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**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
SPECIAL MEETING  
July 22, 2020 / 5:00PM / TOWN HALL  
MINUTES**

**ROLL CALL**

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

**Also, present:**

John Mills, Township Attorney  
Bob Casey, Township Administrator  
Maria F. 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 Star Ledger and Daily Record on July 15, 2020. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**SALUTE TO THE FLAG**

**OPEN TO THE PUBLIC**

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

**Diana Orban Brown** – Ironia Road – She expressed her concern that webcam was not on and she was only able to see the Mendham Township Logo. It was noted that the Zoom meeting was only available in listen-mode until the new webcam arrived.

**Todd Leonard** – Cramer Lane – Mr. Leonard expressed his concerns with the dramatic transformation of Buttermilk Falls and really the entire neighborhood. He mentioned the following concerns:

- Parking lot that services the park is inundated specially on the weekends which poses an immediate safety hazardous for the motorist that go drive through there.
- Visitors of the park are tailgating like its Giants Stadium.
- Traffic flow has been disrupted.
- Trash is overrun.
- Safety issue.
- Traffic on his very quiet road.

He asked that in addition to the temporary signs which are candidly an eyesore, especially on Cramer Lane, if there could be a permanent fix to the signage; where at the beginning of the street there could be a sign “no outlet” or “no parking.” He is very concern as a local resident that the beautiful little town is becoming overwhelmed. He thanked the Department of Public Works for their efforts.

Diana Orban Brown – Ironia Road – Thanked Mr. Leonard for his comments and underscored everything he said. She expressed her concerns with the garbage at Buttermilk Falls, noting that she filled a trash bag of litter. She stated that there really is an issue and she is glad the Township Committee is discussing it further.

**Motion to close open to the public made by Ms. Duarte and seconded by Mr. Orlins.**

**RESOLUTIONS**

**2020-145** Resolution of the Township Committee of the Township of Mendham Accepting Ownership and Releasing Payment for a Ferrara Custom Ford F550 Mini Pumper

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

Mayor Neibart explained that the mini pumper will be on its way in a couple of weeks to Brookside and a check needed to be issued.

Mr. Mills asked that the resolution be updated to include “Title” (Certificate of Ownership)

**Motion to include “Title” to the resolution was made by Ms. Duarte and seconded by Mr. Monaghan.**

**Motion to call the question on the amendment made by Ms. Duarte and seconded by Mr. Monaghan**

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

**Roll call vote: All members present voted to approve.**

**2020-146** Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Professional Services Contract to Millennium Strategies not to Exceed \$8,833

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

Mayor Neibart explained that the Township has budgeted \$40,000 for a grant writer. This is for all types of grants and will give the Township access to the grant portal. The grant writer will also assist with the library grant process.

Mr. Orlins expressed that we are putting the cart in front of the horse with the library grant since we do not know what the vision is for a municipal building, moving the police headquarters and library. He wants to see the plan from the architects in this municipal renovation study, first, before he decides if we need a new library.

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

**Roll call vote: All members present voted to approve except for Mr. Orlins who voted no.**

**EXECUTIVE SESSION**

**2020-147** 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. Monaghan.**

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

**Roll call vote: All members present voted to approve.**

**DISCUSSION**

- Administration
  - Buttermilk Falls attendance issues

Mayor Neibart stated that a meeting was held with a few stakeholders and they have decided to close the parking lot on Ironia Road on the weekends. Weekdays will remain the same. “No Swimming / Swimming Prohibited in the falls” signs will be posted which will serve multiple purposes; overcrowding issues, trash issues, alcohol use, illegal drug use, smoking and there is also a liability issue.

Ms. Duarte stated that we have been hearing complaints about the attendance at the falls. She is really concern with the people not social distancing, not wearing masks and the overcrowding concerns in confined spaces. She supports the idea of shutting down the parking lot and suggested looking at Cramer Lane to alleviate the parking issues.

Mr. Casey clarified that the request is to close down the parking lot at Buttermilk Falls on Saturdays and Sundays. The local residents will have access to the park during the week and the access points will be open for the hikers.

The recommendation is that the Township Committee authorizes the closing of Buttermilk Falls parking area (India Brook parking lot on Ironia Road) on Saturdays and Sundays only. There was concern that parking will overflow to the side street if the parking lot is closed. It was noted that ‘no parking’ signs have been posted which has been mitigating the issue. Mayor Neibart explained that Mr. Leonard’s comments were about the no parking signs being an eyesore.

Mayor Neibart expressed that they do not want to close the park but the issue will be reassessed if the overcrowding continues to be an issue.

It was clarified that the Buttermilk Falls parking area is known as the India Brook parking lot on Ironia Road.

Mr. Orlins stated that we need to be careful that we do not overreach and be prepared to backtrack on some of these items because we may really upset some residents. He does not want to overreach by banning swimming or anything else we have done for decades or 100 years – he expresses, “we should not trade liberty for safety.” Mayor Neibart stated that it’s a tremendous liability especially since we are aware of the risk.

Ms. Duarte agreed with closing the parking lot but wasn’t sure if banning the swimming was necessary.

Ms. Duarte thanked the group of volunteers who went into the park to do a huge clean up.

Mayor Neibart asked Mr. Mills for an opinion on the issue, asking if “no swimming” sign was placed at the falls would it be enforceable. Mr. Mills noted that its Township property so the committee can impose reasonable regulations. The emergency order is still in place so if Mayor Neibart chose to close the park she could.

Mayor Neibart will post the signs.

***Ms. Duarte made a motion to close the parking lot on Saturdays and Sundays at India Brook through Labor Day Weekend.***

**Motion made by Ms. Duarte and seconded by Mayor Neibart.**

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

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

Mr. Casey noted the signage at Buttermilk Falls will include ‘No Swimming, No Alcohol or Drugs, No Fires and Take your Trash out.’

**OPEN TO THE PUBLIC**

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

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

**Patricia Zimmerman** – 3 West Main Street – The trails at Buttermilk Falls are very sensitive historic sites and if the trails are being overridden it is affecting the history of the area. Closing the parking lot will not prevent locals from accessing the park. She mentioned the Town Hall is considered a historic site and the state would not permit the Town to demolish the building.

Katie Matthews - Kendall Court – She was one of the residents who went to Buttermilk Falls to pick up trash. Her concern were the fire pits and one of the fire pits was well established and recently used. She asked if the Township Committee had any intentions of removing the fire pits. Mayor Neibart stated that they will look into her concern.

**Zoom attendees:**

Lynne wrote in the question and Answer feature the following:

“Isn’t it a health issue when “visitors” use the woods as a toilet? I am one of the people that cleaned up last weekend. I picked up a lot of used toilet paper and several dirty diapers. Right at the falls. I wouldn’t want anyone to be exposed to that.”

Diana Orban Brown – Ironia Road – Expressed her concerns with the overflow of cars parking on the side streets since the parking lot will be closed. She also commented on the comments made by Mr. Orlins on the 2017 Equipment and Facilities Report calling for cosmetic changes to the police station. She clarified the findings from the report, commenting that the report found nothing cosmetic about the police department. It was noted that “No Parking” signs would be posted along Ironia Road.

Martin Slayne – supports the idea of closing the parking lot and expressed his concern about the other access points. He suggested monitoring the issue continuously and the possibility of making the public aware that the park is located in Mendham Township.

Mr. Orlins addressed Ms. Orban Brown’s comments about the 2017 Equipment and Facility Report, specifically noting page 26 and the reasons the Police Headquarter is unsuitable. He emphasized that the building is not condemnable.

**Motion to close the public comment section made by Ms. Duarte and seconded by Mr. Monaghan.**

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

The Township Committee convened into Executive Session at 6:06PM.

The Township Committee reconvened into Regular Session.

**ADJOURNED**

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

All members present voted in favor.

Respectfully submitted,

Distributed: 10/19/2020

Approved: 10/27/2020

Maria F. Coppinger  
Township Clerk