

**TOWNSHIP OF MENDHAM
TOWNSHIP COMMITTEE
REGULAR MEETING**

DATE: Monday, September 11, 2023
TIME: 6:30 PM- EXECUTIVE SESSION (not open to the public)
7:30PM- PUBLIC SESSION-REGULAR MEETING
LOCATION: **MENDHAM TOWNSHIP MIDDLE SCHOOL**
All Purpose Room
16 Washington Valley Road, 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 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.

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.

RESOLUTION TO CONVENE INTO EXECUTIVE SESSION

2023-150 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

CPR Save pins to Officers Sean Ulversoy and Victoria DiMaggio
Kylie Bailin- Environmental Commission

PROCLAMATION

Hispanic Heritage Month
Prostate Cancer Awareness Month
Suicide Prevention 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

- August 16, 2023- Regular Meeting Minutes
- August 16, 2023- Executive Session Minutes

REGULAR AGENDA RESOLUTIONS

- 2023-151 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS**
- 2023-152 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING 2023 BUDGET INSERTION OF SPECIAL ITEM OF REVENUE FOR “STATE OF NEW JERSEY – DEPARTMENT OF ENVIRONMENTAL PROTECTION TIER A STORM WATER GRANT**
- 2023-153 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM CANCELLATION OF OUTSTANDING CHECKS**
- 2023-154 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AWARDING TOPLINE CONSTRUCTION CORP. OF SOMERVILLE, NJ- THE ROAD RESURFACING OF VARIOUS ROADS INCLUDING 2022 NJDOT WOODLAND ROAD, NJDOT EAST AND WEST MAIN STREET, AND 2023 VARIOUS ROAD IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$1,952,737.58.**
- 2023-155 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING A MOSLE PROJECT AD-HOC COMMITTEE**

OPEN TO THE PUBLIC

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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

Town Hall Renovation Update

Potential Ordinance on Native Plants

ADJOURN

RESOLUTION 2023-150
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 **September 11, 2023 at 6:30 P.M.** in the Mendham Township Middle School, 16 Washington Valley Road, 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: September 11, 2023

RESOLUTION 2023-151
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 September 11, 2023

RESOLUTION 2023-152
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AMENDING 2023 BUDGET
INSERTION OF SPECIAL ITEM OF REVENUE
FOR “STATE OF NEW JERSEY – DEPARTMENT OF ENVIRONMENTAL PROTECTION
TIER A STORM WATER GRANT

WHEREAS, N.J.S. 40A4-87 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 thereof was not determined at the time of the adoption of the 2023 budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Mendham has received funds from the State of New Jersey – Department of Environmental Protection Tier A Storm Water Grant in the amount of \$25,000 and wishes to amend its 2023 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mendham, 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 \$25,000.00 which is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-set with Appropriations:

State of New Jersey – Department of Environmental Protection Storm Water Grant - \$25,000.00

BE IT FURTHER RESOLVED that the sum of \$25,000.00 is hereby appropriated under the caption of:

General Appropriations:

Operations Excluded from “CAPS”

Public and Private Revenues Off-set with Appropriations:

State of New Jersey – Department of Environmental Protection Storm Water Grant - \$25,000.00

Adopted September 11, 2023

RESOLUTION 2023-153
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
CANCELLATION OF OUTSTANDING CHECKS

WHEREAS, there exists outstanding checks which has been outstanding for over six months; and

WHEREAS, it is necessary to formally cancel the outstanding checks and the expenditures be deposited into the accounts of origination.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mendham, County of Morris, New Jersey, that the following outstanding checks be cancelled:

6596	\$	765.22
7446	\$	790.00
8373	\$	300.00
8865	\$	171.45
9641	\$	254.00
9732	\$	1,155.67
9803	\$	123.32
10028	\$	1,746.25
10150	\$	475.00
10266	\$	440.00
10269	\$	2.00
10354	\$	75.00
10542	\$	273.93

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Township Auditor and Chief Financial Officer for their records.

Adopted September 11, 2023

RESOLUTION 2023-154

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AWARDING TOPLINE CONSTRUCTION CORP. OF SOMERVILLE, NJ- THE ROAD RESURFACING OF VARIOUS ROADS INCLUDING 2022 NJDOT WOODLAND ROAD, NJDOT EAST AND WEST MAIN STREET, AND 2023 VARIOUS ROAD IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$1,952,737.58.

WHEREAS, pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Township of Mendham publicly advertised for the submission of sealed bids for Road Resurfacing; and

WHEREAS, The Road Projects included in the public bid are the 2022 NJDOT Woodland Road project, 2023 NJDOT East & West Main Street project and the 2023 Various Road Improvements; and

WHEREAS, on August 16, 2023, twelve (12) bids were received for the road improvement projects; and

WHEREAS, the 3 lowest bidders considered are as follows; and

Bidders

Riverview Paving
859 Willow Grove Street
Hackettstown, NJ 07840

American Asphalt & Trucking, LLC
818 Summer Avenue, Floor 1
Newark, NJ 07104

Topline Construction Corp.
22 Fifth Street
Sommerville, NJ 08876

WHEREAS; it has been determined that Topline Construction Corp. is the lowest responsible, and responsive bidder; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account C-04-55-035-001; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Mendham, County of Morris, State of New Jersey authorizes the Mayor and the Township Clerk to enter into a contract with Topline Construction of Sommerville, New Jersey, not to exceed \$1,952,737.58 for road resurfacing of various roads.

Adopted September 11, 2023

RESOLUTION 2023-155
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING A MOSLE PROJECT AD-HOC COMMITTEE

WHEREAS, there is a need to establish an Ad-Hoc working group for the proposed Mosle Field Lighting project and;

WHEREAS, it is necessary to formally create this Ad-Hoc working group to ensure that the Twin Boro Bears (TBB) can use Mosle Field after sundown between September 15th and November 15th each year and fulfill their mission as a non-profit youth sports organization and is supported by local residents and;

WHEREAS, the goal of this working group is to propose a solution to the Township Committee no later than the November 27, 2023, Township Committee meeting and present interim reports with the working group's progress during every Township committee meeting between September 11, 2023, and November 27, 2023, and;

WHEREAS, the makeup of the working group shall consist of the Recreation Director(non-voting), an at large member of the Mendham Township community appointed directly by the Township Committee, and members designated by their respective committees/boards/communities: two Township Committee members, one Environmental Commission Representative, one Wildlife Committee Representative, two Township residents from the Mosle neighborhood, two TBB representatives.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mendham, County of Morris, New Jersey, that the following Ad-Hoc working group be established:

Adopted September 11, 2023

ZOOM ACCESS

www.zoom.us

Click on "Join a meeting"

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+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 346 248 7799 US (Houston)

Webinar ID: 838 1974 2642

Passcode: 705762

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