

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
REGULAR MEETING**

DATE: May 23, 2022
TIME: 7:30 PM
LOCATION: Municipal Building and Remote via Zoom

ROLL CALL

Mr. Baio	Present
Ms. Duarte	Present
Ms. Neibart	Present (arrived at 7:52 pm)
Mr. Orlins	Present
Mayor Monaghan	Present

Also, present:

Mr. John M. Mills, Esq.
Mr. Jason Gabloff, Township Administrator
Ms. Maria Coppinger, Township Clerk

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.

ANNOUNCEMENTS

Mayor Monaghan acknowledged the passing of Joe Gomeringer. On behalf of the Township Committee, he expressed his thoughts and prayers for Joe's family.

Mayor Monaghan, Ms. Duarte and Mr. Orlins announced several upcoming events in the township.

OPEN TO THE PUBLIC

Martin Slayne - Indian Hollow Road – Mr. Slayne provided an update on the Environmental Commission, which received confirmation that they received an ANJEC grant for the Native Garden at Ralston; he thanked Kylie Bailin for her efforts. He noted that the Eagle Scout project for installing a new kiosk is complete at Dismal Harmony. He announced the upcoming Styrofoam Collection Day which will take place on June 11th. Mr. Slayne followed up on a request to have DPW assist with installing five new signs.

George Koenig - 13 North Gate Road – He expressed that many residents are asking him if the committee is for residential or business development with the exception of traditional farm stands; he noted that this would be a hot topic during elections. He mentioned that based on all the surveys that the committee has received, let's keep Mendham as exceptional as it possibly could be. He noted that those who preceded the committee erred on being conservative – residential, not business. He asked the committee to think about the bigger and longer picture when thinking about agrotourism.

Peter Banos – 47 Ironia Road, Mendham Borough – Mr. Banos spoke on the environmental concerns with the Backer Brewery application. He asked the committee for their support with the group's public health and safety concerns.

Patricia Zimmerman – 3 West Main Street – statement attached

Motion to close public comments made by Ms. Duarte; Second by Mr. Orlins. Voice Call: All members voted in favor of closing the public comment section.

APPROVAL OF MEETING MINUTES

Executive Session Minutes of October 25, 2021
Regular Meeting and Executive Session Minutes of May 9, 2022

Motion made by Ms. Duarte; Second by Mr. Orlins. Voice Call: All members voted in favor.

CONSENT AGENDA – RESOLUTIONS

2022-077	Resolution of the Township Committee of the Township of Mendham Authorizing the Mendham Township Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, C.72
2022-078	Resolution of the Township Committee of the Township of Mendham Approving the Submission of an Application to the New Jersey State Historic Preservation Office for the Renovation of the Municipal Building and Library at 2 West Main Street, Brookside
2022-079	Resolution of the Township Committee of the Township of Mendham to Approve Settlement of Real Property Tax Appeal
2022-080	Resolution of the Township Committee of the Township of Mendham Authorizing the Payment of Bills

- 2022-081

Resolution of the Township Committee of the Township of Mendham Amending 2022 Budget Insertion of Special Item of Revenue for “State of New Jersey Recycling Tonnage Grant”
- 2022-082

Resolution of the Township Committee of the Township of Mendham Requesting Approval of Items of Revenue and Appropriation N.J.S.A. 40A:4-87
- 2022-083

Resolution of the Township Committee of the Township of Mendham for the Renewal of Plenary Retail Consumption Liquor License Sammy’s Ye Old Cider Mill
- 2022-084

Resolution of the Township Committee of the Township of Mendham to Permit the Consumption of Alcohol in Township Parks and Recreational Facilities for Township-Sponsored Events
- 2022-085

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	ROLL CALL		
			YES	NO	ABSTAIN
Mr. Baio		X	X		
Ms. Duarte	X		X		
Ms. Neibart			X		
Mr. Orlins			X		
Mayor Monaghan			X		

REGULAR AGENDA - RESOLUTIONS

- 2022-086

Resolution of the Township Committee of the Township of Mendham Approval of the LOSAP Qualification List for the Brookside Engine Company No. 1 and Mendham Township First Aid Squad

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

- 2022-087

Resolution of the Township Committee of the Township of Mendham Appointing Gregory Budesheim, Foreman, Department of Public Works

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

- 2022-088

Resolution of the Township Committee of the Township of Mendham Appointing Michelle Stadta, Equipment Operator, Department of Public Works

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

- 2022-089

Resolution of the Township Committee of the Township of Mendham Governing Body Certification of the Annual Audit

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

- 2022-090

Resolution of the Township Committee of the Township of Mendham Governing Body Approving the Corrective Action Plan Required by the 2021 Annual Audit of the Township

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

2022-091 Resolution of the Township Committee of the Township of Mendham Authorizing the Award of a Professional Services Contract for Professional Legal Services (Non-Fair and Open)

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

2022-092 Resolution of the Township Committee of the Township of Mendham for Renewal of Club Liquor License for Mendham Golf and Tennis Club
Motion made by Ms. Duarte; seconded by Ms. Neibart. Voice Call: All members present voted in favor.

2022-093 Resolution of the Township Committee of the Township of Mendham Approving Staff Appointments for the Department of Recreation Summer Season

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

ORDINANCE(S) INTRODUCTION / FIRST READING

09-2022 Ordinance Appropriating \$123,000 from the Capital Improvement Fund in Order to Provide for Various Capital Improvements or Purposes in and by the Township of Mendham, in the County of Morris, New Jersey
Second Reading Public Hearing scheduled for June 13, 2022

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

10-2022 Bond Ordinance Providing for Various Capital Improvements in and by the Township of Mendham, in the County of Morris, New Jersey, Appropriating \$1,060,000 Therefor and Authorizing the Issuance of \$918,250 Bonds or Notes of the Township to Finance Part of the Cost Thereof.
Second Reading Public Hearing scheduled for June 13, 2022

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

ORDINANCE(S) FOR SECOND READING / PUBLIC HEARING

08-2022 An Ordinance of the Township Committee of the Township of Mendham Amending Subsection 10-48: The Mendham East and West Water Pollution Control System Advisory Committee *Introduced on May 9, 2022*

Motion made on Ordinance 08-2022 by Ms. Duarte; Seconded by Mr. Orlins

PUBLIC HEARING

Mayor Monaghan opened the meeting for public comment on Ordinance 08-2022. There were no comments from the public.
Mr. Orlins made a motion to close public comment; Seconded by Ms. Duarte. All members presented voted in favor.

ROLL CALL ON ORDINANCE 08-2022

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

Auditor Kathi Mantell commented on the township’s audit noting that the township is in very good financial shape.

OPEN TO THE PUBLIC

Diana Orban Brown – Ironia Road – Ms. Brown commented on Ordinance 09-2022, noting an item for a light study at Mosle Field to accommodate the proposed turf field; she asked that there needs to be a discussion before money is spent.

Mary Michailidis – 10 Thackery Lane – Ms. Michalidis commented on the DPW staffing levels and outsourcing the township’s landscaping needs, noting that contractual-based landscapers will not be available to service Mendham’s needs during emergencies. She also stated that there is much work to be completed in the township, so reducing DPW staffing is not appropriate. Finally, she asked if there was any policing of issued construction or tree permits.

Patricia Zimmerman – 3 West Main Street – Congratulated the Mayor for allowing the “give and take” during open to the public.

George Koenig – 13 North Gate Road – Given the size, intensity, and the unknowns of all the possible types of events and multiple day events allowed, he believes and asked that the committee continue to keep residential Mendham as residential as possible; And to vet the project as much as possible and declare this a major development.

Martin Slayne – Indian Hollow Road – Mr. Slayne noted that several residents have inquired about the status of the Hillandale Development, questioning the removal of trees and road development. Mayor Monaghan pointed out that the road is complete, at least to the base course where it needs to be, and the tree removal is legitimate.

Mary Michailidis – 10 Thackery Lane – Ms. Michailidis asked for clarification on the fines when property owners remove trees without permits.

Tracey Moreen – 52 Hardscrabble Road – Ms. Moreen suggested that we reinvigorate or refresh the idea around the Tree Committee, making it more of a dialogue because it means so much to so many residents. She mentioned that Jersey Central Power & Light (JCP&L) remove trees every few years, noting that they asked to remove five trees on Corey Lane two years ago, and now they are asking for seven more trees. She looked at the seven trees, and there was only one dead and two near the lines, so there were four trees that didn't require removal; she believes JCP&L might be a bit aggressive with tree removal, and the removal of trees goes against the Master Plan.

Motion to close public comments made by Ms. Duarte; Second by Mr. Orlins. All member voted by voice call in favor of closing the public comment section.

Mayor Monaghan noted that as a part of the budget the committee put money aside for a Forester so that we can put together a Forestry Management Plan for the township.

DISCUSSION

Department of Public Works

The township committee engaged in a discussion about having a study completed (peer review) on the staffing levels and tasks within the public works department. The committee also discussed the criteria for selecting an individual to complete the review. The discussion determined that the committee favored a peer review of the public works department.

Tree Concerns

There was a discussion on how to inform new residents about the tree removal permit process; Ms. Duarte made a suggestion to send a letter notifying residents of the process. The committee agreed to include a notice in the tax bills.

EXECUTIVE SESSION

Motion to entered into Executive Session at 8:59 pm made by Ms. Duarte; Seconded by Mr. Orlins. All members present voted in favor.

The Township Committee returned from Executive Session at 9:18 pm and voted on the following resolution:

2022-094 Resolution of the Township Committee of the Township of Mendham Appointing Member(s) to the Historic Preservation Committee – Robin Johnston

Motion made by Ms. Duarte; seconded by Mr. Baio. Voice Call: All members present voted in favor.

ADJOURN

The Township Committee adjourned at 9:20pm.

Respectfully submitted,

Distributed: 06/09/2022

Approved: 06/13/2022

Maria F. Coppinger
Township Clerk

ATTACHMENTS:

P. Zimmerman – 3 West Main Street

**ORDINANCE NO. 08-2022
TOWNSHIP OF MENDHAM
COUNTY OF MORRIS COUNTY, STATE OF NEW JERSEY**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AMENDING SUBSECTION 10-48: THE MENDHAM EAST AND WEST WATER POLLUTION CONTROL SYSTEM
ADVISORY COMMITTEE**

WHEREAS; Ordinance 04-2021, adopted on March 22, 2021, established in the Township of Mendham a Mendham East and West Water Pollution Control System Advisory Committee; and

WHEREAS; the members of the Advisory Committee shall be appointed by the Township Committee and shall include *nine* members, consisting of Class 1 and Class 2 members; and

WHEREAS, Class 2 members consist of the mayor (or designee); the Township Committee Sewer East and West *Liaison*; the Township Administrator, and the Township Chief Financial Officer; and

WHEREAS, the Township Committee has determined that its necessary to amend the Class 2 membership to consist of the mayor (or designee); the Township Committee Sewer East and West *Liaisons*; the Township Administrator, and the Township Chief Financial Officer.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Mendham, the County of Morris, State of New Jersey that the Class 2-membership, shall include the mayor (or designee); the Township Committee Sewer East and West *Liaisons*, the Township Administrator, and the Township Chief Financial Officer.

BE IT FURTHER RESOLVED that the nine-member advisory committee shall be amended to include *ten members*, consisting of Class 1 and Class 2 members.

May 23, 2022
P. Zimmerman.

I am opposed to altering our zoning, in regard to lot size, except under ^{very} special circumstances that would work to the benefit of the Township - this does NOT include increasing the tax base as the major goal.

There is another way to increase the tax income without increasing supporting services, such as additional roads, increase in student population, etc.

I suggest that our present zoning be changed in order to allow homeowners to put an addition on their existing home or add a small cottage to their property.

This approach solves new world ^{problems} that more and more families are being faced with. For example, increasingly we find families are becoming responsible for caring for elderly parents or, at the other end of the spectrum, sons and daughters recently finished schooling who cannot afford to live separately. Among my own friends, I find that as some become infirmed, they are hiring live-in "aids" to help out, making it possible for them to stay in their homes and avoid going into "assisted living".

Of course, these additions would have to comply with zoning requirements, as for example:

Set backs

Limits on size - presumedly limiting to one bedroom

Etc

These properties would increase in value, taxes would go up. Yet, as i said before, no new roads, and few, if any, additional school age children. AND we would keep and protect, what makes our Township unique, OPEN SPACE.

I see this as a WIN-WIN for the Township and for our residents.

Please consider this when you are looking at the Master Plan.