



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
May 28, 2019
Regular Session 7:30 PM**

ROLL CALL:

Mr. Diegnan
Ms. Duarte
Mr. Monaghan
Ms. Neibart
Mayor Gisser

Also present:

Debbie Bonanno, Township Administrator
Karen Fornaro, Chief Financial Officer
Roman Hirniak, Attorney

SALUTE TO THE FLAG

There was a moment of silence as a tribute to Memorial Day.

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 8, 2019. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

ANNOUNCEMENTS/REPORTS

Mayor Gisser congratulated everyone involved in the grand opening of the Ralston Playground and thanked David Guida, recreation director, for arranging a wonderful event. The beach dredging is complete thanks to the work done by the DPW. There was no action after the Executive session at the last township meeting. Primary elections are Tuesday June 4th. The Mendham Township townwide garage sale is scheduled for Saturday June 8th sponsored by the Ralston Ladies Auxiliary. School will be closing the 12th and 13th of June. The Teen Adventure Travel Camp deadline registration is June 1. Residents should contact David Guida on the Recreation department website for more information. The Backer Farm day Camp is also being offered and residents should contact Backerfarm.com for information. Cops Kids and Cones event will be held Thursday May 30th at the Borough field. Any information that should be included in the tax mailings in June should be provided during the first week of June. The next opportunity for an insert in the mailing will be in August.

Mr. Diegnan reminded everyone to be extra careful driving due to the seasonal increase in deer on the roads.

Ms. Duarte announced that the grand opening for the beach will be on June 16th at noon and new programs are being offered such as early morning lap swims, float nights and cardboard boat races. Membership details are posted on the town website. The Schiff Nature Preserve is sponsoring an environmental film fest on Saturday at 6:30 in the nature center and tickets are available on the Schiff Nature Preserve website. The Patriots Race is a 5k and kids fun run on Saturday June 15th run that supports recreation, and scholarships for Mendham high school graduates. The Brookside Community Church will have a free

pancake breakfast afterward. Sign up for the race on the township recreation website. Harmony Brookside Gallery is having a reception Friday June 7th from 5-7pm. The Stigma Free Taskforce is looking for members and ideas for community outreach and residents can email Ms. Duarte if interested. In recognition of national EMS week Ms. Duarte commented on the dedication of the township First Aid Squad. Ms. Duarte concurred with the Mayor's comments regarding the great work that both David Guida and the police department did for the Ralston playground grand opening. Ms. Duarte expressed thanks to the Recreation commission, the West Morris Junior Women's Club, the Finlay family and Patrick Lonergan who were all driving forces behind the playground's renovation. Ms. Duarte also thanked Debbie Bonanno and David Read of the DPW for making it all come together.

Mr. Monaghan commented that the DPW is working hard to patch the roads and asked for patience from residents until the work is complete.

Ms. Bonanno announced that NGG, the contractor working for JCP&L, will be working on Old Mill Road, South Road, Ironia Road, and Burnet Road as a result of a grant they received from the state. They will be addressing trees that overhang more than 15 feet above wires and if they have to remove more than a third of the tree they will remove the entire tree, and possibly some ash trees. This is due to the number of outages in the Chester area substation. If a homeowner does not want the wood to be left on their property, they should indicate that on the paper that they will asked to sign.

Mayor Gisser announced mulch is still available for residents to purchase.

PRESENTATION

- **Presentation of the Environmental Commission** – Richard Cotter, Chairperson
Mr. Cotter awarded a plaque to Ralph Rhodes and Sara Dean Link who served on the commission for 50 years. Mr. Rhodes and Ms. Link were unable to attend this meeting Mr. Cotter reported that Mr. Rhodes and Ms. Link worked tirelessly behind the scenes to ensure there was a balance in the township between development and the environment. Brian Boden, who worked with Mr. Rhodes and Ms. Link closely on the commission, added a few notes about their accomplishments, and lauded their dedication and knowledge. Mr. Boden commented that Mr. Rhodes and Ms. Link were major leaders on the commission but they wanted all to know that there were many others who worked with them and deserved mentioning. The plaque will be mounted at Meadowood Park. A transcript of this presentation is attached to these minutes.
- **Presentation of the Mendham Township School District Budget** - Dr. Salvatore M. Constantino, Ed.D., Superintendent of Schools
Dr. Constantino introduced members of the school board: President Brian Jendryka, Peter Dumovic, and Gretchen Holquist. Dr. Constantino expressed that it is important for residents to attend school presentations so that the board can benefit from their feedback. Dr. Constantino's presentation highlighted the accomplishments of the district, and how Mendham's budget compares to those in the surrounding area. Dr. Constantino also discussed challenges, what the budget is spent on, where revenues come from, and the significant level of reductions and cuts that were necessary. The topic of shared services was also presented. Dr. Constantino fielded questions from committee members throughout the presentation.
Dr. Constantino expressed thanks to the committee and police department leadership for a great working relationship.

The presentation is available on the Board of Education website.

At 8:58 pm there was a short break due to a tornado warning in the immediate area. The meeting resumed at 9:09.

OPEN TO THE PUBLIC

Ms. Neibart moved. Ms. Duarte seconded.

All members present voted to open to the public.

John Barbarula - 25 Albert Court Randolph – Mr. Barbarula is running for the Republican assembly seat and expressed his views on how he will work to improve New Jersey by devoting his time to the public and stopping the move toward a socialistic state.

Brian Jendryka - President of the Mendham Township School Board – Mr. Jendryka suggested that the Board and the Township Committee develop a survey to determine what factors attract buyers to the Mendhams, why residents leave, and what encourages them to stay. Mayor Gisser added that he is working with a real estate executive who is compiling similar data and he will share that information when it becomes available.

Mayor Gisser entertained a motion to close.

Ms. Duarte moved. Ms. Neibart seconded.

All members present voted to close to the public.

APPROVAL OF MINUTES

- Regular Meeting Minutes of May 13, 2019

Ms. Duarte moved. Ms. Neibart seconded.

Roll call vote: All members present voted to approve with the exception of Mr. Diegnan who abstained.

- Executive Session Meeting Minutes of May 13, 2019

Ms. Duarte moved. Ms. Neibart seconded.

Roll call vote: All members present voted to approve.

RESOLUTIONS

2019 – 085 Resolution of the Township Committee of the Township of Mendham Authorizing the Chief Financial Officer to invest funds in the New Jersey Asset & Rebate Management Program

- **Ms. Neibart moved. Ms. Duarte seconded.**
- **Roll call vote: All members present voted to approve.**

2019 – 086 Resolution of the Township Committee of the Township of Mendham Awarding DFFLM, LLC through the Morris County Co-Op a Contract for the Purchase of a Ford F-450 for the Department of Public Works

- **Ms. Duarte moved. Ms. Neibart seconded.**
- **Roll call vote: All members present voted to approve.**

2019 -- 087 Resolution of the Township Committee of the Township of Mendham Awarding a Contract to Campbell Foundry Company through State Contract for the purchase of Catch Basin Castings, Inlets and Manholes not to Exceed \$25,000

- **Ms. Neibart moved. Ms. Duarte seconded.**
- **Roll call vote: All members present voted to approve.**

- 2019 – 088** Resolution of the Township Committee of the Township of Mendham Awarding a Contract to Morris Asphalt through the Morris County Co-Op for Oil and Stone Treatment of Various Roads Not to Exceed \$80,000
- **Ms. Neibart moved. Ms. Duarte seconded.**
 - **Roll call vote: All members present voted to approve.**
- 2019 – 089** Resolution of the Township Committee of the Township of Mendham Awarding a Contract to Tilcon Through the Morris County Co-Op for Road Resurfacing of Various Roads Not to Exceed \$615,000
- **Ms. Neibart moved. Ms. Duarte seconded.**
 - **Roll call vote: All members present voted to approve.**
- 2019 – 090** Resolution of the Township Committee of the Township of Mendham Awarding a Contract to Brinks Tank Services for Mosle Field Abatement and Demolition Not to Exceed \$79,850
- **Ms. Neibart moved. Ms. Duarte seconded.**
 - **Roll call vote: All members present voted to approve.**
- 2019 – 091** Resolution of the Township Committee of the Township of Mendham Amending the 2019 Budget by Insertion of Special Item of Revenue for Drunk Driving Enforcement Fund
- **Ms. Duarte moved. Ms. Neibart seconded.**
 - **Roll call vote: All members present voted to approve.**
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- 2019 – 092** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
- **Ms. Duarte moved. Ms. Neibart seconded.**
 - **Roll call vote: All members present voted to approve.**
- 2019 – 093** Resolution of the Township Committee of the Township of Mendham Appointing Antoinette Gallicchio as a Full Time Administrative Assistant/Records Clerk for the Police Department
- **Ms. Neibart moved. Mr. Diegnan seconded.**
 - **Roll call vote: All members present voted to approve.**
- 2019 – 094** Resolution of the Township Committee of the Township of Mendham Authorizing Discussion Without the Presence of the Public
- **Ms. Neibart moved. Ms. Duarte seconded.**
 - **Roll call vote: All members present voted to approve.**

DISCUSSION

- **Stormwater Management** - Ms. Bonanno reported that the town engineer and the DPW superintendent David Read recently looked into water issues and icing conditions. Ms. Bonanno explained that the town plans to install additional drainage basins, work with residents to install dry wells, and address other longstanding issues. Mayor Gisser added that although the township makes every effort to help, there needs to be an understanding on the part of residents that some problems cannot be handled by the township and must be resolved between neighbors. Ms. Neibart asked if a resolution or ordinance be made to address accountability to which Ms. Bonanno explained that the town engineer and zoning officer are charged with responding to these problems.

- **Historic Preservation**

The committee engaged in a conversation as a follow up to that of the last meeting regarding the HPC and demolition. Mayor Gisser expressed that after reviewing the tape of the February 27th meeting, that it is evident that the ordinance as written reflects what the attorney made clear, which was that demolition would refer to those applications appearing before either the Zoning Board or Board of Adjustment. Ms. Duarte commented that she was under the impression that the ordinance had a broader intent. Ms. Bonanno spoke with the former construction official, Russ Heiney, who said his practice for many years was to notify the police, fire, ems and HPC whenever a building demolition permit was applied for. She added that nothing precludes doing that as an administrative policy going forward. Mayor Gisser commented that this practice would resolve the issue, and if necessary he could formalize a letter to the new construction official. Ms. Duarte expressed concern that due to personnel transitions she preferred an amendment to the ordinance. Mr. Diegnan opposed both an administrative policy and an amended ordinance since he felt it interfered with the rights of residents. Mr. Monaghan commented that an administrative policy would be another layer of legalization for residents however he agreed with the approach for the construction official to make notifications. Ms. Neibart felt that she needed more time to think about the situation. Ms. Duarte questioned what the process would be if the committee decided against an administrative policy. The attorney confirmed that an amendment to the current ordinance would be in order. Mayor Gisser said that this issue would be revisited within the next two weeks. The attorney confirmed that there could be three outcomes: nothing changes, an administrative policy would be put in place, or an amendment to the ordinance. Ms. Zimmerman said that any solution would be amenable to the HPC as long as they have access to the demolition information.

- **Public safety**

Mayor Gisser announced that on June 10th the Township Committee regular meeting will be abbreviated and at 8pm a Town Hall meeting, open to the public, on the topic of Police services. Three essential elements will be covered:

1. An explanation of services provided by the Police department from the Chief of Police
2. A detailed financial analysis of the cost associated with these services by township financial officer
3. The state of the existing police structure and related issues

Discussion

Mayor Gisser announced that the budget is where it should be.

Mr. Monaghan requested that the recreation director and recreation committee provide information related to daily usage of the beach in order to assess the success of keeping it operating. This should include a set of goals, a plan to achieve the goals, and a review to ascertain if goals were achieved.

Ms. Neibart announced that there is a shared services meeting tomorrow. She advises that residents access their trees for Emerald Ash disease and Mayor Gisser reiterated that a permit is required for ash removal however there is no fee.

Ms. Duarte reported that there was a phone conference that included herself, Ms. Bonanno, Ms. Fornaro, Mr. Guida, and the town risk manager to discuss drafting a policy and guidelines for private parties at the beach. Ms. Duarte commented that she would be interested in assisting with the initiative that Mr. Jendryka introduced earlier in the meeting regarding surveying residents. Ms. Duarte pointed out that she had spoken to the state's Shared Services Czars Nicholas Platt, a Harding Township Committeeman, and Jordan Glatt, a former mayor in Summit, about the police. They told her the state offers shared services programs and would come in and do a free study on a police merger.

OPEN TO THE PUBLIC

- **Mayor Gisser** entertained a motion to open the meeting to the public.
- **Ms. Duarte moved. Ms. Neibart seconded.**
- **Roll call vote: All members present voted to open to the public.**

There were no public comments.

ADJOURN

- **Mayor Gisser** entertained a motion to close.
- **Mr. Diegnan moved. Ms. Neibart seconded.**
- **Roll call vote: All members present voted to close.**

The Township Committee convened to Executive Session at 10:06 pm.

Respectfully submitted,

Denise Bobinski
Administrative Assistant

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Environmental Commission Presentation