



**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
September 8, 2020  
IN-PERSON & REMOTE VIA ZOOM  
7:30 PM REGULAR MEETING**

**ROLL CALL:**

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

Also, present:

Bob Casey, Interim, Township Administrator  
John Mills, Township Attorney  
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 Star Ledger and Daily Record on September 1, 2020. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**SALUTE TO THE FLAG**

**PROCLAMATION**

September is National Suicide Prevention Awareness Month – Ms. Duarte presented the proclamation to Ms. Dawn Doherty, Executive Director of the Society for the Prevention of Teen Suicide (SPTS). Ms. Doherty expressed that it is so important to recognize the importance of suicide prevention. We are grateful that Mendham invited us to help with that healing process and truly appreciate your courage and meet the challenges and help heal your residents head-on.

**COVID-19 UPDATE**

Mayor Neibart provided a COVID-19 update. There were 284 new cases in New Jersey, with a total of 194,667 cases. Five (5) COVID-19 related deaths, which brings the death count to 14,213. Mendham Township currently has a count of 49 cases.

**ANNOUNCEMENTS**

Mayor Neibart, Mr. Monaghan and Ms. Duarte announced several upcoming events that are taking place in the township.

Mr. Casey provided an update on Sewer East that serves the Drakewick Community. At the request of the Governing Body, the township employed a special attorney as well as a separate engineer to review the condition of the Mendham Township Sewer East Project. The report from the engineer by the name of Dan Kelly Associates indicated that his review of the data, specifications, the files on the Request for Proposal 2013-2014, and the award to On-Site Engineering. After looking at all the documents, he concluded that the problem is called I&I, which is Inflow & Infiltration leading to the system. The conclusion was that the design that was done was within the usual DEP standards and professional standards. The special counsel reviewed Dan Kelly Associates' report and concluded they do not see any grounds for the township to sue for damages. The excess water generation is caused by natural features and not by any professional service rendered to the town. The township will be providing the information to Drakewick Community within a week. The township will proceed with a program to curtail some of the inflows coming into the system.

Mr. Casey provided the next steps to identify the excess flows:

- Install dishes inside the manholes to prevent a seepage from the ground through the weep holes;
- Township has invested in a camera system that we can use to go in and look at a flow in a sewer line;

- Requested the homeowners identify their sewer laterals with flags which will be provided by the township (pipe that goes from the house to the sewer main);
- Examine individual flows/Identify the excess flows.

Mr. Casey noted that the Township anticipates spending \$50,000 in 2020 to pay for the excess flow to be taken out of the system and treated at another plant.

**OPEN TO THE PUBLIC**

**Ms. Duarte moved. Mr. Orlins 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 – Asked the committee to describe the streets that will be plowed in town. Thanked that committee for posting the full report on the Town Hall Construction project and for Resolution 2020-175.

Bob Wowk – 12 Cooper Road - Asked a follow-up question on the excess flows in Drakewick. Mr. Casey responded to his question.

Sam Barsa - 20 Conifer Drive – He fully supports all that can be done to run the town efficiently and cost effectively. He is opposed to any remodeling or new construction.

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

**All members present voted to close the public session.**

**RESOLUTIONS**

**2020-174 Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Competitive Bidding Contract to Deandrea Land and Stone, LLC for Snow Plowing Services.**

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio				X	X		
Ms. Duarte	X		X		X		
Mr. Monaghan					X		
Mr. Orlins		x			X		
Mayor Neibart					X		

**2020-175 Resolution of the Township Committee of the Township of Mendham Urging Jersey Central Power and Light (JCP&L) to take Actions due to the Real Failures By JCP&L Relative to Tropical Storm Isaias**

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio		X			X		
Ms. Duarte	X		X		X		
Mr. Monaghan				X	X		
Mr. Orlins					X		
Mayor Neibart					X		

**2020-176 Resolution of the Township Committee of the Township of Mendham Authorizing the Extension of a Non-Fair and Open Contract for Professional Architect Services with Cornerstone Architectural Group for Additional Services Relative to the Town Hall Feasibility Study**

Mayor Neibart asked for a motion to table Resolution 2020-176. The architects agreed to provide the information at no additional cost because they should have all the information and calculations to be able to make the assessment without additional monies.

TOWNSHIP COMMITTEE	MOTION TO TABLE R2020-176	SECOND TO TABLE R2020-176	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio	X		-	-	X		
Ms. Duarte			-	-	X		
Mr. Monaghan			-	-	X		
Mr. Orlins		X	-	-	X		
Mayor Neibart			-	-	X		

**2020-177 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills**

***Motion to confirm all of the bills list except for Bullaro Landscaping - Purchase Order # 20-00433:***

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio	X				X		
Ms. Duarte		X		X	X		
Mr. Monaghan			X		X		
Mr. Orlins					X		
Mayor Neibart					X		

**ORDINANCE FOR INTRODUCTION / SECOND READING**

**09-2020 An Ordinance to Amend Chapter 7, Traffic, Section 7-14, Parking Prohibited During Certain Hours on Certain Streets to Include Cramer Lane and Combs Hollow Road**

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio					X		
Ms. Duarte	X		X		X		
Mr. Monaghan		X		X	X		
Mr. Orlins					X		
Mayor Neibart					X		

Ms. Duarte made a motion open the meeting to the public. Seconded by Mr. Monaghan.

*Public hearing on 09-2020 – There were no comments from the public.*

Ms. Duarte made a motion to close the meeting to the public. Seconded by Mr. Monaghan.

**10-2020 An Ordinance Amending and Supplementing Chapter 245, Parks and Recreation Facilities, of the Code of Ordinances of the Township of Mendham to Provide for a New Section Entitled: Criminal History Background Check of Employees and Volunteers of Non-Profit and Youth Serving Organizations**

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio		X			X		
Ms. Duarte	X		X		X		
Mr. Monaghan				X	X		
Mr. Orlins					X		
Mayor Neibart					X		

Ms. Duarte made a motion open the meeting to the public. Seconded by Mr. Monaghan.

*Public hearing on 10-2020 – There were no comments from the public.*

Mr. Baio made a motion to close the meeting to the public. Seconded by Ms. Duarte.

**OPEN TO THE PUBLIC**

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

*There were no public comments.*

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

**DISCUSSION**

**Bus Route on Roxiticus Road**

Mr. Casey received a request via e-mail from a resident who lives on Roxiticus Road, seeking assistance with their child’s transportation to the high school. The resident resides within a 2.5-mile radius of the high school, which under state law, the Board of Education (BOE) is not required to provide transportation. The resident expressed to the BOE that the route seemed unsafe for a child to travel. The BOE noted that it is up to the municipality to deem a road or path safe, which is why the request came to the Township Committee.

Mayor Neibart asked Chief Johnson for his recommendation on the safety concerns. Chief Johnson has deemed the road unsafe and recommended that the BOE provide alternate transportation.

Mr. Casey suggested the Township Committee indicate to the Board of Education that they concur that the road's use as a walkway is not necessarily in anyone's best interest. Mr. Casey suggested asking if the board would consider alternates like a common pick-up point.

The Township Committee concurred with Chief Johnson’s recommendations.

***Motion to provide Chief Johnson’s recommendations to the Board of Education and have the Board of Education provide alternate transportation options:***

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio			-	-	X		
Ms. Duarte	X		-	-	X		
Mr. Monaghan			-	-	X		
Mr. Orlins		X	-	-	X		
Mayor Neibart			-	-	X		

**DEPARTMENT OF PUBLIC WORKS**

Mr. Orlins made three (3) recommendations:

- Remove all trash cans from Mendham Township Parks
- Cancel one of the brush pickups during the year and have (only) a spring clean-up
- Movement to reduce salt usage. There was a discussion regarding salting vs. not salting certain roads in the township.

Mr. Orlins suggested that the Township Committee discuss the recommendations at a later date.

**DEPARTMENT OF PUBLIC WORKS - SNOW PLOW BIDS (RFP)**

- The Township went out for a snow plow bid for small and large trucks.
- The two responses that were received only included small trucks.
- The proposition is to release a new bid for including only large trucks with the presumption that people might response to the bid.

**Mayor Neibart called for a motion for the Township to go out for RFP for the additional large trucks.**

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio		X	-	-	X		
Ms. Duarte			-	-	X		
Mr. Monaghan			-	-	X		
Mr. Orlins	X		-	-	X		
Mayor Neibart			-	-	X		

**TOWN HALL/POLICE HEADQUARTER CONSTRUCTION PROJECT**

Mayor Neibart mentioned that there were a couple of action items that came out of the last Township Committee meeting:

**First action item:** Mr. Monaghan spoke with the Library & Police Department on their different needs for their space. Mr. Monaghan spoke with the Police Chief, who is flexible as long as the essential things are within the footprint. The library's real goal is to expand its offerings for the Township. The library's goal is to provide a lot more programming (arts and crafts/speakers) and build a community center where people can work from home. If the library had its desire footprint, it would be a much bigger space.

**Next action item:** Can the architects fit the 3 departments into one building (Town Hall)? The architects responded that having 3 departments in one building (Town Hall) would not work.

**Third action item:** There were two alternatives...

- Relocate the police department to the first floor of Town Hall and relocate the library next door to 4 West Main Street. The Township Committee agreed that the cost exceeded their expectations.
- Keep the administrative offices and library at Town Hall and rehabilitate the building. Relocate the Police Department next door to 4 West Main Street. This proposal was the cost-effective way to go. **(Concept Plan)**
- Mayor Neibart went back to the Township Committee’s priorities which include adaptive reuse of the Town Hall building, historic preservation of historic Brookside, ADA complaint, cost efficiency and effectiveness, a comprehensive plan to address Town Hall, Police Department and Library, potential for recreational space.
- Mayor Neibart expressed that the Township Committee needs to narrow the scope for Cornerstone.

**Mayor Neibart entertained a motion to advance the concept plan (noted above) to the public at a Town Hall meeting.**

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio	X		-	-	X		
Ms. Duarte			-	-	X		
Mr. Monaghan			-	-	X		
Mr. Orlins		X	-	-	X		
Mayor Neibart			-	-	X		

**BUTTERMILK FALLS**

There was a recommendation to keep the falls closed on weekends and through the end of September or October because we are still seeing traffic/excessive garbage/gatherings in the falls.

Ms. Duarte noted that we received input from Environmental Commission Chair who suggested to keep the falls closed through September and reassess at that point. Ms. Duarte is comfortable with the chair’s input.

Chief Johnson provided a report on the usage of Buttermilk Falls. He suggested closing the falls on weekends through Halloween which is a high traffic time.

Martin Slayne, Environmental Commission Chairman, spoke on the issue and suggested keeping the falls closed through the first week of October and then open the falls so locals can use it.

**Mr. Monaghan made a motion to keep Buttermilk Falls closed until November 1<sup>st</sup> and reevaluate at the end of September. Motioned seconded by Ms. Duarte.**

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio						X	
Ms. Duarte		X	X		X		
Mr. Monaghan	X			X	X		
Mr. Orlins						X	
Mayor Neibart					X		

**AMENDING RENEWAL FEE FOR RETAIL CONSUMPTION LICENSE FOR SAMMYS**

A request was received from Sammy’s to waive or reduce their renewal fee for this year due to the pandemic.

***Motion to reduce the renewal fee from \$2,500 to \$2,000; reduced by \$500.00.***

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio	X				X		
Ms. Duarte		X	X		X		
Mr. Monaghan					X		
Mr. Orlins				X	X		
Mayor Neibart					X		

**HAMILTON DRIVE**

Mr. Monaghan explained that a developer put in the road at Hamilton Drive, which essentially was never finished; it’s supposed to end with a cul-de-sac. He noted that the challenge is that the residents’ survey does not show a cul-de-sac. However, the township maps show a cul-de-sac, and therefore we have not paved it. The resident would like a paved cul-de-sac because, for one thing, it would delineate where his property is, and then he could finish his landscaping, and for another, he would not have a mud pit in front of his driveway, which is inconvenient to him. The resident has requested a finished cul-de-sac in front of his house. It was noted that the resident is willing to sign over the property, which means the township would maintain the road.

Mr. Casey noted that the Township Engineer is preparing a description of the area, in question. An ordinance will be introduced at the next meeting, authorizing the township to accept the right-of-way.

**TOWN HALL ROOF**

Mr. Casey explained that a commercial roof company took a look at the roof and they have determined it’s in bad shape, showing bare wood in a number of spots (pictures were provided to the DPW Superintendent). This is an emergency basis and will cost \$7,100 to make the roof safe for the winter.

***Motion to authorize payment in the amount of \$7,100 for the repair the municipal building roof***

TOWNSHIP COMMITTEE	MOTION	SECOND	MOTION TO CALL THE QUESTION	SECOND	ROLL CALL		
					YES	NO	ABSTAIN
Mr. Baio	X			X			
Ms. Duarte			X		X		
Mr. Monaghan					X		
Mr. Orlins		X			X		
Mayor Neibart					X		

Mayor Neibart announced that Ingrid O’Connor has been named the Court Administrator.

Liaison reports were tabled to the next meeting.

**ADJOURNED AT 10:22PM**

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

Respectfully submitted,

Distributed: 12/18/2020  
Approved: 12/22/2020

Maria F. Coppinger  
Township Clerk