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**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
May 11, 2020 VIRTUAL MEETING
7:30 PM REGULAR MEETING
MEETING MINUTES**

ROLL CALL:

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

Also, present:

John Mills, Township Attorney
Bob Casey, Township Administrator
Maria Coppinger, Township Clerk

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. The Notice of Change in Meeting Format was given to the Daily Record and Star Ledger on May 5, 2020. Notice was posted on the bulletin board in the township offices, front door of Town hall and notice was filed with the Township Clerk.

SALUTE TO THE FLAG

COVID-19 UPDATE

Mayor Neibart reported on behalf of the Health Department; currently there are 38 confirmed cases of Covid-19 in the township. Guidelines regarding contact tracing will be forthcoming from the Governor’s office. The county has received approval to hire additional staff for tracing and testing.

PROCLAMATION - Mental Health Awareness Month

Ms. Duarte read the proclamation designating May as Mental Health Awareness Month in Mendham Township. Mary Kornick, representative from the Borough, commented that the Stigma Free Task Force is comprised of professionals partnering to provide information and support to promote this movement, especially during this traumatic period.

Mr. Monaghan commented that the two presentations that follow will help inform residents as to how property taxes will be impacted.

PRESENTATION

Mendham Township School District Budget - Salvatore M. Constantino, Ed.D., Superintendent of Schools - Dr. Constantino presented the school budget.

Ms. Duarte thanked Dr. Constantino for the transparency in the process, for lowering the rate from the original proposed amount, and for considering solar energy. Ms. Duarte commented that the excellent reputation of Mendham Township’s schools attract new homebuyers.

Mr. Monaghan complimented the great job that the schools and staff are doing. He questioned the forward projections and why an increase would be required once the initial \$330k was appropriated for busses. Dr. Constantino responded that the revenue needed is applied to the projected increases and that various conditions can affect the numbers and that the next board would have the capability to reassess the need. Mr. Monaghan also asked if detailed spreadsheets would be made available. Dr. Constantino explained that details could be shared however there are certain aspects that would need to remain confidential and unavailable if there is a contract issue or negotiation involved.

Mr. Baio commented that consideration should be given to the elderly and residents who have financial difficulty. Dr. Constantino responded that the board works to represent all factions.

Mayor Neibart reiterated her disappointment in the board’s dismissal of her offer to bond or lease the busses. The Mayor questioned, since administrators were not part of the NJEA, how salary raises are determined. The Mayor commented that town employees, when they do receive a raise, it is usually at the rate of 2%; the Mayor commented that some school administrators received raises far above 2%. Dr. Constantino replied that raises are based on performance reviews and decided upon by the board. Mayor Neibart pointed out that since the start of the pandemic, many individuals lost jobs and

some are taking pay cuts. The Mayor questioned whether the board reconsidered salaries or increases after the start of the crisis. Dr. Constantino explained that increases started in July of 2019 and since the end of March there were no conversations about salary. Mayor Neibart then questioned why there was a need to cut staff and services even though there was a tax increase, and which programs and staff were affected. Dr. Constantino replied that he could not speak publicly about that at this time however one of the programs impacted could be Spanish and if so it could be delivered differently. Mayor Neibart re-emphasized her dissatisfaction with the budget.

Mr. Baio questioned whether Dr. Constantino could envision a teaching from home situation to which Dr. Constantino responded that this is possible in the fall but not in the long term.

Mayor Neibart opened the discussion to the public

Bruce Flitcroft - 23 Tingley Road - Mr. Flitcroft expressed that he thinks the school system is overstaffed and not managed in a cost-effective way. He questioned why by getting into a for profit business with transportation is the answer rather than by managing staff size.

Dr. Constantino responded that it is a question of value judgment by the school board as to whether there is adequate staff to maintain the high level of education or if they are comfortable that the same level can be maintained with less staffing. Regarding the transportation question, Dr. Constantino replied that this will generate revenue to support the increase and that this is not a new situation for the school system.

Mayor Neibart commented that the conversation is not about the busses, however it is about inserting 7% into the budget so that it does not have to be done next year. Dr. Constantino countered that the purchasing and leasing of the busses in this budget will avoid revisiting an increase next year.

Mr. Flitcroft added that the transportation program is a short-term solution that will actually increase staffing and add to payroll and benefits in the long run.

Dr. Constantino responded that although he appreciated Mr. Flitcroft's viewpoint, contracts must be honored and this is a different approach, not a risky venture. He encouraged Mr. Flitcroft to meet with the Board to further discuss or contact him personally.

Ken Elgarten – 8 Martin Lane – Mr. Elgarten explained that he was on the Board of Education for 5 years and expressed his compliments for the great school system. Mr. Elgarten said that in the past the board was always able to work within the 2% cap, despite the stresses of varying conditions and needs. He asked that the greater good of the community be considered since under 40% of taxpayers have students in the school system. Mr. Elgarten also requested that an explanation of how the bus program adds revenue, since he had not seen them be profitable in the years he served on the board.

Dr. Constantino responded that Mr. Elgarten did vote yes on past budgets and at the time conditions allowed the budget to remain within the 2% cap.

Patrick Reed- 7 Pitney Drive - Mr. Reed thanked the school board for their service and expressed his disappointment with the committee for their position on the school budget and commented that the plan in place is smart and forward thinking.

OPEN TO THE PUBLIC

Mr. Baio moved. Ms. Duarte seconded the motion to open the meeting to the public.

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

Spence Killam – 10 Old Orchard Road – Mr. Killam voiced his support of the 2020-091 Resolution in support of the Police Department. He expressed that the issue should be put to rest and the police department should be supported. Further more he noted that most people would be willing to spend more in order to keep the level of safety that exists.

Patrick Reed – 7 Pitney Drive – Mr. Reed agreed that the police should be supported since they have a great relationship with the community and their performance adds to the marketability of the township.

Mayor Neibart added that the current committee's vision is to maintain the police as a local agency.

Argan Roghanchi – 10 Brocken Drive and 4 East Main Street – Mr. Roghanchi expressed that in order to compete with the migration of buyers from New York City the township needs to maintain its high level of service in both the police department and school system. He hopes that the resolution will pass and that if any member has a disagreement that they make their opinion public.

Tina Smith commented that she is disappointed that some members of the committee are not in support of the police department and she fully supports them.

Lauren Garafalo - 15 Old Orchard Rd agreed with Tina's comment.

Derrick Hadzima- 3 Nesbitt Drive – Mr. Hadzima commented that he moved to the township for its safety record and he supports the police.

Brian Roth – 37 North Gate Road – Mr. Roth questioned how many busses were utilized by the township to which Mr. Constantino replied that there are 38 in total; 3 new ones in this budget and 4 will be leased to replace old ones. Mr. Roth questioned why the board is not considering selling the busses and leasing back at 3% per year. Dr. Constantino replied that the market is not robust for used busses but he would be willing to discuss with Mr. Roth in more detail if Mr. Roth can provide more information.

Joe Santomo – 2 Redman Farm Road - Mr. Santomo expressed his full support of the police department and it is his opinion to move forward with the resolution.

Donna – followed up on Dr. Constantino's response explaining that there are 28 busses, not 38 as he reported. Twenty-three of those are 54 passenger vehicles and the others are vans. She added that the busses must be either leased or purchased according to state contract, and new busses must have the updated equipment.

Randy Lee – 24 Oak Knoll Road – Mr. Lee echoed the positive sentiments made this evening about the police department and he hopes that the resolution gets passed.

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

PRESENTATION

Nitrate Dilution Study – Nicole Venezia, Township Planner - H2M Architects and Engineers and Paul Cooper, Senior Ecologist – Princeton Hydro

Ms. Venezia explained that the last Master Plan update in 2002 was based on a nitrate model that is due for updating. This presentation will report on the new studies.

Committee members asked several questions regarding the nitrate study and its effect on development. Sam Tolley (Master Plan Committee), Kevin Giordano (Planning Board) and John (last name was not provided) participated in a question and answer dialogue with Mr. Cooper and Ms. Venezia.

ANNOUNCEMENTS

Mayor Neibart announced that this is National Police week which happens to coincide with the township resolution in support of the police. Sirens for Solidarity continue Mondays at 6pm. Flags continue to fly at half staff for those affected by Covid19. Mendham Gives Back is no longer accepting clothing donations but pet supplies, canned goods and gently used sporting equipment are still accepted. First responders hosted a Mother's day parade throughout the township.

Mr. Monaghan thanked Brookside Engine Company for accommodating the ambulance.

Ms. Duarte thanked the Fire company and first responders for the Mothers day parade. Mendham Gives Back received an overwhelming amount of clothing donations. Stigma Free Task Force kicked off Mental Health Awareness Month on May 1; a webinar will be held on May 20 titled Maintaining Positive Health During Covid-19. The Task Force has been surprising the community with positive lawn signs.

Motion made by Mr. Baio to open to the public seconded by Ms. Duarte.

There were no comments from the public.

Motion to close to the public by Mr. Baio seconded by Ms. Duarte.

APPROVAL OF MINUTES

Regular Meeting Minutes of February 24, 2020

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

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

Roll call vote: All members present voted to approve.

Executive Session Minutes of February 24, 2020 – as amended

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

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

Roll call vote: All members present voted to approve.

RESOLUTIONS

2020-086 Resolution of the Township Committee of the Township of Mendham Authorizing the Appointment of Cameron Miller to the Position of Seasonal Laborer

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.

2020-087 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. Monaghan.

Roll call vote: All members present voted to approve.

2020-088 Resolution of the Township Committee of the Township of Mendham Authorizing Expenditures from the Capital Improvement Fund for Preliminary Expenses for a Feasibility Study of Town Hall

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

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

Roll call vote: All members present voted to approve.

2020-089 Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Non-Fair and Open Contract for Professional Architect Services to Perform a Feasibility Study on Town Hall to Cornerstone Architectural Group

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

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

Roll call vote: All members present voted to approve.

2020-090 Resolution of the Township Committee of the Township of Mendham Awarding MRC, Inc through the State Contract# 16-Fleet-00121 for Ralston Playground Equipment not to Exceed \$40,000

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

Ms. Duarte explained that this is for the purchase of a basketball funnel, a climbing wall and a sensory dome. Mr. Monaghan questioned whether this is the right time to be spending in light of the crisis to which Mayor Neibart explained that these are donated funds, not taxpayer money.

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

Roll call vote: All members present voted to approve.

2020-091 Resolution of the Township Committee of the Township of Mendham In Support of the Mendham Township Police Department

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

Ms. Duarte commented that although the township is safe, the recent incident that involved the town police pulling over a car that led to a foot chase and helicopters proved the value of the township police. Mayor Neibart explained that the intent of this resolution is to make it clear that the Township Committee supports the police department and seeks to maintain the department as a local agency.

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

Roll call vote: All members present voted to approve.

2020-092 Resolution of the Township Committee of the Township of Mendham Designating Township Stakeholders to the Historic Park at Pitney Farm Improvement Project

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

The Committee engaged in a conversation concerning who the stakeholders were and the fact that Friends of Pitney offered their 501c3 which would be discussed further. There will be a meeting quarterly with the stakeholders.

Ms. Duarte asked to make a friendly amendment naming the Environmental Commission Chair or designee as stakeholder.

Mr. Monaghan seconded. All members present voted to approve the friendly amendment.

Motion to call the question made by Mr. Baio and second by Ms. Duarte.
Roll call vote: All members present voted to approve.

2020-093 Resolution of the Township Committee of the Township of Mendham Extending the Grace Period for Second Quarter 2020 Taxes and/or Sewer Charges

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

Mayor Neibart explained that the grace period is extended to June 1.

Mr. Casey reported that there is a payment gap of one million thirty-nine hundred which compared to the last two years indicates the township is down almost 11%. The reason for this will not be known until the end of the month.

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

Roll call vote: All members present voted to approve.

2020-094 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

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.

2020-095 Resolution of the Township of Mendham Committee of the Township of Mendham Authorizing the Award of a Non-Fair and Open Professional Services Contract Without Competitive Bidding to French and Parrello Associates, PA for Engineering Services Associated with the Milling and Paving of Woodland Road

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

Mayor Neibart explained that this type of resolution will be standard from now on. Mr. Casey explained that every appointment requires a contract limit and that major grants such as this require a separate resolution.

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

Roll call vote: All members present voted to approve.

2020-096 Resolution of The Township of Mendham Committee of The Township of Mendham Endorsing the Application of Chester Township for A Leap Challenge Grant

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

Mr. Casey commented that this grant is for Chester Township to recover costs for courtroom renovations.

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

Roll call vote: All members present voted to approve.

ORDINANCE FOR INTRODUCTION / FIRST HEARING

04-2020 An Ordinance of the Township of Mendham Providing for Various Capital Improvements and Appropriating \$290,000 Therefore, from the Capital Improvement Fund

Second Reading and Public Hearing scheduled for May 26, 2020

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

The Committee discussed the issue of using well water for the India Brook fields irrigation.

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

Roll call vote: All members present voted to approve.

05-2020 Bond Ordinance Providing for the Improvement of Roads In and By the Township of Mendham, In the County of Morris, New Jersey, Appropriating \$550,000 Therefor and Authorizing the Issuance of \$523,000 Bonds Or Notes of the Township to Finance Part of the Cost Thereof.

Second Reading and Public Hearing scheduled for May 26, 2020

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

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

Roll call vote: All members present voted to approve.

06-2020 Ordinance Reappropriating \$60,000 Proceeds of Obligations Not Needed for Their Original Purpose in Order to Provide for the Acquisition of Self-Contained Breathing Apparatus Units for the Fire Department in and By the Township of Mendham, In the County of Morris, New Jersey

Second Reading and Public Hearing scheduled for May 26, 2020

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

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 Ms. Duarte and seconded by Mr. Orlins.

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

Richard Cotter – Mr. Cotter expressed concern that previous environmental studies showed that potable water studies were under stress and questioned the water resources as reported this evening during the nitrate study presentation. He suggested that the water resource study should be revisited.

The Committee expressed opinions regarding Mr. Cotter’s concerns. It was felt that the study recently done was reliable.

Diana Orban Brown – commented that she thought that Mr. Cotter raised a strong point based on a Sports Turf Management Association report. Ms. Orban Brown further noted that when India Brook was built it was assured that ground water would not be used and that residents in the area should not be affected.

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

All members present voted to close public session.

LIAISON REPORTS

Mayor Neibart waived the liaison reports due to the late hour.

ADJOURN

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

All members present voted in favor.

Respectfully submitted,

Distributed: 7/7/2020

Approved: 7/13/2020

Maria F. Coppinger
Township Clerk