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**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
January 13, 2020
Regular Session Minutes 7:30 PM**

ROLL CALL:

Mr. Baio	Present
Ms. Duarte	Present
Mr. Monaghan	Present
Mr. Orlins	Present
Mayor Neibart	Present

Also, present:

Deborah Bonanno, Township Administrator
John Mills, Township Attorney
Maria Coppinger, Township Clerk

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 3, 2020. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

COMMUNITY AGGREGATION PROGRAM UPDATE

Mayor Neibart explained that there was a presentation for the residents, prior to the Township Committee meeting, on community aggregation. She reminded the public that the Township entered into an agreement with Hunterdon Cooperation Energy Aggregation Program.

PROCLAMATION

Welcoming Proclamation – Mayor Neibart read the proclamation.

ANNOUNCEMENTS/REPORTS

Mayor Neibart made several announcements about upcoming township events which included the collection of Christmas trees by DPW, the availability of free radon kits in the health department, the requirement to register alarms, animal licensing and the “Mendham Gets Fit 2020” event.

Mr. Monaghan welcomed the new Township Committee members.

Ms. Duarte expressed her appreciation for the Welcoming Proclamation. She suggested that perhaps it could be a tradition in the community to start off the year with a Welcoming Proclamation, to remind all residents that we do value diversity. She congratulated the Environmental Commission on the Styrofoam Recycling event that took place in conjunction with Mendham Borough. Ms. Duarte spoke about the Mendham Stigma-Free Task Force, in light of what happened in the community, losing two teenagers in the beginning of the year. Ms. Duarte gave a summary of the task force’s actions; she gave credit to borough resident, Mary Cornick. She noted that subsequent meetings took place to discuss how to educate families about prevention, resilience and recovery. The Stigma-Free Task Force will host an event, tomorrow, called “Community Conversations” at the Brookside Community Club. She noted a few upcoming initiatives that can help the community heal and asked for the community’s input.

Mr. Baio commented that there was little bit of a hiccup during the first week of garbage collection with the new hauler, however, they have been exceptional ever since.

Mr. Orlins expressed his support and best wishes to Mendham Golf and Tennis Club including Pro Joe Kelly, staff and members of the club. He noted that they are a large and very important institution in Mendham Township.

OPEN TO THE PUBLIC

**Ms. Duarte moved. Mr. Baio seconded the motion to open the meeting to the public.
All members present voted to open the meeting to the public.**

There were no comments from the public.

**Mr. Orlins moved. Mr. Baio seconded the motion to close the meeting to the public.
All members present voted to close the public session**

RESOLUTIONS

2020-029 Resolution of the Township Committee of the Township of Mendham Appointing Standing Committees “Liaisons” for the Year 2020

Motion made by Mr. Monaghan and seconded by Mr. Orlins.

Motion made by Ms. Duarte, to add Mr. Monaghan, in addition to Mr. Baio, as liaison to the Construction Department and seconded by Mr. Baio. All members present voted to approve.

Ms. Duarte previously suggested that the liaison roles be discussed in public and voted by resolution which she believes has been done before and not necessarily a new process. She expressed that the process is good for transparency purposes.

Mr. Monaghan expressed that he appreciates the resolution to appoint standing committee "liaisons" but believes appointing liaisons for the year is the prerogative of the Mayor and, therefore, while they should be made public, he does not think it necessarily needs a committee vote.

Mayor Neibart expressed that usually the liaison roles do not require a resolution for approval, it is a Mayor's appointment, noting that sometimes the roles are discussed and sometimes they are not. However, after hearing Ms. Duarte's recommendation and after conversations with the other committee members, Ms. Neibart felt it was the most transparent way to appoint liaisons. However, Mayor Neibart does not expect other Mayors to follow the same procedure.

Motion to call the question made by Mr. Monaghan and second by Ms. Duarte.

Roll call vote: All members present voted to approve.

2020-030 Resolution of the Township Committee of the Township of Mendham Appointing Richard Cotter to Chairman of the Environmental Commission

Motion made by Ms. Duarte and seconded by Mr. Baio.

Ms. Duarte thanked Mr. Cotter for his continued service as Chair of the Environmental Commission.

Motion to call the question made by Mr. Monaghan and second by Ms. Duarte.

Roll call vote: All members present voted to approve.

2020-031 Resolution of the Township Committee of the Township of Mendham Authorizing Staff Appointments for the Department of Recreation - Winter 2020 Ski Club

Motion made by Mr. Baio and seconded by Mr. Monaghan.

Ms. Duarte expressed that she was disappointed that none of the chaperones were local young people. She did express her disappointment to the recreation director, who explained that he did contact the lifeguards from last year and they were not available. She also noted that with ski club, the level of responsibility is perhaps higher than the other program so she can appreciate why the director went this route.

Motion to call the question made by Mr. Monaghan and second by Ms. Duarte.

Roll call vote: All members present voted to approve.

2020-032 Resolution of the Township Committee of the Township of Mendham Appointing Wendy Parrinello as Deputy Registrar of Vital Statistics

Motion made by Mr. Baio and seconded by Ms. Duarte.

There was discussion on the job responsibilities of the deputy registrar.

Motion to call the question made by Ms. Duarte and second by Mr. Baio.

Roll call vote: All members present voted to approve.

2020-033 Resolution of the Township Committee of the Township of Mendham Appointing Leonard Perre, Construction Official as the Public Officer

Motion made by Mr. Baio and seconded by Ms. Duarte.

Motion to call the question made by Mr. Monaghan and second by Ms. Duarte.

Roll call vote: All members present voted to approve.

2020-034 Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of Taxes Due to NJ State Tax Court Judgment

Motion made by Ms. Duarte and seconded by Mr. Monaghan.

Mr. Monaghan explained that this is one of those situations where the municipality collects 20% of the tax bill but refunds 100% of the money to the taxpayer when there is a tax court judgment.

Mr. Baio asked if the judgements come by way of property value reduction which Mr. Monaghan confirmed noting specifically by a tax appeal process. Mr. Baio expressed that this is a reason why we should keep a keen eye on property values.

Motion to call the question made by Mr. Orlins and second by Mr. Monaghan.

Roll call vote: All members present voted to approve.

2020-035 Resolution of the Township Committee of the Township of Mendham Fixing and Establishing Certain Fines that May be Paid by Mail in Lieu of Court Appearance (Animal Control)

Motion made by Ms. Duarte and seconded by Mr. Orlins.

Motion to call the question made by Mr. Monaghan and second by Ms. Duarte.

Roll call vote: All members present voted to approve.

2020-036 Resolution of the Township Committee of the Township of Mendham Authorizing Discussion without the Presence of the Public

Motion made by Ms. Duarte and seconded by Mr. Orlins.

Mayor Neibart requested an amendment to the resolution noting that the Personnel Matter (Deputy OEM Coordinator) be removed from Executive Session and placed under (open) discussion. The individuals were provided a rice notice and they have requested that the discussion be held in public. Motion made by Ms. Duarte and seconded by Mr. Monaghan. All members present voted to approve.

Motion to call the question made by Mr. Orlins and second by Ms. Duarte.

Roll call vote: All members present voted to approve.

2020-037 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

Motion made by Ms. Duarte and seconded by Mr. Orlins.

Motion to call the question made by Mr. Monaghan and second by Ms. Duarte.

Roll call vote: All members present voted to approve.

OPEN TO THE PUBLIC

Motion to open public comment was moved by Ms. Duarte and seconded by Mr. Monaghan.

All members present voted to open the meeting to the public.

Kimberly Gavagan – 10 Kennaday Road – attended the reorganization meeting and noticed that during the hearing person present section, there were a few people in the public making inappropriate remarks/sounds which she referred to as “audible eyeroll.” She thanked Mayor Neibart for reminding the audience to be respectful. She agreed with Mr. Orlins comments, inviting the community to attend meetings and hold the committee accountable (on any public issue), and noted that it is important to have an engaged community. Her last observation during the reorganization meeting was when Mr. Orlins commented that four (4) committee members ran on lowering taxes and one did not. She expressed that those comments are technically not correct because in Ms. Duarte’s campaign forum she did talk about focusing on shared services which are a way of lowering taxes. She expressed that Mr. Orlins comments was working to divide a committee. She reminded everyone that a great leader is one who brings people together and unities people and not one who looks to divide. She asked the committee to give some thought to the comments as they look to work together.

Adam Dubeck – 307 Mendham Road West – wanted to know where the dog license fees are applied to. It was noted that part of the money goes to the state and part goes to the town to administer some of the (animal) programs. He suggested telling residents that the money collected goes towards a dog related program which may make it a profitable venture and a win for all parties involved.

Motion to closed public comment was moved by Ms. Duarte and seconded by Mr. Baio.

All members present voted to close public session.

DISCUSSION

Finance Committee Appointments – Mayor Neibart noted that the finance committee is not a standing committee but a subcommittee. She confirmed the following appointments to the finance committee - Diana Orban Brown, Frank Cioppettini, Ryan Guthrie, Bob Wock, Bruce Flitcroft as well as Mayor Neibart and Jordan Orlins.

Communications Committee – Mayor Neibart expressed the importance of a communications committee. She re-circulated the original ordinance that was introduced last year noting that it is a committee that can share best practices but also communicate important information to the community. Ms. Duarte expressed that the Mayor’s amendment to the draft ordinance is creating something broader and includes people outside of the township committee and regular residents. She had viewed the ordinance more of a best practices approach and support to some of the subcommittees. Mayor Neibart expressed that after last week’s issue with garbage collection, she realized that the township does lack the ability to communicate to all the residents outside of emergency (911) communication.

Mr. Baio asked if the collection of the data for communication efforts is disclosed under OPRA. Discussion took place on the OPRA requirements.

Mr. Monaghan expressed that communication to the residents, is the responsibility of the township committee and does not think it is necessarily something that should be easily delegated; obviously if it is an employee doing the work then it is under the control of the committee. He expressed that there would need to be a committee that was structured and chartered similar to the fire company or first aid squad, in that they need to be available to issue communications on an on-going or as-needed basis rather than what is noted in the ordinance – 6 times a year. He expressed that the township committee would have to be very specific about what we ask the communications committee to do, the resources we give them and what responsibilities we expect from them for the committee to work. Mr. Monaghan expressed that the township needs someone to manage the communications, not a group to give advice on a 6 time a year basis.

Ms. Duarte suggested exploring a shared service agreement possible looking into the schools’ communications since they do a great job and are very active. Ms. Duarte volunteered to do additional research on some of the questions that were asked.

Tax Appeal Settlement – Mayor Neibart explained that the township received two grants for the park at Pitney Farm, totaling approximately \$642,252; the town estimated the park to cost \$756,189. This would require the township to come up with \$112,745 to fund the park. The project needs to be completed within a 2-year period. Mayor Neibart noted that the matching fund for the state grant is 50% and the county grant is 20%. She noted that there was a tax settlement for the Sisters’ Property which was a bit over \$300,000; the town received \$296,000 which is considered un-anticipated revenue for this past year. Due to the increase in revenue, the township has an opportunity to put

the money down to fund the remainder amount of the park at Pitney. Mayor Neibart asked for the committee members' opinion on allocating approximately \$112,000 from the tax settlement to the park at Pitney Farm.

Ms. Bonanno explained that the \$756,189 was a cost estimate to complete the park which was provided by the Township Engineer. Ms. Bonanno circulated a proposal that was received from the landscape architect that designed the concept plan, who will work with the Township Engineer to put together a detailed specification so the township can go out to bid. Mayor Neibart explained that the township would need to introduce an ordinance to allow the township to use the money.

Ms. Duarte expressed that she would like to see the park rehabilitated and suggested moving the project forward since there is an opportunity to create a wonderful gathering place. Ms. Duarte asked if the township is wedded to the name of the park, specifically the "historic" part of the name, and asked if there was flexibility to call the park, Pitney Park; it was noted that there would flexibility to change the name.

Mr. Monaghan expressed that it is a good idea to move forward with the project and also agreed with the fundraising efforts.

Fundraising Efforts for the Historic Park at Pitney – Mayor Neibart expressed that the Ralston Playground had significant fundraising efforts and suggested re-creating the fundraising efforts for the Park at Pitney. Ms. Duarte agreed with the fundraising efforts and suggested asking the Parks and Recreation Advisory Committee to lead the efforts.

Lease Agreements for Groups Utilizing Municipal Space – Mayor Neibart commented that it is very important for the township to have lease agreements with all the departments and volunteer organizations that occupy municipal space; not just to have an agreement but for liability concerns and also to make sure we are all on the same page regarding the use of the space.

A sample lease agreement was provided to the Township Committee. Mr. Monaghan asked if he had to leave the room during the discussion on lease agreements since he is a member of a volunteer organization, First Aid Squad, which he was advised that he did not have to leave the room.

Mr. Mills expressed his concerns with the lease agreement, asking if there should be insurance requirements, an addendum specific to each of the tenants that consist of a rider of rules and regulations, maintenance of the building. He noted that this situation would be more structure specific agreement.

There was concern on the necessity of a lease agreement which Mayor Neibart responded that there needs to be landlord/tenant communication from the organizations that lease municipal space. Mr. Mills noted that the situation may be better handled in a different format than a formal lease like a set of rules that the municipality prepares and agree on. Mr. Mills asked for additional time to review the several options for lease agreement/occupancy agreement.

Deputy Office of Emergency Management (OEM) Coordinator position – Mayor Neibart explained that Chris Shay was appointed last year to the Deputy OEM Coordinator position to assist with the emergency management plan. Mayor Neibart noted that the process needs to be restructured and that she would be assisting the coordinator with the plan. Mayor Neibart recommended to not re-appoint Mr. Shay to the Deputy OEM coordinator position, however, she expressed he will continue as the Fire Official and very much a part of the town. Several members from the committee agreed with Mayor's recommendation and since the appointment was a one-year appointment (2019), no further action was needed from the committee.

RECESSED TO EXECUTIVE SESSION

Motion by Ms. Neibart and seconded by Mr. Monaghan
All members voted to adjourn at 9:00 PM and resumed into Executive Session.

RETURNED FROM EXECUTIVE SESSION AT 9:50PM.

ADJOURN

Motion made by Ms. Duarte and second by Ms. Neibart.
All members present voted in favor.

Respectfully submitted,

Distributed: 2/21/2020
Approved: 2/25/2020

Maria F. Coppinger
Township Clerk