company; 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:

BLOCK & LOT & QUALIFIER	REFUND TO:	AMOUNT:
Block 116 Lot 70 95 Ironia Road	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$4,792.20

Adopted: June 12, 2023

RESOLUTION 2023-106
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE

WHEREAS, Tax Sale Certificate #19-00002 assessed to Block 120 Lot 21, also known as 9 Old Brookside Road, and is held by M & P Retirement Plan; and

WHEREAS, the above-mentioned Tax Sale Certificate has been redeemed in the amount of \$81,642.50.

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: June 12, 2023

RESOLUTION 2023-107
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
SUBMISSION OF A STRATEGIC PLAN FOR THE MENDHAM MUNICIPAL ALLIANCE FOR FISCAL GRANT
CYCLE OCTOBER 2020-JUNE 2025

COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE OCTOBER 2020-JUNE 2025
FORM 1B

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Township Committee of the Township of Mendham, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Morris.

NOW, THEREFORE, BE IT RESOLVED by the Township of Mendham, County of Morris, State of New Jersey hereby recognizes the following:

- 1.The Township Committee does hereby authorize submission of a strategic plan for the Mendham Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$5,056
Cash Match	\$1,264
In-Kind	\$3,792

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted: June 12, 2023

RESOLUTION 2023-108

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
MAYOR TO EXECUTE A LETTER OF AGREEMENT BETWEEN THE COUNTY OF MORRIS AND THE
MENDHAM MUNICIPAL ALLIANCE FOR GRANT ADMINISTRATION OF THE MENDHAM MUNICIPAL
ALLIANCE FOR THE PERIOD OF JULY 1, 2023 TO JUNE 30, 2024**

WHEREAS, the Township of Mendham has been requested to enter into a letter of agreement, attached hereto, with the County of Morris concerning the grant administration of the Mendham Municipal Alliance; and

WHEREAS, this letter of agreement is valid for the period of July 1, 2023 through June 30, 2024 and contingent on full compliance with all terms and conditions; and

WHEREAS, the funds issued by the County of Morris to the Mendham Municipal Alliance shall not exceed \$5,056.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mendham, County of Morris, State of New Jersey authorizes the Mayor to execute the letter of agreement between the County of Morris and the Mendham Municipal Alliance for the grant administration for the alliance to prevent alcoholism and drug abuse.

Adopted: June 12, 2023

RESOLUTION 2023-109
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the *Township Committee* of the Township of Mendham in the County of Morris, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$2,000 which is now available from the New Jersey Division of Mental Health and Addictions Services.

BE IT FURTHER RESOLVED, that the like sum of \$2,000 is hereby appropriated under the caption the New Jersey Division of Mental Health and Addictions Services; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Division of Mental Health and Addictions Services in the amount of \$2,000.

Adopted: June 12, 2023

RESOLUTION 2023-110
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations", and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Mendham, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Adopted: June 12, 2023

RESOLUTION 2023-111
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
APPROVAL OF CORRECTIVE ACTION PLAN

WHEREAS, the Division of Local Government Services requires preparation of a Corrective Action Plan in accordance with the Single Audit Act, U.S. Office of Management and Budget, and New Jersey Office of Management and Budget; and

WHEREAS, a Corrective Action Plan has been prepared by the Chief Financial Officer as required and copies have been distributed to the governing body and filed with the Township Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham that the said Corrective Action Plan is hereby approved as submitted.

TOWNSHIP OF MENDHAM
CORRECTIVE ACTION PLAN
2022 AUDIT

As required by Local Finance Notice #92-15

Finding 2022-1: Description: Adequate segregation of duties is maintained with respect to the recording and treasury functions.

Analysis: There is a reasonable balance between limited staffing in a small municipality and ideal internal controls. Administration has taken several measures in recent years to improve internal controls. Collection duties are shared among three employees in the Finance Department and prenumbered documents and monthly reports to the Chief Financial Officer are required by the other departments. Administration understands this balance and will continue to seek opportunities for enhancing all internal controls.

Corrective Action/Implementation Date: The Township will continue to evaluate possible measures to improve internal controls by investigating the cost/benefit relationship of various alternatives to resolve this finding.

Implementation Date: 6/12/2023

BE IT FURTHER RESOLVED that a copy of the Plan be submitted to the Division of Local Government Services as required.

Adopted: June 12, 2023

RESOLUTION 2023-112
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
APPROVING A FORESTRY MANAGEMENT PLAN

WHEREAS, the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, has determined that shade trees and parks are an essential part of the environment and contribute to the economic and social values of the Township, and

WHEREAS, N.J.S.A. 13:1L-17.2 provides that properly planned and implemented local community forestry programs can provide the necessary basis for local government to reduce or eliminate liability associated with local tree care programs and shade tree commissions; and

WHEREAS, it is the intent of the Board of Commissioners of the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, that the Township comply with the requirements of the New Jersey Community Forestry Assistance Act and thereby avail itself of the limited liability, grants, training and assistance created thereunder.

NOW, THEREFORE, BE IT RESOLVED by Township Committee of the Township of Mendham that:

1. The Township Committee hereby adopts the Community Forestry Management Plan as recommended by the Shade Tree Committee, a copy of which is on file with the Municipal Clerk.
2. The Mayor and Township Clerk are hereby authorized to execute the Community Forestry Management Plan and shall submit same to the State Forester pursuant to N.J.S.A 13:1L-17.7.

Adopted June 12, 2023

ZOOM ACCESS

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