

**TOWNSHIP OF MENDHAM  
TOWNSHIP COMMITTEE  
REGULAR MEETING**

**DATE:** Monday, June 26, 2023  
**TIME:** 6:30 PM- EXECUTIVE SESSION (not open to the public)  
7:30PM- PUBLIC SESSION-REGULAR MEETING  
**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](http://waterassistance.nj.gov).

**RESOLUTION TO CONVENE INTO EXECUTIVE SESSION**

**2023-114 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**

**EXECUTIVE SESSION**

Will not be a public session. Executive session only

**PRESENTATION**

Environmental Commission

**PROCLAMATION**

Lou Leffler

**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**

- June 8, 2023 Special Meeting Minutes
- June 12, 2023 Regular Meeting Minutes
- June 12, 2023 Executive Session Minutes

**REGULAR AGENDA RESOLUTIONS**

- 2023-110      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT  
TABLED FROM JUNE 12, 2023 MEETING**
- 2023-111      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVAL OF CORRECTIVE ACTION PLAN  
TABLED FROM JUNE 12, 2023 MEETING**
- 2023-115      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS**
- 2023-116      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM TO APPROVE SETTLEMENT OF REAL PROPERTY TAX APPEAL**
- 2023-117      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM TO PLACE AND DISPLAY SCUPLTURES OF BROADFOOT AND BROADFOOT, LLC OF BOONTON, NJ AT PITNEY PARK FOR A PERIOD OF 12 MONTHS**
- 2023-118      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE SALE OR DISPOSAL OF TOWNSHIP VEHICLES AND EQUIPMENT NO LONGER NEEDED FOR PUBLIC USE**
- 2023-119      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPOINTING GARY STECKER FOREMAN IN THE MENDHAM TOWNSHIP PUBLIC WORKS DEPARTMENT**
- 2023-120      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPOINTING MICHELLE STATDA CREW CHEIF IN THE MENDHAM TOWNSHIP PUBLIC WORKS DEPARTMENT**

**2023-121 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM  
APPOINTING HARRY SPELLMAN CREW CHEIF IN THE MENDHAM TOWNSHIP  
PUBLIC WORKS DEPARTMENT**

**2023-122 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM  
AUTHORIZING SUBMISSION OF A HIGHLANDS INITIAL ASSESSMENT  
GRANT APPLICATION**

**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**

Records Management proposal

**ADJOURN**

**RESOLUTION 2023-114**

**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.
- (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.



(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.



(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 **June 26, 2023 at 6:30 P.M.** in the Mendham Township Elementary School, 18 West Main St., 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: June 26, 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 26, 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 26, 2023

**RESOLUTION 2023-115**  
**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 26, 2023



**RESOLUTION 2023-116**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**TO APPROVE SETTLEMENT OF REAL PROPERTY TAX APPEAL**

**WHEREAS**, the municipal tax assessor and tax appeal counsel have negotiated a settlement of a real property tax appeal pending in the Tax Court of New Jersey; and

**WHEREAS**, the settlement is conditioned upon approval by the governing body of the Township of Mendham;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, that the following proposed settlement is approved:

1. Block 147, Lot 31 – 2022 assessment to be reduced to \$2,050,000, resulting in an anticipated refund in the amount of \$3,168.89.

Adopted June 26, 2023

**RESOLUTION 2023-117**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM TO PLACE AND**  
**DISPLAY SCUPLTURES OF BROADFOOT AND BROADFOOT, LLC OF BOONTON, NJ AT PITNEY PARK**  
**FOR A PERIOD OF 12 MONTHS**

**WHEREAS**, The Township of Mendham operates, maintains, and manages a public park owned by the Township of Mendham, New Jersey commonly known as Pitney Park; and

**WHEREAS**, Art curator, Broadfoot and Broadfoot, LLC has requested to display 2 sculptures at Pitney Park; and

**WHEREAS**, The Township in its mission to provide its residents with the opportunity to enhance the aesthetics of the park with visually pleasing art work and values the educational opportunity to the community as a whole; and

**WHEREAS**, Broadfoot and Broadfoot, LLC have agreed to donate the sculptures to Mendham Township for a period of up to one year and all costs associated with the installation, removal, and delivery are at no charge to the Township;

**NOW THEREFORE BE IT RESOLVED** BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM COUNTY OF MORRIS; agrees to allow Broadfoot and Broadfoot, LLC to display its artwork at Pitney Park for a period of one year starting on 6/13/2023 in accordance with the accompanying contract.

Adopted June 26, 2023

**RESOLUTION 2023-118**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING THE SALE OR DISPOSAL OF TOWNSHIP VEHICLES AND EQUIPMENT NO LONGER NEEDED**  
**FOR PUBLIC USE**

**WHEREAS**, N.J.S.A. 40A:11-36 authorizes a municipality to sell or dispose of personal property no longer needed for public use by resolution of its governing body; and

**WHEREAS**, N.J.S.A. 40A:11-36 provides that if the estimated value of the property to be sold exceeds 15 percent of the bid threshold in any one sale, it shall be sold at public sale to the highest bidder, and, if the estimated value of the property to be sold does not exceed the applicable bid threshold in any one sale, it may be sold at private sale without advertising for bids; and

**WHEREAS**, Township's Administrator and Public Works Director have determined that the following vehicles and equipment are no longer needed for public use:

**Description of Vehicles and Equipment No Longer Needed for Public Use**

VIN #1FMEU73876UB31489-2006 Ford Explorer

VIN #1826-P- Mason Utility Trailer

VIN #3FDXF75R12MA07872- 2002 Ford F750 hook lift truck

VIN #1FAHP2MK9FG167856- 2015 Ford Taurus pursuit vehicle

VIN #1FDYS80E4WVA35574- 1998 Ford All wheel Dump Truck

VIN #1FTNF21529EA00186- 2009 F250

**WHEREAS**, the Township Administrator and Public Works Director request approval to sell or dispose of such vehicles and equipment in accordance with N.J.S.A. 40A:11-36.

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township Mendham that the herein referenced vehicles and equipment no longer needed for public use are hereby authorized to be sold or disposed of in accordance with N.J.S.A. 40A:11-36.

Adopted June 26, 2023

**RESOLUTION 2023-119**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**APPOINTING GARY STECKER FOREMAN IN THE MENDHAM TOWNSHIP**  
**PUBLIC WORKS DEPARTMENT**

**WHEREAS**, a vacancy exists in the position of Foreman within the Mendham Public Works Department; and

**WHEREAS**, the Township Committee of the Township of Mendham has determined that it is necessary and appropriate to fill the vacancy of the Foreman position; and

**WHEREAS**, Gary Stecker has been employed with the Mendham Township Department of Public works for 15 years and has demonstrated the ability to perform all functions necessary to be Foreman; and

**WHEREAS**, The Township Administrator and Superintendent of Public are satisfied with his ability and recommend Gary Stecker for the position of Foreman and the Department of Public Works; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Township Committee of the Township of Mendham that Gary Stecker is hereby appointed as a Foreman in the Mendham Township Department of Public Works, effective July 1, 2023, and shall be compensated at the rate of \$73,500.

Adopted: June 26, 2023

**RESOLUTION 2023-120**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**APPOINTING MICHELLE STATDA CREW CHEIF IN THE MENDHAM TOWNSHIP**  
**PUBLIC WORKS DEPARTMENT**

**WHEREAS**, a vacancy exists in the position of Crew Chief within the Mendham Public Works Department; and

**WHEREAS**, the Township Committee of the Township of Mendham has determined that it is necessary and appropriate to fill the vacancy of the Crew Chief position; and

**WHEREAS**, Michelle Stadta has demonstrated the ability to perform all functions necessary to be Crew Chief; and

**WHEREAS**, The Township Administrator and Superintendent of Public are satisfied with his ability and recommend Michelle Stadta for the position of Crew Chief and the Department of Public Works; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Township Committee of the Township of Mendham that Michelle Stadta is hereby appointed as a Crew Chief in the Mendham Township Department of Public Works, effective July 1, 2023, and shall receive a stipend of \$5,000.

Adopted: June 26, 2023

**RESOLUTION 2023-121**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**APPOINTING HARRY SPELLMAN CREW CHEIF IN THE MENDHAM TOWNSHIP**  
**PUBLIC WORKS DEPARTMENT**

**WHEREAS**, a vacancy exists in the position of Crew Chief within the Mendham Public Works Department;  
and

**WHEREAS**, the Township Committee of the Township of Mendham has determined that it is necessary  
and appropriate to fill the vacancy of the Crew Chief position; and

**WHEREAS**, Harry Spellman has demonstrated the ability to perform all functions necessary to be Crew  
Chief; and

**WHEREAS**, The Township Administrator and Superintendent of Public are satisfied with his ability and  
recommend Harry Spellman for the position of Crew Chief and the Department of Public Works; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Township Committee of the Township of Mendham  
that Harry Spellman is hereby appointed as a Crew Chief in the Mendham Township Department of Public  
Works, effective July 1, 2023, and shall receive a stipend of \$5,000.

Adopted: June 26, 2023

**RESOLUTION 2023-122**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING SUBMISSION OF A HIGHLANDS INITIAL ASSESSMENT GRANT APPLICATION**

**WHEREAS**, in recognition of the costs associated with local government efforts to conform to the Regional Master Plan (RMP), the Highlands Act provided a funding mechanism through the creation of the Highlands Protection Fund; and

**WHEREAS**, the Highlands Protection Fund includes significant grant funds that are available for municipalities and counties seeking to conform or considering voluntary conformance with the RMP; and

**WHEREAS**, the Highlands Water Protection and Planning Council (Highlands Council) has adopted an Initial Assessment Grant Program. This grant program will fund preliminary municipal and county Plan Conformance activities for lands throughout the Highlands Region. These grants will allow local jurisdictions and counties to engage their professionals to assess the requirements and benefits of Plan Conformance; and

**WHEREAS**, the Township of Mendham believes that it is in the best interest of the Township of Mendham to apply to the Highlands Council for an Initial Assessment Grant.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mendham, in the County of Morris, State of New Jersey hereby authorizes the submission of the aforementioned Highlands Initial Assessment Grant Application to the Highlands Council.

Adopted June 26, 2023

## ZOOM ACCESS

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

Click on "Join a meeting"

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**Passcode: 421559**

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