



Founded 1749

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
February 25, 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:

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.

RECOGNIZING NEW MEMBERS

Sam Matkowski has applied to be Junior Members at Brookside Engine Company #1 and was introduced by Sam Tolley.

ANNOUNCEMENTS

Mayor Neibart attended the Blue-Ribbon Award ceremony for the elementary school and congratulated them for their designation. The Mendham Passover Seder is scheduled for April 14th, details to follow. Mayor Neibart attended the Morris County Freeholders budget meeting, there will be a 0% increase for existing residents. She suggested to the Freeholders to add wellness programs and a countywide property tax reassessment to their budget for next year.

Ms. Duarte announced that the Stigma Free Task Force will offer mental health first aid training. The Morristown Neighborhood House will host an exhibit entitled "For the Love of Art" which opens on Friday night with a jazz reception and an art preview. Schiff Nature Preserve will host a Maple Sugaring Open House on Sunday. She reminded residents who plan on going away for Spring Break to register their addresses with the police department. The High School Spring Musical "Rent" will be held on March 12th, 13th, 14th. She will have office hours on Friday.

Mayor Neibart also announced that the Finance Committee will meet at 6PM, prior to the upcoming Township Committee meeting.

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.

Ann Bradley – 342 Washington Crossing Pennington Road, Titusville, NJ – Representative from Daytop NJ – Ms. Bradley was present to seek support in Daytop's efforts to continue the services that they provide. She provided a brief background on the program. These efforts include an online petition and letter writing campaign; resolution 2020-049, in support of Daytop NJ would support these efforts.

The Township Committee asked several questions about the services that were provided by Daytop. Ms. Bradley responded to those questions and noted that the out-patient programs and providing treatment while staying in their home was not as effective as staying in treatment and residential; Daytop also provides long term residential. Ms. Bradley expressed that the longer someone can be in treatment, the better the outcome. She expressed that the State does not have statistics on adolescents this age, we know from the adult population that the longer you are in treatment the better the outcome.

Overall, the members of the Township Committee were supported of Daytop efforts however Mr. Orlins, who believes they do good work, expressed his concerns over several statistics which included the decline of drug use and binge drinking.

Ms. Bradley explained that those statistics are on the national level noting that New Jersey has one of the worst opioid crises in the country. Specifically, to the resolution, Mr. Orlins pointed out that we are urging legislators to adjust treatment policy and referred back to the article in the Daily Record discussing the two policies which included the referral system and at-home treatment.

Ms. Duarte expressed that clearly for 21 years Daytop has been helping young people in their journey to recovery which is what the committee is looking to support if the resolution is passed.

Diane Tolley – Woodland Road – Ms. Tolley asked about the limited parking spaces at the Pitney Park construction. Mrs. Orban-Brown expressed that the number of parking spaces have not been set; it is expected that the residents in the nearby neighborhood would come to the park by foot and if it becomes an issue there is room to allocate more parking spaces.

Ella Slayne - 15 Indian Hollow – On behalf of Harmony Brookside, she would like to let the public know about the initiative that the store is launching called Care, Share, Give. This initiative is a message of support for the Mendham Community and beyond - Care for your community, share a smile, and give a hand.

Arjan Roghanchi – 10 Brockden Drive – They will be hosting a 4-day fundraiser for the Home and School Association from March 12th to March 15th. The format is a fancy bake sale which includes Coco Luxe and several pop-up retail stores. The event will be held at 4 East Main Street, Brookside. He invited the public to attend.

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

APPROVAL OF MINUTES

Executive Session Meeting Minutes of December 9, 2019

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

Ms. Duarte explained that in previous public meetings, she asked that liaison roles be discussed in public however she did not receive the support from the Township Committee. She expressed that it became clear during executive session that there have been discussions around the other committee members' preferences for their roles and she had not been asked what she was interested in. She asked that the following be included in the executive session minutes, "the list of liaison appointments had been drafted after independent discussions among the committee members however those discussions did not include Committee member Duarte. Ms. Duarte made a motion to add that statement into the executive session minutes however the motion did not receive a second.

Mr. Monaghan expressed that liaison appointments are the Mayor's responsibility and prerogative.

Ms. Duarte added that in previous years, she had outreach from the Mayor-to-be and there was back and forth discussion so she was surprised that a list was just handed to her.

Mayor Neibart noted that the list of liaison roles changed after the first discussion. She was not in favor of amending the minutes because minutes are supposed to reflect what was said in the meeting and those comments were not made during the meeting. Mayor Neibart expressed that there were disparaging remarks pointed at her and she decided to keep those comments out of the minutes. Ms. Duarte disagreed and asked that the conversation be held off line.

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

Roll call vote: All members present voted to approve except for Ms. Duarte who voted no.

Regular and Executive Session Meeting Minutes of January 13, 2020

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

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

Roll call vote: All members present voted to approve.

RESOLUTIONS

2020-047 Resolution of the Township Committee of the Township of Mendham Authorizing Refund of Overpayment of 2020 Taxes

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

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

Roll call vote: All members present voted to approve.

2020-048 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

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

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

Roll call vote: All members present voted to approve.

2020-049 Resolution of the Township Committee of the Township of Mendham In Support of Daytop New Jersey

Mayor Neibart recused herself from the resolution. Deputy Mayor Monaghan presided over the meeting.

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

Mr. Orlins will vote no on resolution 2020-049, not because he does not support Daytop but because the committee is specifically asking the legislators to change a policy that he does not disagree with. He is not going to ask legislators to change the funding formula back to 'cost plus' from 'fee for service.' He expressed that as a taxpayer, if they are sending two kids to Daytop, he wants to pay for two kids not twenty. He also explained that if Department of Children and Families (DCF) believes that in-home treatment is the best solution for certain youth then it should be a stay in-home treatment. He also expressed that the resolution is factually

incorrect noting “whereas, the number of teens and young adults with substance use problems continues to grow,” pointing out, not according to the National Institute of Health.

Ms. Duarte will vote in favor of the resolution expressing that the resolution is to show Daytop support as a Community and it’s a symbolic resolution.

Mr. Baio recognized the research and commentary of Committee member Orlins; he thinks its respectful. Mr. Baio supports Daytop and plans on supporting the resolution.

Mr. Monaghan also commended Mr. Orlins’ research but noted that the statistics are kind of complicated. He expressed that Daytop provides a valuable service to the people that need it and we need to make sure it stays. He plans to vote yes on the resolution.

Mayor Neibart will abstain since she sits on the board of trustees for Daytop.

Roll call vote: All members present voted to approve except for Mr. Orlins who voted no and Mayor Neibart who abstained.

2020-050 Resolution of the Township Committee of the Township of Mendham Authorizing Discussion Without the Presence of the Public

Motion made by Mr. Baio 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.

ORDINANCE FOR SECOND READING / PUBLIC HEARING

01–2020 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank - ***Introduction /First Reading was held on February 10, 2020***

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

Open Public Hearing: Motion made by Ms. Duarte and seconded by Mr. Orlins.

There were no public comments.

Close Public Hearing: Motion made by Ms. Duarte and seconded by Mr. Monaghan.

Mr. Orlins will reverse his vote on the CAP Bank ordinance. He changed his mind after speaking with some residents about the risk of a CAP Bank in the municipal setting, that it has been abused by other municipalities and other bodies as a slush fund. He expressed that the committee’s hard work this year to hopefully achieve a flat to negative budget could be reversed in later years by less fiscally observant committees. He understands it could smooth spending and emergencies but believes those things can be handled differently.

Ms. Duarte expressed that the CFO provided a very detailed background that talked about the need for this measure and unforeseen circumstances. She appreciates the comments that were made but she does understand the need for the ordinance which is why she will support it.

Mr. Baio will support Mr. Orlins on his directives to look at other places to hold municipality spending in check and he also agrees it is a slush fund. He expressed that it is used for future banking, gives optionality to the CFO and accountability is a key measure as to why he is voting against it.

Mr. Monaghan does not recall a time when the CFO in town used it as a slush fund. Recently, it was used for a lawsuit payout and the township would not have been able to pay it if it was not for the CAP Bank. He expressed it’s a reasonable budgeting tool which is the reason why he will support the ordinance.

Mayor Neibart explained the CAP Bank calculation and how it would affect the municipality. She will be voting in favor of the ordinance.

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

Roll call vote: All members present voted to approve except for Mr. Baio and Mr. Orlin who voted no.

02-2020 An Ordinance of the Township of Mendham Providing for the Construction of Mendham Township Park at Pitney Farm and Appropriating \$760,000 Therefore, \$377,500 from Stewardship Grant from the New Jersey Department of Environmental Protection, 264,752.50 from the Trails Construction Grant from the County of Morris and \$117,747.50 from Capital Improvement Fund - ***Introduction /First Reading was held on February 10, 2020***

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

Open Public Hearing: Motion made by Ms. Duarte and seconded by Mr. Orlins.

Peter Dumovic –2 Shelton Road - Statement attached.

Patricia Zimmerman - 3 West Main Street – Ms. Zimmerman agreed with Mr. Dumovic’s comments. Ms. Zimmerman spent time with Diana Orban Brown and expressed that Diana Orban Brown deserves a tremendous amount of recognition and applause for the work she did on the grants for the park at Pitney Farm.

Close Public Hearing: Motion made by Ms. Duarte and seconded by Mr. Monaghan.

Ms. Duarte thanked Diana Orban Brown for her efforts. She asked if a timeline of the park construction could be posted on the website for the public’s information.

Mr. Monaghan explained that with the adoption of the ordinance DPW can now start with some work at the park since their efforts can be put towards the township's matching part of the grant.

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

Roll call vote: All members present voted to approve.

OPEN TO THE PUBLIC

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

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

Michael Merritt – Mountainside Road – commented on the topic of lease agreements under discussion. He counted as many as eight different groups that utilize municipal space. The situation with Randolph (Animal Shelter) will probably be a different type of use but the others are pretty similar. He suggested that the Old Ralston Fire House is a very good place to start which might help explore some of the options for the volunteer groups to model after.

Mr. Monaghan commented that the Old Ralston Fire House is an interesting spot because there are actually three groups that use that building which would make it a complicated lease.

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

All members present voted to close public session.

DISCUSSION

Fire Department Ordinance

Mayor Neibart, Mr. Baio and Deputy Mayor Monaghan had discussions with the different fire companies. Mayor Neibart expressed that they need to streamline a couple of the reporting and efficiencies. She is not prepared to discuss changes to the ordinance but she wanted to notify the Township Committee that it may come up down the line.

Lease Agreements for Groups Utilizing Municipal Space

Currently, the township is conducting a municipal space study which includes the police station and town hall. The two buildings are the focus of the study to see if they can be repurposed or reutilized space. There have been discussions with the NJDEP and the County Board of Health regarding the footprint at the police station since the building borders a flood zone. Mayor Neibart also mentioned that Town Hall is in need of renovations since it is so old and the square footage could possibly hold a police department or multiple departments rather than just the library and administrative offices. Mayor Neibart suggested that the discussion on lease agreements for groups utilizing municipal space be put on hold until the study is solidified.

CREATION OF A COMMUNICATIONS ADVISORY COMMITTEE

Ms. Duarte explained that this discussion topic goes back two years ago when she proposed the creation of a committee which did not receive the support of the Township Committee. The township ended up creating an Ad Hoc Communication Committee in 2018. They focused on the website which was redesigned, surveyed the community and received 500 responses. Overall, the residents provided a positive response about the township's communications efforts. The Ad Hoc Committee recommended a permanent communications committee to keep the momentum going like reviewing the social media channels, etc.

At the beginning of the year, Mayor Neibart suggested creating a new communications committee and made some changes to the proposed resolution. Ms. Duarte drafted something more around strategic planning, how to promote a positive town image and how to improve property values. Mr. Monaghan suggested something stronger than what she had envision; she saw the committee as less hands on, more strategic, offering advice and doing more surveys. Her suggestion is to revive the Ad Hoc Communications Committee with new people to develop a strategic communication plan to support how we can improve the image of Mendham, help sale houses, help attract new families to the community.

Mr. Monaghan expressed that his recommendation for a Communications Committee was to be substantially more hands-on, on an on-going basis than an advisory committee. His vision of the committee would have been that they would create communication plans for things that were going on within town and in a timely manner – for instance the changeover in vendor for garbage pickup and the changeover to the community energy sourcing. He also thought that it is up to the Township Committee to ensure that they communicate well and a committee would be one way to accomplish that.

Discussion continued on the topic of the creation of a Communications Committee.

Mr. Baio expressed that committees are hard to disband once they are formed. He expressed that an Ad Hoc Committee is a very favorable way of handing this proposal. He would support not forming a committee but rather keeping it at the ad hoc level – to create a marketing plan.

Mr. Orlins agreed that it should be a 3-6-month study; hyper-focused on how do we project ourselves in a way that brings homebuyers and families to Mendham versus Chester, Madison, Chatham.

Ms. Duarte and Mr. Monaghan will work on a resolution to bring forward to the next township committee meeting.

BUSINESS CARDS

Mr. Baio asked that the committee put forward a motion to order business cards. The Township Committee will look into a quote.

LIAISON REPORTS

Construction – Mr. Baio

- Spoke with the Construction Official, Len Perre on the construction permit process and how to encourage permits

DPW -Mr. Monaghan

- DPW took advantage of the warmer weather to use 2.3 tons of cold patch to fill potholes, repaired roads, repaired guardrails, street and traffic signs;
- Removed 78.5 tons of debris off the road;
- Repaired eighteen catch basins and storm water basins.
- Extended the parking and added 100 yards of playground mulch at Wysong Park
- General building maintenance and repairs

Environmental Commission – Ms. Duarte

- Plans are underway for a Styrofoam collecting event for this summer;
- Councilman Reilly from Mendham Borough has expressed interest on meeting to discuss working together on trails, greenways and connectors;
- Looking into obtaining seedlings from a historic oak tree from Salem. They plan on planting them at Ralston Cider Mill and possibly at Pitney Park;
- Working with DPW to move the sign at Meadowood Park since it is not visible from the road

Finance Committee- Mayor Neibart and Mr. Orlins

- Budget season – poised to be presenting a budget 0% increase or a decrease. The Finance Committee saw presentations from DPW, Police Dept., Fire Dept., Historic Preservation and Mendham Area Senior Transportation
- Mr. Orlins expressed that the Finance Committee has a set of experience and very talented individuals which include two former Mayors Frank Cioppettini and Diana Orban Brown, two new talent Bruce Flitcroft and Ryan Guthrie, experienced and talented Bob Wock, Ms. Bonanno and Ms. Fornaro. He expressed that the talent has been utilized in a different way this year – commended the Mayor for turning the committee into a think tank.

Fire Department – Mayor Neibart and Mr. Baio

- Met with the Chiefs of Brookside and Ralston – they are planning on having a conversation regarding run cards
- Mr. Baio expressed that each of the companies are very proud and hold on to traditions which can be a hurdle and can lead to frustration as far as collaborating them into one fire department. He explained that Mendham Township has one fire department with two houses, not two fire departments.

First Aid Squad – Ms. Duarte

- 39 Calls year-to-date
- Treasurer position is open
- Encourage resident to install easy to read house numbers
- Annual appeal letters have been sent
- Looking into ways to recruit new volunteers

Historic Preservation – Mr. Baio

- No report

Library – Mr. Monaghan

- Wine with Friends event – May 1, 2020 at Backer Farm
- Openings on the Board of Trustees
- Renovations are underway

Mendham Sewer East & West – Mayor Neibart

- Attended the Drakewick Neighborhood Association meeting to discuss the community septic system and the surplus flows. The Township will send letters to residents that they have identified that may be the cause of the problem.
- New generator at Sewer West has been installed

Mendham Township School District – Mr. Orlins

- K-8 – met with the school board President, Mrs. Gretchen Holquist, to discuss their budget operating challenges, her major initiatives and ways that we may cooperate moving forward
- meeting scheduled with the Superintendent Sal Consentino.

Mendham TV – Ms. Duarte

- Looking for students to help out with filming
- Looking for Board Members and volunteers

Planning Board – Mr. Monaghan

- Pitney Farms Development has been approved

- The results of the Nitrate Dilution Study should be arriving shortly

Police – Ms. Duarte and Mr. Monaghan

- Five Police Officers participated, for the 10th year in a row, in the annual PBA Polar Bear Plunge to raise money and awareness for Special Olympics
- First Bagel and Badges Event will be held at the Wicker Basket on March 27th from 7-10AM
- Cornhole Tournament scheduled for May 17th at the Community Club

Recreation Committee – Mr. Orlins

- At their first meeting, they discussed all the major events and programs for the year;
- Brookside Beach was short \$1,000 for last year; the goal is to break even on all the other programs and classes (Ski Club, Yoga and Zumba)
- A fence will be installed at Ralston Park and the parking lot will be lined
- Ralston (Wysong) Playground will be complete by the end of April
- Brookside Beach will open for weekend hours on May 23rd and open daily starting June 15th
- Patriot’s 5k is scheduled for May 30th

Regional School District – Mr. Monaghan

No report

Shared Court – Mayor Neibart

Everything is going according to plan; Judge Gavan replaced Judge Troxell

Stigma-Free Initiative – Ms. Duarte

- The Society for Prevention of Teen Suicide distributed a survey during the workshop. The results, in general were positive. The residents are looking for educations, resources and outreach suggestions.
- Mental Health First Aid Training has been scheduled
- Mental Health Awareness month event is in the planning phase
- Considering more workshops and speakers and creating a resource list.

Surrounding Town Outreach – Mr. Orlins

- Met with the Mayors, Administrator, Council and Committee Members of the neighboring towns looking for new and bigger ways to cooperate and save money.
- Met with a dozen Administrators, Police Chiefs, and Public Work Directors/Coordinators in an effort to find best practices that might be shared in Mendham. The information has been shared with the Finance Committee
- In discussions with Mendham Borough regarding the potential to share police. Other Towns in the area have expressed interest in sharing services not limited to Police, DPW and Administration.

Tax Assessor – Mayor Neibart

- The township deals with a large amount of tax appeals, she recommended a town-wide tax reassessment to be included in this year’s budget
- attended the County Freeholder’s Budget meeting for the Mayor and she recommended that they look at the reassessment county wide.

Tree Committee – Mayor Neibart

No update – Mayor Neibart will conduct more drive-thru, with Brian Hays, on the trees.

Wildlife Management – Ms. Duarte

- Provided a report of the deer that were harvested
- Worked in conjunction with the South East Morris Water Authority to hunt for 10 days during the firearm season and a total of 10 deer were taken
- Operated with no budget
- Thanked everyone who supports their efforts

Zoning Board – Mr. Baio

No Report

Mayor Neibart briefly mentioned that the municipal space survey noting that the Township will need to hire an Engineer and Architect to assess Town Hall. The Chief Financial Officer will prepare a Request for Proposals (RFP) for a contract for service and it will be presented at the next meeting.

RECESSED TO EXECUTIVE SESSION

Motion by Mr. Orlins and seconded by Ms. Duarte

All members voted to adjourn at 9:30 PM and resumed into Executive Session.

RETURNED FROM EXECUTIVE SESSION AT 10:00

2020-051 Resolution of the Township Committee of the Township of Mendham Appointing Crossing Guard for the 2020 School Year

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

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

Roll call vote: All members present voted to approve.

ADJOURN

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

Respectfully submitted,

Distributed: 05/03/2020

Approved: 05/11/2020

Maria F. Coppinger
Township Clerk

ORDINANCE 02-2020 – Public Comment

Peter Dumovic
3 Shelton Road

February 25, 2020

I wholeheartedly support this ordinance providing funding of \$760,000 for the construction of the Mendham Township Historic Park at Pitney Farm.

I look forward to seeing a beautiful park for passive recreation, as envisaged in the concept plan developed by the Pitney Farm 7 Acre Task Force Committee in the fall of 2018. The concept plan was presented publicly in late 2018 and early 2019 and feedback from the community was extremely positive. In March 2019, the plan was formally endorsed by the Township Planning Board, the Parks & Recreation Advisory Committee, the Environmental Commission and the Historic Preservation Committee. And the Mendham Township Committee voted unanimously in support of the plan. Importantly, given the guiding principle that the park be affordable for taxpayers, the MTC last year also authorized pursuit of outside grants to raise the funds needed to move forward on park development.

In the very competitive marketplace of getting a grant, the Township was awarded a Green Acres Stewardship Grant from the State of New Jersey and a Trail Construction Grant from Morris County. Monies from these two grants amount to 85% of the total projected cost for the construction of the park. That's impressive. The remaining 15% of the construction cost will come from the Township Capital Improvement Fund.

I applaud the exemplary work of all who have got us to this point over nearly 2 years. Most notably, the Pitney Farm Task Force Committee, the MTC, the Township Administrator, the Township Engineer, and many volunteers. I have no doubt that, at the end of the day, the Historic Park on 7 acres of permanently preserved open space with its meadows, grassy areas, native trees and plants, a handicapped accessible half-mile trail and historical informational signage will be a unique and beautiful asset for the Mendhams and neighboring communities that will endure for generations.