



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
SPECIAL MEETING**

DATE: July 12, 2021
TIME: 6:30 PM Special Meeting / Executive Session
LOCATION: Town Hall and Remote via Zoom

SALUTE TO THE FLAG

ROLL CALL

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

Also, present

Mr. Robert Casey, Interim Township Administrator
Mr. John Mills, Township Attorney
Ms. 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 Star Ledger and Daily Record on July 9, 2021. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

2021-144 Resolution of the Township Committee of the Township of Mendham Providing for a Meeting not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

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		

ADJOURN TO EXECUTIVE SESSION

The Township Committee adjourned into executive session at 6:34 PM. The Township Committee recessed at 7:07 PM.

ADJOURN

REGULAR SESSION START AT 7:30PM

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: July 12, 2021

TIME: 7:30 PM

LOCATION: Town Hall and Remote via Zoom

ROLL CALL

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

Also, present

Mr. Robert Casey, Interim Township Administrator
Mr. John Mills, Township Attorney
Ms. Maria Coppinger, Township Clerk

SALUTE TO THE FLAG

STATEMENT OF ADEQUATE NOTICE – Read by Mayor Neibart

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 6, 2021. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

Mayor Neibart introduced a motion to amend the agenda and move Resolution 2021-148 to the first item on the agenda. Ms. Duarte moved and Mr. Orlins seconded.

RESOLUTION

2021-148 Resolution of the Township Committee of the Township of Mendham Appointing Robert Wysokowski to Sergeant of the Mendham Township Police Department

Chief Johnson introduced Robert Wysokowski and thanked the Township Committee for filling the vacancy. Oath of Office administered by the Township Attorney.

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		
Mr. Orlins		X			X		
Mayor Neibart					X		

ANNOUNCEMENTS

Mr. Monaghan, Ms. Duarte, Mr. Baio and Mayor Neibart announced upcoming township events and thanked all those involved in the participation of the July 4th celebrations.

COVID – 19 UPDATE

Mayor Neibart provided an update on the Covid-19 pandemic, noting that 10 million vaccine doses have been administered in the state thus far and the county mega-site will close soon.

OPEN TO THE PUBLIC

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

Maria Moore – 26 Ironia Road – Ms. Moore expressed her objection to the opening of the tasting bar and brewery next to her property at Backer farm and her concerns for her family's safety from customers driving after drinking.

Bernadette Koenig – Northgate Rd - Ms. Koenig posed these questions: whether single stream recycling is still the norm; if the committee responded to the Morris County farmland preservation questionnaire; how noise ordinances are enforced; whether July 1st Planning Board meeting notes are available to the public.

Peter Banos – 47 Ironia Rd., Mendham Boro - Mr. Banos read a letter that will be published in the Observer Tribune that outlines his objections and concerns regarding what he considers the negative impact that the tasting bar will have on the community.

Diana Orban-Brown – Ironia Road – Ms. Orban Brown expressed her support for the Backer farm brewery, with reservations. She said she will explain her reasoning at the Planning Board meeting in August, and that she felt the Backers should be given an opportunity for consideration.

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

Mayor Neibart responded to questions raised in the open forum.

- Regarding single vs dual streaming- the only time single stream will occur is the week after a holiday. Dual streaming is the norm for the township.
- The township responded to the agriculture questionnaire and will be made available to the public on the website.
- The police chief is the first point of contact for noise complaints. The township is looking into decibel readers.
- Enforcement measures are handled by the police and as new developments occur the chief will discuss with the administrator and governing body with respect to zoning, traffic issues. Mr. Orlins added that Oak Knoll residents put together some materials indicating requirements that the Planning Board may be able to include with respect to enforcement.

There was a discussion on access to the Planning Boards recordings; and it was suggested that anyone interested in Planning Board videos should contact the Planning Board secretary. Mr. Baio commented that the Morris County Agricultural Board has a presence in the Backer Farm.

Mayor Neibart suggested that the committee look into how it works with the Planning and Zoning Boards. If this particular application rises above a farm description and is deemed a business, then the committee should consider creating commercial business ordinances.

Mayor Neibart asked that the land use resolutions be tabled to the next meeting. Ms. Duarte explained that Morris Township passed a package of land use resolutions that have to do more with the redevelopment process which comes to the Township Committee, not the Planning Board. It was determined that the Planning Board would be asked for their input on the resolutions.

APPROVAL OF MINUTES

- Reorganization Meeting of January 5, 2021
- Regular and Executive Session Meetings of January 11, 2021

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		
Mr. Orlins	X			X	X		
Mayor Neibart					X		

CONSENT AGENDA - RESOLUTIONS

2021-145 Resolution of the Township Committee of the Township of Mendham Authorizing the Mayor to Execute a Lease Agreement Between the Township of Mendham and Stanley (Nicholas) Witczak and Krista Underhill for the Lease of Certain Municipal Property

2021-146 Resolution of the Township Committee of the Township of Mendham Authorizing a Grant Application to the New Jersey Department of Transportation for the Woodland Road Phase 2 Project

2021-147 Resolution of the Township Committee of the Township of Mendham Approving the Corrective Action Plan Required by the 2020 Annual Audit of the Township

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		

REGULAR AGENDA - RESOLUTIONS

2021-149 Resolution of the Township Committee of the Township of Mendham Approving Raffle License – Brookside Engine Company No. 1

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

2021-150 Resolution of the Township Committee of the Township of Mendham – Social Affairs Permit for Brookside Engine Company No. 1

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

2021-151 Resolution of the Township Committee of the Township of Mendham Declaring an Emergency in Sewer Utility East

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		

2021-152 Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

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		

2021-153 Resolution of the Township Committee of the Township of Mendham Establishing Salaries for Certain Employees of the Township for the Year 2021

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		
Mr. Orlins		X		X	X		
Mayor Neibart					X		

A motion was made by Mr. Monaghan and seconded by Ms. Duarte to table resolutions 2021-154, 2021-155 and 202-156 to the next meeting. Motion to call the question made by Mr. Monaghan and seconded by Ms. Duarte. All members presented voted in favor of tabling the resolutions.

2021-154 Resolution of the Township Committee of the Township of Mendham Appointing a Chief Financial Officer for the Township of Mendham

2021-155 Resolution of the Township Committee of the township of Mendham Appointing an Administrator for the Township of Mendham

2021-156 Resolution of the Township Committee of the Township of Mendham Approving an Employment Agreement for the Chief Financial Officer and Administrator

FOR INFORMATION ONLY

10-2021 An Ordinance of the Township of Mendham, County of Morris, New Jersey Prohibiting the Operation of any Class of Cannabis Businesses within the Township's Geographical Boundaries and Amending Chapter XXI, Zoning Regulations of the Land Use Ordinances of the Township of Mendham Code
Public hearing scheduled for July 26, 2021 (revised)

OPEN TO THE PUBLIC

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

Maria Moore – 26 Ironia Road – Ms. Moore asked for the Planning Board recording but was told that the recording was not working.

Peter Banos – Ironia Road – Mr. Banos commented on notes from a report from H2M consultants regarding agriculture uses and public and private nuisance.

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

DISCUSSION

Construction Project Update - Mr. Casey reported that with respect to the police building, issues with the Department of Corrections and DEP are resolved. Full plans are available electronically as of tomorrow and bids are out. Town Hall building issues in reference to the windows are resolved. The goal is to put out a winter bid with a start date in May. There was discussion amongst committee members regarding the cost of the project, whether alternates would be necessary and the expectation is that the project would be within budget.

Pitney Park - Mr. Monaghan reported that the project is moving at a record pace. He shared a letter from Mr. Sletteland, to the Pitney Park team, proposing an architect be hired to create drawings for a museum to be built on the property. Mr. Monaghan voiced his objections with a building on the site because the site (park) is specifically intended to be low maintenance; some suggestions were to donate the artifacts to the Morristown Library, or house them in the township library or town hall. It was decided that the Historic Preservation Committee would be brought into the conversation.

Motion to adjourn at 8:39 PM made by Ms. Duarte; seconded by Mr. Orlins.

Respectfully submitted,

Distributed: 01/14/2022
Approved: 01/24/2022

Maria F. Coppinger, Township Clerk