

**TOWNSHIP OF MENDHAM  
TOWNSHIP COMMITTEE  
REGULAR MEETING**

**DATE:** Monday, July 10, 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**

**2023-123 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

**RECOGNIZING NEW MEMBER**

Levering Wolfe will be joining Ralston Fire Department as a regular/active member.

**ANNOUNCEMENTS**

**OPEN TO THE PUBLIC**

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

All comments should be directed to Mayor Monaghan.

Zoom Attendees: If you wish to make a comment, please click 'Raise hand' in the webinar controls. If you join the webinar by phone, **dial \*9** to raise your hand.

**APPROVAL OF MEETING MINUTES**

- June 26, 2023, Regular Meeting Minutes
- June 26, 2023, Executive Session Minutes

**ORDINANCE(s) FOR INTRODUCTION**

**06-2023      BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,000,000 FOR CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$1,904,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF  
PUBLIC HEARING SCHEDULED FOR JULY 24, 2023**

**07-2023      BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND INSTALLATION OF PERMANENT LIGHTING AND OTHER IMPROVEMENTS AT MOSLE PARK IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$515,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$489,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.  
PUBLIC HEARING SCHEDULED FOR JULY 24, 2023**

**08-2023      AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, MORRIS COUNTY, NEW JERSEY  
RE: REPLACING CHAPTER 245 SECTION 2 SUBSECTION A OF THE ORDINANCES OF THE TOWNSHIP OF MENDHAM (PARKS AND RECREATIONAL FACILITIES  
PUBLIC HEARING SCHEDULED FOR JULY 24, 2023**

**REGULAR AGENDA RESOLUTIONS**

**2023-124      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS**

**2023-125      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING SALARIES FOR CERTAIN EMPLOYEES OF THE TOWNSHIP FOR THE YEAR 2023**

**2023-126      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING DATES FOR HUNTING FROM TREE STANDS ON TOWNSHIP OWNED NATURAL AREAS**

**2023-127      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING A CHANGE ORDER TO THE CONTRACT OF S. HOURAN USA CONTRACTING LLC FOR THE REHABILITATION OF TOWN HALL**

- 2023-128 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM  
AUTHORIZING THE AWARD OF A CONTRACT TO ROBIN KLINE, MACE, RMC  
FOR RECORDS MANAGEMENT SERVICES
- 2023-129 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM  
AUTHORIZING A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF  
TRANSPORTATION FOR THE ROXITICUS ROAD PROJECT
- 2023-130 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM  
AUTHORIZING A CONTRACT FOR PROFESSIONAL LEGAL SERVICES (NON-FAIR AND OPEN.)
- 2023-131 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM  
APPROVING STAFF APPOINTMENTS FOR THE DEPARTMENT OF RECREATION SUMMER  
SEASON

**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**

**ADJOURN**

**RESOLUTION 2023-123**  
**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 **July 10, 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: July 10, 2023

**ORDINANCE NO. 06-2023  
TOWNSHIP OF MENDHAM  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,000,000 FOR CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$1,904,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF 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 improvements described in Section 3 of this bond ordinance have heretofore been authorized to be undertaken by the Township of Mendham, in the County of Morris, New Jersey (the "Township") as general improvements. For the improvements or purposes described in Section 3, there is hereby appropriated the supplemental amount of \$2,000,000, such sum being in addition to the \$5,600,000 appropriated therefor by bond ordinance #12-2020 of the Township, finally adopted October 27, 2020, as supplemented by bond ordinance #11-2022 of the Township, finally adopted July 25, 2022 (collectively, the "Original Bond Ordinance"), with \$1,885,000 of the \$2,000,000 supplemental appropriation being for the renovation of the Township Hall as described in Section 3(a) thereof and with \$115,000 of the \$2,000,000 supplemental appropriation being for the construction of the police station as described in Section 3(b) thereof, and including the sum of \$95,500 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvements or purposes not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,904,500 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. The improvements hereby and heretofore authorized and the purposes for which the bonds are to be issued, the supplemental appropriation for each purpose, the estimated additional amount of bonds or notes to be issued for each purpose and the period of usefulness of each purpose are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) The major renovation of Township Hall located at 2 West Main Street, Brookside, including roof replacement, interior and exterior wall improvements, window and door replacement, a new exterior fireproof stairwell with elevator, bathrooms to meet ADA requirements, a new HVAC/boiler system and related improvements	\$1,885,000	\$1,795,000	10 years
b) The construction of a new police station on property owned by the Township at 4 West Main Street, including furnishings and equipment	<u>\$115,000</u>	<u>\$109,500</u>	20 years
TOTALS:	<u>\$2,000,000</u>	<u>\$1,904,500</u>	

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvements or purposes is \$7,224,500, including the \$5,320,000 authorized by the Original Bond Ordinance and the \$1,904,500 bonds or bond anticipation notes authorized herein, with \$2,940,000 available from the Original Bond Ordinance and \$1,795,000 made available herein for a total of \$4,735,000 for the Township Hall as described in Section 3(a) and with \$2,380,000 available from the Original Bond Ordinance and \$109,500 made available herein for a total of \$2,489,500 for the police station as described in Section 3(b).

(c) The estimated cost of the improvements or purposes is \$7,600,000, including the \$5,600,000 appropriated by the Original Bond Ordinance and the \$2,000,000 appropriated herein, with \$3,100,000

appropriated in the Original Bond Ordinance and \$1,885,000 appropriated herein for a total of \$4,985,000 for the Township Hall as described in Section 3(a) and with \$2,500,000 appropriated in the Original Bond Ordinance and \$115,000 appropriated herein for a total of \$2,615,000 for the police station as described in Section 3(b).

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



(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for the supplemental amounts set forth for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.57 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 \$1,904,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,520,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements. \$1,120,000 of this amount was estimated for these items of expense in the Original Bond Ordinance, and \$400,000 is estimated therefor herein.

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 purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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.

Introduced: July 10, 2023

**ORDINANCE NO. 07-2023  
TOWNSHIP OF MENDHAM  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND INSTALLATION OF PERMANENT LIGHTING  
AND OTHER IMPROVEMENTS AT MOSLE PARK IN AND BY THE TOWNSHIP OF MENDHAM, IN THE  
COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$515,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$489,250 BONDS OR NOTES OF THE TOWNSHIP TO  
FINANCE PART OF 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 \$515,000, including the sum of \$25,750 as the down payment required by the Local Bond Law. \$12,875 of the down payment is now available from a contribution from the Twin Boro Bears, and \$12,875 of the down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$489,250 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 acquisition and installation of permanent lighting and other improvements at Mosle Park, including the parking lot and football field, and equipment, materials, work and costs necessary therefore or incidental thereto.

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

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor. Twin Boro Bears is expected to provide a total of 50% of the project cost, including its share of the down payment, in accordance with an agreement with the Township.

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 15 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 \$489,250, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$103,000 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.

Introduced: July 10, 2023

**ORDINANCE NO. 08-2023**  
**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM,**  
**MORRIS COUNTY, NEW JERSEY**  
**RE: REPLACING CHAPTER 245 SECTION 2 SUBSECTION A OF THE ORDINANCES OF THE TOWNSHIP OF**  
**MENDHAM (PARKS AND RECREATIONAL FACILITIES)**

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Whereas, the Township Committee of the Township of Mendham has deemed it advisable to delete a portion of Chapter 245, Section 2, subsection A and replace the same in its entirety:

**Now Therefore BE IT HEREBY ORDAINED** by the Township Committee of the Township of Mendham as follows:

**SECTION ONE:**

Existing Chapter 245, Section 2, subsection A is deleted and replaced in its entirety with the following;

**§ 245-2. PROHIBITED ACTIVITIES.**

**NO PERSON SHALL:**

A. Enter, remain in or conduct any activity whatsoever in any Township Park during the period commencing at 9:00 PM on any day and ending 1/2 hour before sunrise on the following morning. Any use after 1/2 hour after sunset, but before 9:00 PM must:

1. Gain approval by application for use to the Recreation Committee.
2. Once approved by the Recreation Committee, be placed on a resolution approving use with the Township Committee. Township Committee meetings to approve usage hours after sunset, but before 9:00 PM, shall be noticed to all neighbors within 200' of any athletic field.
3. If approved, neighbors within 200' will receive quarterly schedules with approved usage after dark from the Recreation Director.
4. The additional below guidelines shall be put into place for Mosle Field:
  - I. Sports League use of Mosle Field lights shall be restricted to the period between August 15 and November 15 and use may not surpass 5:30-8:30 PM Monday through Friday. The additional half hour period between 8:30-9:00 PM shall strictly be for clean-up.
  - II. For Profit Organizations are prohibited from being permitted to use Mosle Field. The use of Mosle Sports fields is strictly for the use of Mendham Based Sports Non-Profit Organizations.

**SECTION TWO:**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

**SECTION THREE:**

All ordinances of the Township of Mendham which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION FOUR:**

This ordinance shall take effect upon final passage and publication thereof as provided by law.

Introduced: July 10, 2023

**RESOLUTION 2023-124**  
**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 July 10, 2023



**RESOLUTION 2023-125**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING**  
**SALARIES FOR CERTAIN EMPLOYEES OF THE TOWNSHIP FOR THE YEAR 2023**

**WHEREAS**, the funding necessary to pay the salaries as established by ordinance has been appropriated in the 2023 Municipal Budget which was adopted on June 8, 2023.

**BE IT RESOLVED** by the Township Committee of the Township of Mendham, that the following named persons be paid the salaries indicated:

<u>NAME</u>	<u>2023 SALARY</u>
Robert Casey	\$70.00 per hour
Jason Gabloff	\$200,000
Steven Bittman	\$140,770
Antoinette Gallicchio	\$ 46,544
Ross Johnson	\$152,363
David Read, Jr.	\$118,959
Colin Baker	\$ 15,696
Joseph Caputo	\$ 18,943
David Guida	\$32.47 per hour
Scott Holzhauer	\$ 26,117
Wendy Parrinello	\$ 51,000
Nancy Shay	\$20.81 per hour
Len Perre	\$ 57,369
Michael Shay	\$ 8,323
Robert Smith	\$ 20,679
Beth Foley	\$ 63,730
Pam Weiner (includes QPA Stipend)	\$ 63,498
Karen Orgera	\$ 66,300
Stephen Shea	\$ 14,321

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mendham that the following changes in salary be made, effective January 1, 2023.

Adopted July 10, 2023

**RESOLUTION 2023-126**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING DATES FOR HUNTING FROM TREE STANDS ON TOWNSHIP OWNED NATURAL AREAS**

**WHEREAS**, the Township Committee appointed a Wildlife Management Committee to advise the Governing Body on matters involving non-domestic animals; and

**WHEREAS**, the Wildlife Management Committee has recommended that deer and all fish and game regulated as hunting, from tree stands only, be allowed according to the following calendar schedule in the natural areas:

**SHOTGUN DEER HUNTING FROM TREE STANDS:**

With only residents, employees and former employees from the Mendhams, Chesters, Harding Township and Randolph participating

Burnett Brook, Buttermilk Falls, Dos Passos, India Brook, Meadowood Preserve, Mosle Preserve

*November 11, 2023*

*December 4, 2023 – December 09, 2023*

*January 6, 12, 13, 20, 26, 27, 2024*

**CLYDE POTTS RESERVOIR:**

*December 4, 2022 – December 09, 2023*

*January 6, 13, 20, 27, 2024*

These areas will be closed to the public on the dates listed above.

**BOW AND ARROW DEER HUNTING FROM TREE STANDS OVER BAIT:**

Burnett Brook, Buttermilk Falls, Cold Hill Preserve, Dismal Harmony, Dos Passos, India Brook, Meadowood Preserve, Mosle Preserve, Tempe Wick, Wysong Natural Area

*September 09, 2023 – February 17, 2024 (excludes Sundays)*

*Dawn to Dusk*

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, to approve the schedule noted above and to authorize that appropriate measures be taken to post the Natural Areas to note the dates and hours of closure to the public.

**BE IT FURTHER RESOLVED** that the Mendham Township Wildlife Management Committee is responsible for scheduling hunters with valid permits in the parks.

Adopted: July 10, 2023

**RESOLUTION 2023-127**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING**  
**A CHANGE ORDER TO THE CONTRACT OF S. HOURAN USA CONTRACTING LLC**  
**FOR THE REHABILITATION OF TOWN HALL**

**WHEREAS**, the Township of Mendham advertised for Bids For the rehabilitation of Town Hall at 2 West Main Street, Brookside, NJ in May, 2022 and awarded a contract to S. Houran USA Contracting (Houran) on July 25, 2022, for \$2,456,250 with a completion date of July, 2023; and

**WHEREAS**, in the summer of 2022 the Township authorized an asbestos examination of Town Hall in view of the extensive renovation activities occurring therein and this asbestos analysis discovered asbestos in several areas of the original lath and plaster construction requiring the abatement of all original plaster in areas to be disturbed by the rehabilitation; and

**WHEREAS**, the Houran construction activities were suspended effective October 1, 2022 thru December 31, 2022 for the asbestos removal; and

**WHEREAS**, as a result of the interior demolition by Houran and the removal of plaster due to potential asbestos, Cornerstone Architectural Group (CAG) was able to examine the structural condition of the building and determined that significant structural modifications were required and the existing sprinkler system needed to be replaced; and

**WHEREAS**, the rehabilitation contract of Houran was suspended pending the resolution of these deficiencies; and

**WHEREAS**, CAG prepared revised structural plans, provided these plans to Houran in April, and received a proposal (change order) of the cost to accomplish the cited work; and

**WHEREAS**, in this change order Houran has agreed that he will address all known deficiencies in the building; and

**WHEREAS**, CAG has reviewed the Houran proposal as to completeness and compliance with the revisions, and through negotiations Houran and the Township Administration have agreed to a change order value of \$1,500,000 that includes accomplishing all the required work, rehabilitation of the existing pantry and certain countertops, plus any and all damages / payments due to the project delay / project extension; and

**WHEREAS**, in compliance with N.J.A.C. 5:30-11.9, the Township Administration has provided the required detailed justification for the change order, citing the history of the project and an analysis of the alternates available to the Township, and CAG has provided the required history of the project and explanation of the reasons for the change order; and

**WHEREAS**, funds for this change order will be provided by Bond Ordinance 2023 – xx, pending before the Township Committee.

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

1. Change order # 1, attached, in a total value of \$1,500,000 increasing the contract with Houran is hereby approved resulting in a new total contract value of \$3,956,250.
2. This bid award is conditioned upon the passage and final effective date of Bond Ordinance 06-2023.
3. The Mayor is authorized to execute said change order upon the effective date of Bond Ordinance 06-2023.
4. The Township Clerk shall file a copy of this Resolution with all attachments with the Office of the New Jersey Comptroller as required by N.J.A.C. N.J.A.C. 5:30-11
5. This resolution, all attachments cited herein, and the approved change order shall be available for public inspection in the Office of the Township Clerk.

Adopted July 10, 2023

**RESOLUTION 2023-128**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING THE AWARD OF A CONTRACT TO ROBIN KLINE, MACE, RMC**  
**FOR RECORDS MANAGEMENT SERVICES**

**WHEREAS**, The Township has a need to assess, organize, and properly maintain the volume and content of stored records at the Ironia Road/India Brook facility in accordance with the Open Public Records Act;

**WHEREAS**, Robin Kline, RMC is a retired municipal clerk with an expertise in records management; and

**WHEREAS**, The Township Administrator recommends awarding a contract for 2023 for Records Management services of \$5,645 to Robin Kline; and

**WHEREAS**, the quote received from Robin Kline has been found to be in proper form and in compliance with the applicable provisions of all New Jersey State laws; and

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 01-20-100-028 – Professional Services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Mendham, County of Morris, State of New Jersey, as follows:

1. The Township Committee hereby awards a contract to Robin Kline for Records Management Service in an amount of \$5,645
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Robin Kline, for said Records Management Services
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted July 10, 2023

**RESOLUTION 2023-129**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING**  
**A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**  
**FOR THE ROXITICUS ROAD PROJECT**

**WHEREAS**, Mendham Township is submitting a grant application to the New Jersey Department of Transportation for a project to pave Roxiticus Rd; and

**WHEREAS**, the Township Committee of the Township of Mendham formally approves the grant application for the above stated project; and

**BE IT RESOLVED**, that the Township Engineer is hereby authorized to submit an electronic grant application identified as 2024-MA-00451–Mendham Township Roxiticus Road to the New Jersey Department of Transportation on behalf of the Township of Mendham.

**BE IT FURTHER RESOLVED**, that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Mendham and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted July 10, 2023

**RESOLUTION 2023-130**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING A  
CONTRACT FOR PROFESSIONAL LEGAL SERVICES (NON-FAIR AND OPEN.)**

**WHEREAS**, the Township of Mendham (the "Township") has the need to engage an attorney to render legal services to the Township in the area of farming with an emphasis on land use; and

**WHEREAS**, the practice of law is a licensed profession, regulated by the State of New Jersey requiring extensive knowledge and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A, 40A:11-5 et. seq.; and

**WHEREAS**, Michael B. Lavery, Esq., of the firm of Lavery, Selvaggi, Abromitis and Cohen, P.C. of Hackettstown, New Jersey possess the necessary specialized knowledge required by the Township; and

**WHEREAS**, the Chief Financial officer has certified to the availability of funds.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey does hereby retain the services of Michael B. Lavery, Esq. and shall issue an engagement letter to him for legal services to be rendered at the rate of \$150.00 per hour with an initial not to exceed amount of \$10,000. This authorization shall become effective upon the filing of a certificate of availability of funds by the Chief Financial Officer.

Adopted: July 10, 2023

**RESOLUTION 2023-131**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVING STAFF**  
**APPOINTMENTS FOR THE DEPARTMENT OF RECREATION SUMMER SEASON**

**BE IT RESOLVED** by the Township Committee of the Township of Mendham that the following named persons be paid from the Recreation Trust in accordance with the following:

**BROOKSIDE BEACH REHIRS**

Valencia Grob	Lifeguard	\$14.75/hour
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**NEW HIRES**

Raaghav Reddy	Lifeguard	\$14.25/hour
Benjamin Moschella	Lifeguard	\$14.25/hour
Graham Collins	Lifeguard	\$14.25/hour
Alex Barrett	Lifeguard	\$14.25/hour
Rowan Killam	Lifeguard	\$14.25/hour
Ashton Gentile	Lifeguard	\$14.25/hour
Shayna Ingber	Front Desk/Snack Stand	\$13.00/hour

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mendham, approves the hiring of seasonal employees and a copy of this resolution be provided to the Recreation Director and the Chief Financial Officer.

Adopted July 10, 2023



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