

**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
REGULAR MEETING**

**DATE:** April 25, 2022  
**TIME:** 7:30 PM  
**LOCATION:** Municipal Building and Remote Via Zoom

**ROLL CALL**

Mr. Baio	Present
Ms. Duarte	Present
Ms. Neibart	Present
Mr. Orlins	<b><i>Absent</i></b>
Mayor Monaghan	Present

**SALUTE TO THE FLAG** - Led by Mayor Monaghan

**STATEMENT OF ADEQUATE NOTICE** – Read by Mayor Monaghan

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 10, 2022. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**PROCLAMATION**

Honoring Dispatchers and Public Safety Telecommunicators

Ms. Neibart read the proclamation honoring dispatchers and public safety telecommunicators. Ms. Neibart recognized Assistant Chief John Kemp who is currently a dispatcher.

**ANNOUNCEMENTS**

Committee Members announced upcoming events in the Township and nearby towns.

**OPEN TO THE PUBLIC**

George Koenig – 13 North Gate Road – Mr. Koenig raised a concern regarding the township’s ordinances, noting that on page 2102 of the land use ordinances, 21-4.1, it says Horticulture or agriculture as a livelihood, subject to Subsection 21-4.5, and provide those commodities offered for sale upon the premises are grown on the premises. He noted that it’s essential when you get to the concept of a farm management unit which, while it was in the AG Board resolution regarding BF Partners Brewery Proposal, the AG Board is still asking for Mendham Township’s input. He believes the farm management unit concept completely disagrees with the township’s zoning. Mr. Koenig’s solution would be that whatever you produce for that farm management unit needs to go back to that farm management unit to be sold on their premises to comply with the township’s rules and regulations.

Martin Slayne – Indian Head Road – Mr. Slayne thanked all the volunteers for their assistance with the Raritan Stream Cleanup. He reminded the public about the single-use bag ban that will take effect on May 4th. He noted that there had been discussion on providing free reusable tote bags to the community. He highlighted the Styrofoam collection event on June 11th – and thanked DPW for hosting the event. Finally, he asked for the committee’s support to schedule the installation of the new signs for trailheads.

Neil Sullivan – 4 Knollwood Drive, Mendham Borough – Mr. Sullivan donated a map to the township, a civil engineering survey of Mendham Township in Brookside. He explained that it shows all the buildings in Mendham from 1910; the map is 112 years old.

Bernadette Koenig – North Gate Road – Ms. Koenig highlighted that the Environmental Commission is giving away (NJDEP) 500 bare root trees on Saturday at Town Hall.

Peter Banos – 47 Ironia Road, Mendham Borough – Mr. Banos explained that he has a stormwater appeal to NJDEP on the BF Brewery Proposal. He noted that BF Partner’s engineer, Roth Engineering, provided a report on stormwater where it said it wasn’t a major development. However, Mr. Banos hired Van Note Harvey, and they determined that the project was a major development. He asked the committee how we would resolve this discrepancy concerning stormwater. He asked that when the committee replies to the AG Board that Bf Partners provide the Flood Hazard Area Applicability Determination form so NJDEP can decide if it’s a major development. He noted that it’s the township’s responsibility to ensure that stormwater regulations are enforced.

Mr. Mills clarified that it’s the Planning Board’s responsibility and noted that the application is not coming before the Township Committee.

Melissa Rainis – 290 Mountainside Road, Mendham Borough – Ms. Rainis brought to the committee’s attention that Morristown recently approved a distillery for 49 seats in a commercial zone, not a

residential zone like Backer Farm. She asked the committee to keep this approval in mind when reviewing Backer Farm request for a certain number of seats in their brewery proposal.

**Motion to close hearing persons present made by Ms. Duarte; Seconded by Mr. Baio. All members presented voted in favor of the motion.**

Mayor Monaghan noted that Morristown’s approval was based on the sq. footage of the building. Therefore, he expressed that we cannot compare the two applications.

**APPROVAL OF MEETING MINUTES**

Executive Session of September 27, 2021, Regular and Executive Session of October 13, 2021  
Regular Meeting of October 25, 2021, Regular Meeting of November 22, 2021  
Regular Meeting of December 6, 2021, Regular Meeting of December 13, 2021  
Special and Regular Meeting of December 27, 2021

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

**The following meeting minutes were tabled to May 9, 2022. Motioned made by Ms. Neibart; Seconded Ms. Duarte. All members present voted in favor.**

Regular Meeting Minutes of March 14, 2022 and Regular Meeting Minutes March 28, 2022

Regular Meeting of November 8, 2021 (Mayor Monaghan abstain)

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

**REGULAR AGENDA – RESOLUTIONS**

- 2022-063

Resolution of the Township Committee of the Township of Mendham Approving Raffle License for Brookside Engine Company No. 1 and West Morris Women’s Junior Club
- 2022-064

Resolution of the Township Committee of the Township of Mendham Approving Issuance of Social Affair Permit for Brookside Engine Company No. 1 – Fourth of July Event
- 2022-065

Resolution of the Township Committee of the Township of Mendham Approving Issuance of Social Affair Permit for Brookside Engine Company No. 1 – Annual Family Clambake

**Motion to include resolutions 2022-064 and 2022 065 made by Ms. Duarte; Seconded by Ms. Neibart. All members present voted in favor.**

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

- 2022-066

Resolution of the Township Committee of the Township of Mendham Extending the Terms of Members of the Mendham East and West Water Pollution Control System Advisory Committee

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

The Township Committee discussed the liaison roles; Ms. Duarte suggested having co-liaisons and communication to be circulated. The roles would be addressed at the next meeting.

**2022-067** Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

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

**ORDINANCE(S) INTRODUCTION / FIRST READING**

**06-2022** Bond Ordinance Providing for the Improvement of Roads in and by the Township of Mendham, in the County of Morris, New Jersey, Appropriating \$1,255,000 Therefor, Including \$411,700 Expected to be Received as a FY 2021 New Jersey Department of Transportation Grant, and Authorizing the Issuance of \$1,255,000 Bonds or Notes of the Township to Finance the Cost Thereof - *Second Reading and Public Hearing scheduled for May 9, 2022*

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

**07-2022** Ordinance Appropriating \$50,000 from the Capital Improvement Fund in Order to Provide for Guard Rail Replacement in and by the Township of Mendham, in the County of Morris, New Jersey - *Second Reading and Public Hearing scheduled for May 9, 2022*

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

The Township Committee engaged in a discussion on the location of the guard rails. The committee requested clarification on the location specially the one on Combs Hollow Road.

**OPEN TO THE PUBLIC**

George Koenig – 13 North Gate Road – Mr. Koenig asked if the Board of Adjustment resolution binds the township committee to that resolution or can the township committee have a different opinion on a board of adjustment’s resolution. Mr. Mills responded to Mr. Koenig’s question.

***Motion to close hearing persons present made by Ms. Duarte. Seconded by Ms. Neibart. All members present voted in favor of the motion.***

**DISCUSSION**

Monarch Butterfly Pledge

Mayor Monaghan received a request to sign a pledge for the Monarch Butterfly. He and Ms. Duarte agreed that we had already taken the actions that were required. He noted that we are supposed to recommit every year, and as things go on, you can add more and more action. Mayor Monaghan noted that we can revisit the pledge next year.

Mr. Baio announced that Patricia Zimmerman has resigned from the Historic Preservation Commission. It was noted that Ms. Zimmerman decided to stay on as Town Historian.

**ADJOURN**

Motion to adjourn made Mr. Baio; Seconded by Ms. Duarte. The Township Committee adjourned at 8:30 pm.

Respectfully submitted,

Distributed: 05/04/2022  
Approved: 05/09/2022

Maria F. Coppinger  
Township Clerk