



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
November 11, 2019
Regular Session Minutes 7:30 PM**

ROLL CALL:

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| 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

Mayor Gisser requested a moment of silence in commemoration of the 100th anniversary of Veteran's Day. He then read quotes from Presidents Reagan and Kennedy that captured the spirit of the day.

ANNOUNCEMENTS/REPORTS

Mayor Gisser mentioned that election results were not confirmed but he thanked all who voted and all candidates for their commitment to the community. Mayor Gisser acknowledged the passing of Dr. Duarte, committee member Amalia Duarte's father. The Mayor suggested that all should read Dr. Duarte's obituary which described his fascinating life and how he epitomized someone who realized the American Dream. The Mayor also thanked Ms. Duarte's commitment for appearing at the meeting despite her recent loss. Ms. Duarte thanked everyone for reaching out to her during this time and she expressed gratitude for her father's patriotism and love for this country. Mayor Gisser announced that Mendham Township was named the 'safest city in the United States' this year by Security Barron and that there is much for residents to be proud of since the township was also named best town for families in Morris County earlier this year, as well as having blue ribbon elementary and middle schools.

Mr. Diegnan thanked all the veterans that served our country.

Ms. Duarte also thanked the veterans for their service. She also thanked the candidates who ran in the recent election and all who voted. Ms. Duarte announced that Ski Club registration is open for students in grade 6-12 and that there will be 6 trips to Camelback starting Jan. 5 through Feb. 23rd. The Recreation Department is offering a free fitness program for November and December that includes Barre, Yoga, and Zumba classes. Barre and Yoga take place at town hall; Zumba is held at the Community Center. Brookside Engine Company is holding an open house on November 17th that includes tours and refreshments and demonstrations for the community.

Ms. Neibart expressed her sympathy to Ms. Duarte and expressed gratitude to veterans, as well as voters and candidates in the recent election. Ms. Neibart will attend the League of Municipalities convention next week.

Mr. Monaghan expressed his condolences to Ms. Duarte and he also thanked veterans. Mr. Monaghan read a letter from a resident who acknowledged the outstanding work of Dave Read and the DPW in general and specifically for helping remove a problem tree on Patriots Path. Mr. Monaghan also acknowledged the work that Sheriff Gannon is doing for Hope One Initiative. They were awarded the 2019 International Association of Chiefs of Police and Security Industry Association Michael Shanahan Award. Hope One is a critical recovery program directed toward people who are too exhausted or ill to seek help on their own.

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.

Mayor Gisser introduced Robert Flynn, Regional External Affairs Consultant from JCPL as guest speaker. Mr. Flynn presented the company's improvement updates based on a grant from BPU. This is a two phased project, the first being to increase vegetation management, and the second to utilize device smart technology for auto fuse cutouts. JCPL will notify the community ahead of the start date for this project. Mayor Gisser commented that the township is anxious to see this project move forward.

OPEN TO THE PUBLIC

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

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

Jordan Orlins - 6 Westminster Road - Mr. Orlins, on behalf of the Oak Knoll Property Owners Association, thanked the township members who worked with them to expedite work on the abandoned 4 Oak Knoll property.

Emily Hourihan – 47 Corey Lane - Ms. Hourihan mentioned that a group of residents raised money to purchase a menorah which is displayed in the gazebo in Mendham Borough and will be part of a candle lighting ceremony at sundown on December 22nd.

Rick Blood - 32 Tingley Road - Mr. Blood questioned whether the resolution regarding solid waste will be decided upon this evening to which Mayor Gisser responded that it will be discussed in Executive Session. Mr. Blood asked how the Hunterdon Cooperative was selected as the energy aggregate to which Mayor Gisser responded that this would be discussed later in the meeting tonight.

Ted L'Estrange - 46 Prospect Hill Road, Cuddebackville NY - Mr. L'Estrange - Mr. L'Estrange requested to speak about a topic that he titled "Genocide by Scalpel," which he described as organ harvesting occurring in China as it specifically affects practitioners of a group known as Falun Gong. The intent of Mr. L'Estrange's presentation was to inform communities and request support of legislation to prevent further abuse, and he left reading materials on the subject.

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

All members present voted to close the public session

APPROVAL OF MINUTES

Regular Meeting Minutes of September 24, 2019

Ms. Duarte moved. Mr. Diegnan seconded.

Roll call vote: Mr. Monahan abstained since he was not present at the September 24th meeting.

All other members present voted to approve.

Regular Meeting Minutes of October 7, 2019

Ms. Duarte moved. Mr. Diegnan seconded.

Roll call vote: Ms. Neibart abstained since she was not present at the October 7th meeting.

All other members present voted to approve.

RESOLUTIONS

2019-163 Resolution of the Township Committee of the Township of Mendham Authorizing a Payment of \$16,744.50 to Cifelli and Son General Contracting, Inc for the additional cost associated with the Corey Lane Resurfacing Project

Ms. Neibart moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve.

2019-164 Resolution of the Township Committee of the Township of Mendham to Approve Settlements of Real Property Tax Appeals

Ms. Neibart moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve.

2019-165 Resolution of the Township Committee of the Township of Mendham Authorizing 2019 Budget Appropriation Transfer
Ms. Neibart moved. Mr. Monaghan seconded.
Roll call vote: All members present voted to approve.

2019-166 Resolution of the Township Committee of the Township of Mendham Authorizing Discussion without the Presence of the Public – Contract Negotiations and Personnel Matters
Mr. Diegnan moved. Ms. Duarte seconded.
Roll call vote: All members present voted to approve.

2019-167 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills
Ms. Neibart moved. Mr. Monaghan seconded.
Roll call vote: All members present voted to approve.

2019-168 Resolution of the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, Authorizing the Signing of Government Energy Aggregation Program Agreements
Ms. Neibart moved. Ms. Duarte seconded.
Roll call vote: All members present voted to approve.

ORDINANCE FOR FIRST READING - Second Reading and Public Hearing Scheduled for November 26, 2019

15-2019 Amending and Supplementing the Salaries of Certain Officers and Employees of the Township of Mendham in the County of Morris, New Jersey
Ms. Duarte moved. Mr. Diegnan seconded.
Roll call vote: All members present voted to approve.

16-2019 Execution of a Lease Agreement between the Township of Mendham and the Ralston Cider Mill, a Nonprofit Corporation
Ordinance 16-2019 was TABLED until further notice.

OPEN TO THE PUBLIC

Motion to open public comment was moved by Ms. Neibart and seconded by Ms. Duarte.
All members present voted to open the meeting to the public.

Larry Corsi – 324 Mendham Road West - Mr. Corsi asked what he needed to do with regard to resolution 2019-168. Mayor Gisser explained what the options were for residents. Mr. Corsi asked if the co-op deal is better than what he can get through a third party on his own. Mayor Gisser confirmed that this system is structured through the state to address issues that residents have with third parties and is only related to the electric bill.

Motion to closed public comment was moved by Mr. Diegnan and seconded by Ms. Neibart.
All members present voted to close public session.

DISCUSSION

Mayor Gisser reported on September financials and commented that the township finances are strong as the end of the year approaches.

Best Practice Survey

Ms. Bonanno reported that the township did well again this year with a score of 43.5 which allows the township to maintain state aid.

Ms. Duarte mentioned that she worked on a resolution that will be presented at the League of Municipalities regarding the restoration of the SALT tax deduction and commented that anyone

interested could be a co-sponsor. A discussion amongst committee members ensued regarding the subject and a member of the audience requested to make a comment. Mayor Gisser recapped the discussion by confirming that an improvement in the tax situation will be discussed at the League.

RECESSED TO EXECUTIVE SESSION

Motion by Ms. Duarte and seconded by Mr. Diegnan.

All members voted to adjourn at 8:40 PM and resume into Executive Session at 9:15.

The Township Committee returned from Executive Session and convened into Regular Session.

2019-169 Resolution of the Township Committee of the Township of Mendham Awarding the Contract for Collection of Solid Waste, Bulky Waste and Single Stream Recyclable Material

Ms. Duarte moved. Mr. Monaghan seconded.

Mr. Moench provided a brief history noting that currently, Blue Diamond does the Waste Management services for the township and the contract will expire at the end of the year. He noted that initial bids were received in late spring however there were some concerns with the terms of the bid as well as pricing. These concerns prompted the Township Committee to reject all bids which is the committee's right to ask for additional options, clarification on some of the services that were sought and re-issue the bids. The same two companies responded the second time, Blue Diamond and Recycle Track System (RTS). Mr. Moench noted that RTS is the low bidder and in his opinion that RTS submitted a responsive bid and is in compliance with the bid specification. He noted the RTS is the low-bidder and they have indicated that they can provide the service with their own trucks or sub-contract out which is their choice. They have the required credentials through from Department of Environmental Protection and are authorized to provide those services. Mr. Moench recommended that the Township Committee act on this resolution and it's his opinion that RTS is the low-bidder, responsive and responsible bidder.

Mr. Monaghan explained that if the township were to privatize the services the residents would have to an extra \$130,000 a year in addition to the sticker program and the township would have to pay for their five dumpster which is about \$48,000. This is a significant amount of money that would have to be paid out if we decided to privatize the service. He believes it would be appropriate to award the contract to the Township so the service could be aggregated and everyone pays less.

Mayor Gisser clarified that the bid option is for a 1 year contract with weekly service for regular trash, as well as, weekly service for recyclables which is an increase in recycling service.

Ms. Neibart noted that she is not in favor going with either contract because she personally does not believe the municipalities should be providing trashing and recycling pickup. She will abstain from the vote. However, Ms. Neibart expressed that if the Township Committee is moving forward with accepting a bid then it would be wise to accept the RTS bid.

Ms. Duarte added that residents over the year have asked for weekly recycling pick-up which they will be pleased and will support the bid for that reason as well as Mr. Monaghan's reasons.

Mayor Gisser would personally like to see the service removed from the tax levy however in the interest of having the issued resolved, he will support the bid.

Roll call vote: All members present voted to approve except for Ms. Neibart who abstained.

ADJOURN – motion made by Ms. Duarte and second by Mr. Diegnan. All members present voted in favor.

Respectfully submitted,

Distributed: 12/6/2019

Approved: 12/9/2019

Maria F. Coppinger
Township Clerk