



**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
November 26, 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.

**RECOGNIZING NEW MEMBERS**

Mr. Gary Russell introduced Ian Baio, who applied to be a Regular Member at Ralston Engine Company #1.

**ANNOUNCEMENTS/REPORTS**

Mayor Gisser congratulated Tom Baio and Jordan Orlins on their election for Township Committee for 2020. A reorganization meeting is scheduled for January 2<sup>nd</sup> at 7:30pm for the swearing-in and various reorganization items. Mayor Gisser announced that Recycle Track Systems (RTS) were the successful bidders for solid waste and recycling collection and Blue Diamond will no longer pick-up garage as of January 1st. He provided details on the sticker program and also noted that the garbage schedule does not change however the recycling schedule will be weekly (*every Thursday*) instead of bi-weekly. Mayor Gisser expressed that Mendham Township will receive \$377,500 from the state grant application that was submitted for the Pitney Park. He acknowledged that there were several people involved with the application but most significantly the Township Administrator, Debbie Bonanno and former Mayor Diana Orban Brown. Mayor Gisser also announced that the township is scheduled to receive a county trail grant in the amount of \$264,752. He explained that the state grant has a 50% matching requirement and the county grant has a 20% matching requirement which would require Mendham Township to come up with approximately \$130,000 to fill the gap. Mayor Gisser commented on the structure on Old Brookside Road which is no longer standing and noted that it took an enormous amount of effort by a lot of people at town hall.

Mr. Diegnan congratulated the Mendham High School Girls' Volleyball team and the Boys' Cross Country team. He also congratulated the Pitney Farm subcommittee that worked on the Pitney Park concept which received grant funding. He thanked former Mayor Orban Brown and all the people who participated in the project which will be a great asset to the town.

Ms. Duarte also expressed her congratulation regarding the Pitney grants, Girls' Volleyball team and the newly elected candidates. Ms. Duarte announced a couple of Recreation events which include the Polar Bear Plunge and the Senior Lunch for the Holidays. She also noted that Brookside Engine Company will host an event to meet Santa on Sunday – Toys for Tots collection will take place.

Ms. Neibart announced that the Finance Committee will meet December 19<sup>th</sup> at 5PM to review initial requests made by department heads. Ms. Neibart noted that the Shared Court Judge will be retiring and interviews have taken place. She asked if there was a possibility of restarting the Pitney Task Force or a committee to oversee the project. It was suggested that the idea be discussed in 2020 with the new committee.

Mr. Monaghan congratulated Tom Baio and Jordan Orlins.

Mayor Gisser acknowledged Mr. Diegnan for his service on the Township Committee – due to scheduling Mr. Diegnan will not be in attendance for the upcoming meetings. Mr. Diegnan thanked everyone and expressed that it has been an honor to serve the town.

#### **OPEN TO THE PUBLIC**

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

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

Richard Vandoren – 29A West Main Street, Brookside – expressed his concern with the property located at 27 West Main Street which has been listed for sale as a triplex. He noted that they had no expectation that a home in the area would be sold as a triplex. He also expressed that their research has indicated that there are no zoning permits on file and they are not willing to let it convey to the next sellers as a triplex. He expressed that a triplex property would not be good for the community or the town. He clarified that the property is currently not listed as a triplex on MLS but expressed that “nothing is final until it’s final.” As liaison to the Building and Planning Board, Mr. Monaghan looked into Mr. Vandoren’s concern and explained that it’s the homeowners’ responsibility to prove that they have the proper permits to be designated as a triplex. Mr. Monaghan clarified that Mendham Township is not zoned for multi-family homes. There are homes in town that pre-date the zoning which includes 27 West Main Street. They homeowners would need to actually prove that the situation existed before the zoning was put into place and prove that it was a continued use through the years. Mr. Monaghan expressed that the township is aware of the property and is actively pursuing it.

Jack Curtis – 4 Michael Road – commented that he approached the committee, years ago, regarding the curve on Old Brookside Road and the condition of the properties. He suggested that the three (3) signs on the curve be moved back so there is sight distance. He expressed his satisfaction with Blue Diamond’s service and commented on the sticker program for garbage collection noting that it’s a hidden tax. He expressed his concern with the Energy Aggregation Program. He reminded that Committee that the farmland assessments cost Mendham Township approximately \$800,000 in (lost) taxes. He asked the Township Committee to be proactive with contacting the State of NJ to make modification to the law.

Mr. Moench clarified that the change in vendor for garbage collection is a result of the bidding process – state law govern bidding which requires the township to go with the lowest bidder. He also clarified that energy providers (JCP&L, First Energy, ect.) also go out to bid.

Peter Dumovic – 3 Shelton Road – expressed his appreciation to the people involved with the Pitney Farm properties and the 7 acres. He applauded the Township Committee members, former Mayor Diana Orban Brown, Township Administrator Debbie Bonanno and Township Engineer Denis Keenan for their efforts on the grant applications.

Diana Orban Brown – she endorsed all the comments regarding all the other members on the team. She suggested that there is an opportunity to begin a donation fund for several elements of the Historic Park at Pitney Farm including replacing the maple trees from the maple alley with maples. She pledged a tree donation and expressed that it would be a wonderful donation opportunity for residents, as well, as bench donations.

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

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

#### **RESOLUTIONS**

**2019-170** Resolution of the Township Committee of the Township of Mendham Authorizing Cancellation of Outstanding Checks

**Ms. Neibart moved. Ms. Duarte seconded.**

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

**2019-171** Resolution of the Township Committee of the Township of Mendham Cancelling Appropriations from 2019 Current Fund Budget to Fund Balance

**Ms. Duarte moved. Ms. Neibart seconded.**

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

**2019-172** Resolution of the Township Committee of the Township of Mendham Approving Settlement of Real Property Tax Appeal

**Ms. Neibart moved. Ms. Duarte seconded.**

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

**2019-173** Resolution of the Township Committee of the Township of Mendham Authorizing Discussion without the Presence of the Public

**Ms. Duarte moved. Ms. Neibart seconded.**

Mr. Moench requested that contract discussions (Ralston Cider Mill) be added to the list. The Executive Session will take approximately 45 minutes and should take place prior to the introduction of ordinance 16-2019.

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

**2019-174** 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.**

**ORDINANCE FOR SECOND READING / PUBLIC HEARING READING** - *Ordinance was introduced at the November 11, 2019 Regular Meeting*

**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. Ms. Neibart seconded.**

Ms. Duarte moved. Mr. Diegnan seconded the motion to open the meeting to the public on Ordinance 15-2019. All members present voted to open the meeting to the public.

Seeing no hands and hearing no voice Mayor Gisser called for a motion to close public comment on Ordinance 15-2019.

Ms. Neibart moved. Ms. Duarte seconded the motion to close the meeting to the public on Ordinance 15-2019. All members present voted to close the public session

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

**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.**

Diana Orban Brown – Ironia Road – expressed that she has received an increased number of spoof telephone calls to her landline and most recently received one from the Mendham Township Police number which was not from the police department. She asked if there is something that could be done to eliminate these spoof calls.

Jack Curtis – 4 Michael Road – attended Congressman Malinowski’s town hall in Wharton and noted that Congress supposedly passed a law against robo-calls which is waiting for the President’s signature. He announced that 4.6 billion calls were made to the United States in October and a total of 60 billion calls for the year.

**Motion to closed public comment was moved by Ms. Duarte and seconded by Mr. Diegnan.**

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

## **DISCUSSION**

Mr. Monaghan expressed that he is not sure what the Township Committee could do as a public body but asked the public for suggestions on how to approach the spoof and robo-calls issue. He would be happy to entertain those suggestions and/or start an educational campaign.

Mayor Gisser has meeting scheduled with 3 of the 4 homeowners associations (Drakewick, Brookrace, Pitney and Oak Knoll) to present the Mendham Township Police Headquarter presentation.

Ms. Neibart noted that interviews were held for the Shared Court Judge position and Township Attorney interviewed will also be conducted. The Finance Committee will host frequent public and working sessions. Board and Liaison appointments will be discussed at the December 2<sup>nd</sup> meeting.

Ms. Duarte asked about the Finance Committee process. Ms. Neibart explained that last year, department heads made a presentation to the finance committee which some found uncomfortable. This year, the requests were sent to Karen, will be reviewed by Karen and Ms. Neibart and put together to be able to present it to the public before the first of the year. Then, once liaisons are chosen, they will work directly with the departments to discuss their initial request.

Ms. Duarte expressed that she has heard great feedback about the budget process and its transparency. Ms. Duarte distributed a final copy of the "new resident survey" to the Township Committee. She noted that the Board of Education is on board with being the co-sponsor with Mendham Township and they are also willing to pay for the postage / envelopes. Due to the holiday schedule, the survey will be mailed at the end of January. Ms. Duarte attended the League of Municipalities, where she learned about some new grant opportunities. She also expressed the idea of hosting a "local municipal government week" which many towns get really involved in. Ms. Duarte expressed that the SALT resolution that she mentioned at the last meeting was unanimously passed by the League and will be sent to the NJ Congressional Delegation which she hopes will get the full SALT deduction restored.

Mr. Diegnan encouraged the finance committee to continue to be rigorous with the financial budgeting and capital spending process because that township has seen significant result of the time and efforts that was put in (4) four years ago in building the capital programs, as well as, meet the township's needs, balanced a budget and kept tax increases to a minimum.

## **RECESSED TO EXECUTIVE SESSION**

Motion by Ms. Neibart and seconded by Ms. Duarte

All members voted to adjourn at 8:40 PM and resume into Executive Session at approximately 9:00PM

## **RETURNED FROM EXECUTIVE SESSION**

### **ORDINANCE FOR FIRST READING**

**16-2019** Execution of a Lease Agreement between the Township of Mendham and the Ralston Cider Mill, a Nonprofit Corporation

No action was taken on Ordinance 16-2019

## **ADJOURN**

Motion made by Ms. Duarte and second by Ms. Neibart.

All members present voted in favor.

Respectfully submitted,

Distributed:01/23/2020

Approved: 02/10/2020

Maria F. Coppinger  
Township Clerk