

**TOWNSHIP OF MENDHAM  
TOWNSHIP COMMITTEE  
REGULAR MEETING**

**DATE:** Monday, October 23, 2023  
**TIME:** 6:00 PM  
**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](http://waterassistance.nj.gov).

**ANNOUNCEMENTS**

**OPEN TO THE PUBLIC-OTHER TOWNSHIP MATTERS NOT RELATED TO BACKER FARM APPLICATION**

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**

- October 10, 2023- Regular Meeting Minutes
- October 10, 2023- Executive Meeting Minutes

**ORDINANCE FOR SECOND READING/PUBLIC HEARING**

**10-2023      AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM,  
MORRIS COUNTY, NEW JERSEY ADDING A NEW CHAPTER 298 "REGULATION OF  
PRIVATELY OWNED SALT STORAGE"**

INTRODUCED SEPTEMBER 28, 2023

**REGULAR AGENDA RESOLUTIONS**

**2023-170      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM  
AUTHORIZING THE PAYMENT OF BILLS**

**DISCUSSION**

Town Hall Renovation Update  
Best Practices Inventory

**OPEN TO THE PUBLIC – BACKER FARM BREWERY APPLICATION PUBLIC SESSION**

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.

**ADJOURN**

**ORDINANCE NO. 10-2023**  
**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM,**  
**MORRIS COUNTY, NEW JERSEY**  
**ADDING A NEW CHAPTER 298 "REGULATION OF PRIVATELY OWNED SALT STORAGE"**

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**SECTION 1.** Be it hereby ordained by the Township Committee of the Township of Mendham that Chapter 298 (a new Chapter) be adopted as set forth herein.

**Chapter 298- Regulation of Privately-Owned Salt Storage**

**298-1 Purpose:**

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Township of Mendham to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

**298-2 Definitions:**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.
- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials.
- 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak.
- 3. The structure shall be erected on an impermeable slab.
- 4. The structure cannot be open sided; and
- 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

**298-3 Deicing Material Storage Requirements:**

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through.
  2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels.
  3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use.
  4. Loose materials shall be covered as follows:
    - a. The cover shall be waterproof, impermeable, and flexible.
    - b. The cover shall extend to the base of the pile(s).
    - c. The cover shall be free from holes or tears.
    - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
    - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
      - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used.
  5. Containers must be sealed when not in use; and
  6. The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- C. Temporary and/or permanent structures shall comply with all township ordinances, including building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

**298-4 Exemptions:**

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

**298-5 Enforcement:**

This ordinance shall be enforced by the Police Department and/or the Environmental Health Officer and/or the Zoning Officer of the Township of Mendham during the course of ordinary enforcement duties.

**298-6 Violations and Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines not exceeding \$500.00.

**SECTION 2 Severability:**

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

1. **SECTION 3. REPEALER**

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 4. Effective Date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: September 28, 2023

**RESOLUTION 2023-170**  
**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: October 23, 2023

## ZOOM ACCESS

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

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