



Founded 1749

TOWNSHIP COMMITTEE

TOWNSHIP OF MENDHAM

September 9, 2019

Regular Session Minutes 7:30 PM

ROLL CALL:

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

Also present:

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

ANNOUNCEMENTS/REPORTS

On behalf of the Brookside Engine Company, Mayor Gisser thanked the community for their support with the annual clam bake. At the next meeting, September 24th, the Township Committee will recognize Rita Schmidt, who worked for the post office for many years. The Route 24 corridor, through the borough, down into the Ralston Curve, will be paved on Wednesday. Lt. Bittman provided an update on the traffic pattern for this paving project.

Ms. Duarte made the following announcements, thanked the Brookside Engine Company and for a fantastic clam bake; also thanked all the volunteers; 9/14 – Library Shredder Day Fundraiser – benefits the Library’s programs and services; 9/14 - Doggy Dip at Brookside Beach; 9/29 - Free Fall Concert in the Park, sponsored by the Recreation Dept., featuring Daddy Pop; 10/3 - Mendham Stigma Free Task Force will host a workshop on the topic, “How Parents can Support Positive Mental Health in Their Children”

Mr. Monaghan congratulated Brookside Engine Company on a successful clam bake. First Responders Golf Tournament is scheduled for September 16th which is open to the public.

Mr. Diegnan commented, on behalf of the Wildlife Management Committee, the fall brings the mating season for deer so please be extra careful on the roads. He announced that on Friday night, Mendham plays West Morris Central under the lights at West Morris Central. Next Friday night is the home opener for Mendham High School under the lights at 7PM against Morristown. Please come out a support the football team, cheerleaders and band.

PRESENTATION

Energy Aggregation Programs - Concord Energy Services, Concord Engineering Group, Inc.
Presented by Ms. Vicki Molloy, CEP, Vice President

Ms. Duarte introduced Vicki Molloy, CEP, Vice President, to present on energy aggregation. Ms. Duarte explained that she attended the League of Municipalities Convention last year and learned about this statewide program. The town can combine the energy "buy" for the entire community and save residents money on their energy bill. Ms. Duarte cited a number of communities moving forward with energy aggregation, including Chester Township, Peapack-Gladstone and Mendham Borough. She added that the program can save from 8% to 10% on residents' energy bills.

Presentation on Community Energy Aggregation attached hereto.

OPEN TO THE PUBLIC

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

All members present voted to approve.

Jordan Orlins – 6 Westminster Road – President of the Oak Knoll Property Association – Mr. Orlins provided a history on 4 Oak Knoll Road – notes are attached hereto. Mr. Orlins had several questions regarding the status of the registration statement and how the vacant and abandoned ordinance applies to this property. Ms. Bonanno explained that the property is not deemed uninhabitable by the construction code official and it's a property that is under construction. It was noted that the owners of the property have valid permits that they just had inspections, last week. Discussion continued on the process to bring the property up to code and/or hold the property owners accountable.

Terrill Doyle – 5 Cross Way – Ms. Doyle expressed that she is profoundly disturbed by the township committee's response on the abandoned property ordinance and the 4 Oak Knoll property, specifically that there are no remedies, even though there are two distinguished statutes (Abandoned Property Statute/Section 201-Uninhabitable Property Statute). She agreed with Mr. Orlins' suggestion, to have the lawyers sit down because she read the ordinance and disagrees with the Township Committee's statements. She expressed that there has to be a remedy, if the remedy is a blight ordinance, then we need to go forward with a blight ordinance and we need to take some action.

Mr. Moench clarified that he did not suggest that there is no remedy under the ordinances, its simply that, it's not always as simple as sometimes it seem because there are issues. Mr. Diegnan asked that Ms. Doyle provide her suggestions on the ordinance so the attorney could review them.

Pat Thompson – 6 Oak Knoll Road – They live next door to 4 Oak Knoll Road and have been waiting since 2007 to see something happen. She expressed that they probably will not be able to sell their house. Ms. Thompson described the condition of the property and provided pictures of 4 Oak Knoll Road.

Barrett Colton – 3 North Gate Road – Mr. Colton expressed that the key person in this situation is the Construction Official (CO) and wanted to know if he was present and who does he report to. Ms. Bonanno responded that they both have been in communication with respect to the condition of the property and he reports to the Township Administrator.

Ms. Duarte moved. Ms. Neibart seconded the motion to close the meeting to the public.

Roll call vote: All members present voted to approve.

RESOLUTIONS

2019-145 Resolution of the Township Committee of the Township of Mendham Authorizing the Cancellation of Federal and State Grant Receivables and Reserves

Ms. Duarte moved. Ms. Neibart seconded.

Roll call vote: All members present voted to approve.

2019-146 Resolution of the Township Committee of the Township of Mendham Authorizing and Approving the Amendment for the Shared Services Agreement with the Township of Chester for the Purposes of the Establishment and Operation of a Shared Municipal Court with Mendham Township, Chester Township and Chester Borough

Ms. Neibart moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve.

2019-147 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.

2019-148 Resolution of the Township Committee of the Township of Mendham Authorizing Discussion without the Presence of the Public

Ms. Duarte moved. Ms. Neibart seconded.

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 Ms. Neibart.

All members present voted to approve.

Jordan Orlins – 6 Westminster Road – President of the Oak Knoll Property Association – provided that names of the individuals who were in attendance at the meeting to discuss the 4 Oak Knoll property.

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

All members present voted to approve

DISCUSSION

STUDENT REPRESENTATIVE - APPOINTMENTS TO THE ENVIRONMENTAL COMMISSION, HISTORICAL PRESERVATION COMMITTEE AND PARKS AND RECREATION ADVISORY BOARD - The Township Committee decided on the names and asked that a resolution for the appointments be presented at the next meeting.

POLICE DEPARTMENT UPDATE - Mayor Gisser reminded the public that on June 10th there was a town hall meeting relating to the police department which the committee received significant feedback. In an October meeting, he would like to continue to bring forward some ideas/potential solutions as it relates to the physical plant of the Mendham Township Police Department.

Mayor Gisser noted that a member of the community stepped forward at the last meeting and asked questions related to construction/delivery vehicles that park in the flow of traffic. Most of the questions that were addressed are covered on Title 39 and the Mendham Township Police Department has been actively reminding contractors who park about the guidelines. Mayor Gisser noted that contractor/delivery vehicles are permitted to park on the side of the road as long as they follow the guidelines and if there are deficiencies in that area, the police department has come up with a warning sticker. Also, Title 39 is specific on the issue of crossing over a yellow line to pass a vehicle that is parked on the side of the road and it is not a moving violation.

Ms. Duarte wanted to know what the public should anticipate during the presentation on the police department. Mayor Gisser noted that the presentation will start off with all the properties Mendham Township owns and their purpose; to understand what properties are available to use. Mayor Gisser also clarified that nothing is happening during the current calendar year. The presentation will also include, what the basic parameters of the building requirements looks like to satisfy the issues that have

been identified. Ms. Duarte expressed that it's important to have some sort of report that details...here is why, if in fact, we really cannot do anything with the existing building/location.

DRAFT ORDINANCE – PROPERTY MAINTENANCE / BLIGHT PROPERTIES

The Township Committee was provided two different approaches to draft ordinances. The first draft ordinance is a modification to Section 201-Housing Standards. Right now, the ordinance relates to the state code, however, the draft ordinance adds the township's own additional language and definitely defines unfit dwellings. The word "blight" was not used in the first draft however it was used in the second draft (property maintenance). Discussion continued on state statutes that govern unfit properties and also clarification on definitions. The first version is a simpler version (Housing Standards) that basically takes the criteria that was purposed by the resident and incorporates it into the definition of unfit dwellings that we currently have. The second ordinance amends the property maintenance section and both ordinances can be used in tandem. The second draft defines the definition of blight, nuisance and a couple of other things. The recommendation was made to sit down with the Code Enforcement Official, Township Administrator and a representative from the Township Committee to obtain input on the ordinances, review some of the questions on the Oak Knoll issue and then meet with the residents, depending if the committee desire.

Motion to adjourn into Executive Session made by Ms. Duarte and seconded by Mr. Diegnan.
All members voted to approve.

ADJOURN

**Motion by Ms. Duarte and seconded by Ms. Neibart.
All members voted to adjourn at 10:39 PM.**

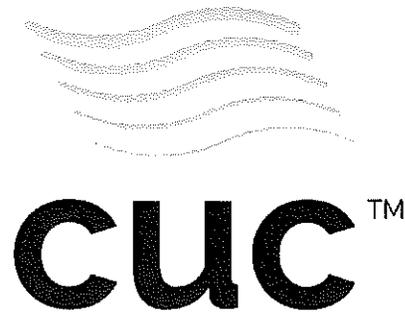
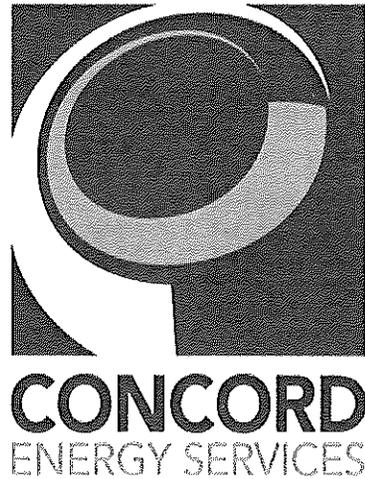
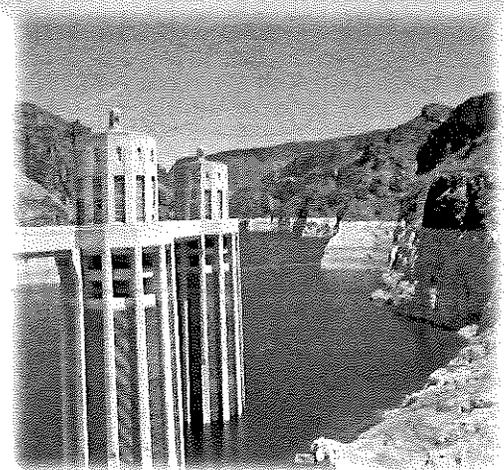
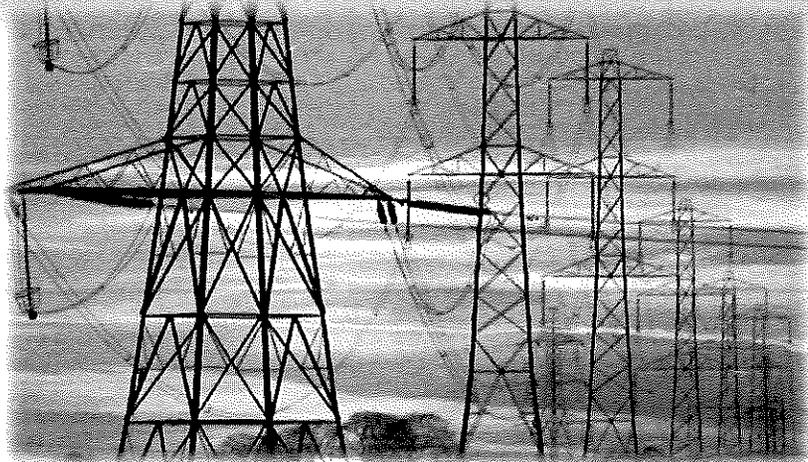
Respectfully submitted,

Maria F. Coppinger
Township Clerk

Distributed: 10/03/2019
Approved: 10/07/2019

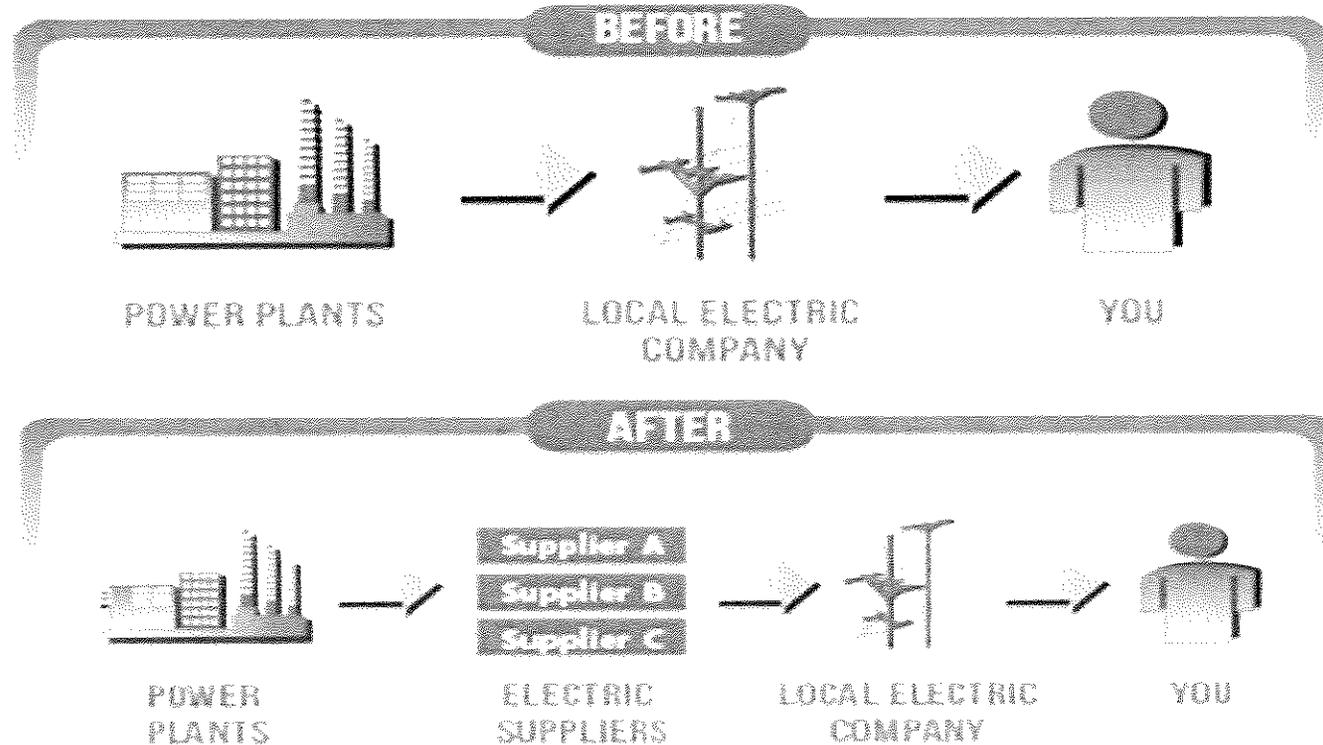
Attachments:

1. Presentation: Community Energy Aggregation
2. Public Comments: Jordan Orlins, President of the Oak Knoll Property Association, Background on the property at 4 Oak Knoll



COMMUNITY ENERGY AGGREGATION

Energy Deregulation



Energy deregulation along with Customer Choice legislation gives the consumer the option to choose the supplier on your electric bill
https://www.firstenergycorp.com/customer_choice/new_jersey.html

Statewide BGS Auction

New Jersey BGS Auction is held every February.

Auction information and results are available at:

www.bgs-auction.com

BGS Auction Winners 2019

- BP Energy Company
- Calpine Energy Services LP
- Covanta Energy Marketing LP
- DTE Energy Trading, Inc.
- Exelon Generation Company LLC
- Hartree Partners LP
- NextEra Energy Marketing LLC
- PSEG Energy Resources & Trade LLC

What is Aggregation

- The aggregation process works parallel to the state's process.
 - New Jersey BGS Auction held every February
 - Sets each utility's default rate
 - New Rates takes effect in June each year
 - JCP&L's Default Rate
<https://www.firstenergycorp.com/content/dam/customer/Customer%20Choice/Files/New%20Jersey/PriceToCompare.pdf>
- N.J.A.C. Title 14:4-6.1 (2012)
- Community Energy Aggregation
 - Replaces the default rate with a new price based on the community's local usage
 - Bulk purchase electricity from a third party supplier
 - Communities are able to obtain rate reductions on their energy costs. Month to month savings is not guaranteed
 - Consumer protections not normally available in individuals' contracts with third party suppliers

The Aggregation Process

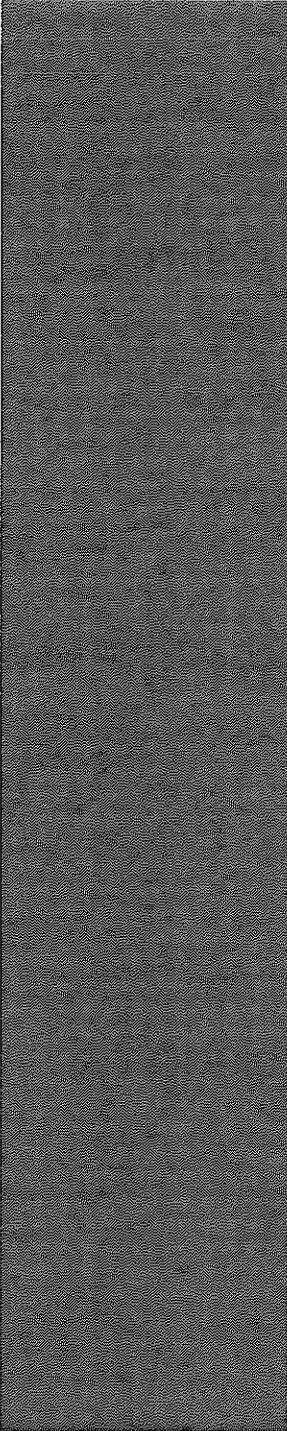
- Ordinance/Resolution/Agreements
- CUC/CES prepares and submits bid documents to the Board of Public Utilities and Division of Rate Counsel
- Energy auction and selection of winning bidder
- Energy Auction Bid for program rate must be lower than JCP&L's rate at the time of the bid.
- Begin outreach to residents about the program
 - Mailing
 - Public outreach meetings
 - In-State Call Center
 - Video
 - Customized webpage and municipality's website
- Repeat Auction Process at conclusion of contract

Aggregation Details

- When a supplier is awarded there will be an initial 30-day window for residents to decide if they would like to Opt-Out of the program; anyone choosing not to Opt-Out of the program will be enrolled in the program
 - Mail return, 800#, Customized Website
 - Residents can decide at any time after program begins to discontinue participation with no termination fees or other penalties
 - Permanent Opt-Out Feature
- Program only includes eligible residents who are not currently with a third party supplier and who do not have solar.

Aggregation Details

- All current services – delivery, meter readings, billing, payments, emergency services, etc., are serviced through the utility
- Residents will continue to call their utility for service-related questions and outages
- Residents still receive one bill every month from the utility
- Budget billing is offered in the program
- There are no fees to be part of the program
- No one from the program will be calling or knocking on any residents door regarding this program



Aggregation Renewable Pricing Option

Renewable Government Energy Aggregation (R-GEA)

- Enables Municipality to influence the source of electricity supply to its community
- Provides Environmental Benefits and Savings
- Earn points with Sustainable NJ
- Cost savings over utility PTC not mandated

Sample Bill

Jersey Central
Power & Light

A FirstEnergy Company

Bill Based On: Actual Meter Reading, Prorated Bill

April 23, 2012

Account Number: 0000000000

Amount Due: \$0.00

Due Date: May 08, 2012

Bill Period: Mar 22 to Apr 20, 2012 for 30 days
Bill For: Customer Name
00 Street Name
Town, NJ 00000

SAMPLE BILL

To report an emergency or an outage, call 24 hours a day 1-888-544-4877. For Customer Service, call 1-800-662-3115.
For Payment Options, call 1-800-962-0383. Pay your bill online at www.firstenergycorp.com
Bill Issued by: JCP&L, PO Box 16001, Reading PA 19612-6001

Messages	Account Summary	Amount Due
Your monthly price to compare is \$0.095527/kWh	Previous Balance	0.00
	Payments/ Adjustments	- 0.00
	Balance at Billing on Apr 23, 2012	0.00
Usage History		

Charges From JCP&L

When contracted an Electric Generation Supplier please provide the following.

Customer Number: 0000000000 0000000000

Rate: Residential Service JC __RS__01D

Customer Charge			2.20
Basic Generation Service	1710 KWH	x 0.101732	173.96
Delivery Service Charges	0 KWH	x 0.00	0.00
Average	0 KWH	x 0.00	0.00
Average	0 KWH	x 0.00	0.00
Days in	0 KWH	x 0.00	0.00
Last 12	0 KWH	x 0.00	0.00
Average			
Current Consumption Bill Charges			0.00

Detail Payment and Adjustment information

Program Benefits

Utility

- Consumer protections
 - No predatory contracting
 - No fees of any kind
 - Protection against seasonal or short term fixed and variable rates
- Reduced rates and budget stability
- Flexible participation for residents
- All current services are still provided by utility
- Residents will continue to receive one bill from JCP&L
- Budget Billing / Equal Payment Plans
- All outreach done by our team and is tailored to your municipality

Recent GEA Success Stories

- Borough of Sayreville = \$532,000
- Township of Bloomfield = \$604,000
- Morris Area Energy Cooperative = \$1,300,000 (11 towns – Chester Township / Jefferson to Join)
- City of Linden = \$649,000
- Borough of Keyport = \$100,000
- Passaic County Energy Cooperative Pricing System = \$743,000
- Burlington County Energy Program = \$1,000,000
- Sussex-Warren Area Energy Cooperative = \$1,134,000
- Hunterdon Area Energy Cooperative since 2/19 \$64,000
- Monmouth Area Energy Cooperative = program starts 6/19
- City of Pennsauken = program starts 7/19

**Savings to date for active programs:
over \$6 million
put back into the local economy!**

4 Oak Knoll Road -- aka The Red House, aka The Plywood House...

brief history...

1995 – 4OK is purchased

Within a few years the owner begins to methodically destroy the home, first inside and then out

2010 -- the home is already a “nuisance” as defined by P.L. 2003, c. 210

OK a “live and let live” neighborhood, the owner was a decent person

the slow decay and destruction continues for years while the owner fights foreclosure

2017 -- the owner is foreclosed and evicted

Nov 2017 -- US Bank takes possession

16 months go by – nothing is happening,

Mar 2019 -- OKPOA files a Petition to Investigate “Unfit Dwelling” pursuant to MT Ordinance 201-11

work commences as US Bank hires RESIPRO to begin renovations

Mar-Jun 2019 -- pool is covered, septic is replaced, roof is replaced, inside is gutted

July 2019 – after stripping the house to its sheathing, work stops.

Sep 2019 – we are here with you today. More than 15 years of value destruction

If US Bank won't act in its own rational economic interests, 100% aligned with ours, then we must act.

the fact is, 4 OK is destroying value every day in our neighborhood.

The assumption of several leading local real estate agents is 10% below comparables!

If six homes sell in OK each year x \$850K x 10% penalty = ½ Million dollars value destruction

And if you live next door or across the street, forget it, your only sale is a fire sale.

Better off demolishing -- every year that goes by 4 OK destroys more value than it is worth.

It appears we have several paths to action available to us right now...

Paths to action:

1. Unfit Dwelling, specified in c. 201 of MT Municipal Ordinance
2. Vacant and Abandoned Property, specified in c. 259 MT Municipal Ordinance

Discuss