

**TOWNSHIP OF MENDHAM  
TOWNSHIP COMMITTEE  
REGULAR MEETING MINUTES**

**DATE:** Monday, December 12, 2022  
**TIME:** 6:00 PM  
**LOCATION:** Mendham Township Middle School and Remote Zoom

**ROLL CALL**

|                |         |
|----------------|---------|
| Mr. Baio       | Present |
| Ms. Duarte     | Present |
| Ms. Neibart    | Present |
| Mr. Orlins     | Present |
| 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. Change of Meeting Location Notice was provided to the Daily Record and Observer Tribune on November 2, 2022. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**PROCLAMATION**

None

**PRESENTATION**

None

**ANNOUNCEMENTS**

Mayor Monahan made the following announcements: Mendham Township Pet registration and licensing is open and due by January 31, 2023. There will be no recycling on December 26, 2022. All recycling will be on December 28, 2022. No collection on January 2, 2023. Collection will resume on January 9, 2023. Normal recycling will resume on January 16, 2023. All information on recycling can be found on Mendham Township's website.

Ms. Neibart announced that the Mendham Area Senior lunch/ holiday party will be December 16, 2022 from 10am-1pm at Brookside Community Club and is sponsored by Mendham Township Recreation. The menorah lighting will be held at Pitney Park on December 19, 2022 at 6:30pm

Ms. Duarte congratulated police Chief Johnson on being made President of the Morris County Police Chief's Association. Mentioned application on County Grant to provide better access to the Buckhill Preserve on Tempe Wick Road has been recommended for approval by the Morris County Trail Construction Grant Advisory Committee. Expected to approve at their next meeting. The grant totals \$42,000 for trail and parking improvements. Ms. Duarte thanked the Environmental Commission, Township Engineer and Township Administrator for working on this project. Lastly, she provided an update of the Election results and the results of the recount.

**OPEN TO THE PUBLIC**

Mayor Monaghan opened the meeting for public comments.

George Koenig of 13 North Gate Road thanked the Mayor and Committee for all their all work and dedication to the community and township government, especially in today's political climate.

Diana Orban Brown of 100 Ironia Road commented that she had received a text message from a neighbor about gun shots nearby India Brook Park and requested that notices should be sent to surrounding properties when there will be hunting.

Seeing and hearing no one else wishing to be heard, Mayor Monaghan asked for a motion to close public comments

Motion to close public comment period was made by Ms. Duarte and seconded by Mr. Orlins, with all members present voting in favor, none opposed.

**APPROVAL OF MEETING MINUTES**

- Regular and Executive Session of September 29, 2022

| 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         |    |         |

- Special, Regular & Executive Session of October 11, 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         |    |         |

**REGULAR AGENDA – RESOLUTIONS**

**2022-171** Resolution of the Township Committee of the Township of Mendham Cancelling the Purchase of Watchguard Video Cameras and Awarding the Purchase of Body Worn Cameras and Equipment to Safefleet through the State Contract# #17-Fleet- 00793

| 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         |    |         |

**2022-172** Resolution of the Township Committee of the Township of Mendham Authorizing the Purchase of S.C.B.A Equipment for the Mendham Township Fire Department to Firefighter One of Sparta, New Jersey through the New Jersey State Contract, # 17-Fleet-00807

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

**2022-173** Resolution of the Township Committee of the Township of Mendham Appointing Tax Collector

| 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         |    |         |

**2022-174** 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         |    |         |
| Mr. Orlins         |        |        | X         |    |         |
| Mayor Monaghan     |        |        | X         |    |         |

**2022-175** Resolution of the Township Committee of the Township of Mendham Authorizing a Refund for Overpayment of 2022 Taxes

| 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         |    |         |

**2022-176** Resolution of the Township Committee of the Township of Mendham Establishing Capital Reserves for Road and Infrastructure Improvements and Vehicles and Equipment Purchases for Various Departments

| 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         |    |         |

**2022-177** Resolution of the Township Committee of the Township of Mendham Authorizing the Township of Mendham to Accept a Subgrant Award of the Federal Fiscal Year 2022 of Emergency Management Performance Grant and Emergency Management Agency Assistance

| 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         |    |         |

**2022-178** Resolution of the Township Committee of the Township of Mendham Authorizing Township Administrator to Execute NJPDES/Treatment Works Approval Application for K. Hovnanian at Hillandale - Block 100 Lot 17.03

| 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         |    |         |

**2022-179** Resolution of the Township Committee of the Township of Mendham Supporting Federal Legislation to Establish a Grant Program to Fund State and Local Law Enforcement Efforts to Combat Auto Thefts

Ms. Neibart made a motion to amend this resolution to reference that Congressman Tom Malinowski and Congressman-Elect Tom Kean Jr. shall also receive a copy of this resolution. Ms. Duarte seconded the motion. Voice vote was taken will all members present in favor. The motion carried.

| 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 FOR SECOND READING / PUBLIC HEARING**

**16-2022** An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Amending the Sewer Service Charges for the Mendham East Water Pollution Control System

Introduced on November 28, 2022

| 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         |    |         |

**PUBLIC HEARING**

Mayor Monaghan opened the public hearing on Ordinance 16-2022.

Seeing and hearing no one from the public wishing to speak, Mayor Monaghan asked for a motion to close the public hearing on Ordinance #16-2022.

Motion to close hearing persons present made by Ms. Duarte and seconded by Mr. Baio, with all members present voting in favor, none opposed.

**17-2022**            An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Amending the Sewer Service Charges for the Mendham West Water Pollution Control System-

Introduced on November 28, 2022

| TOWNSHIP<br>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         |    |         |

**PUBLIC HEARING**

Mayor Monaghan opened the public hearing on Ordinance 17-2022.

Diana Orban Brown of Ironia Road inquired about the differences between the East and West sewer plants.

Seeing and hearing no one else from the public wishing to speak, Mayor Monaghan asked for a motion to close the public hearing on Ordinance #17-2022.

Motion to close hearing persons present made by Ms. Duarte and seconded by Ms. Neibart, with all members present voting in favor, none opposed.

**OPEN TO THE PUBLIC**

Mayor Monaghan opened the meeting for public comments.

Seeing and hearing no one wishing to be heard, Mayor Monaghan asked for a motion to close public comments.

Motion to close public comment period was made by Mr. Orlins and seconded by Ms. Neibart, with all members present voting in favor, none opposed.

**DISCUSSION**

The Mayor and Committee discussed the following matters:

Reception for the volunteers is at 7:30pm at the Emergency Services Building.

December 20, 2022 at 5pm will be an Executive Session to determine the 2023 appointments.

December 27, 2022 will be the Township Committee regular meeting at 7:30pm

The Township Committee Reorganization Meeting will be held on January 5, 2023 at 7pm. A planned reception will follow at the Emergency Services Building.

**LIAISON REPORTS**

None

**ADJOURN**

Having no further business to conduct, a motion to adjourn was made by Mr. Orlins; Seconded by Ms. Neibart, with all members present voting in favor non opposed.

The Township Committee meeting was adjourned at 6:45PM.

Respectfully submitted,

Distributed: 01/17/2023  
Approved: 01/23/2023

By Karen Orgera  
Acting Township Clerk  
TOWNSHIP OF MENDHAM  
On behalf of Maria F. Coppinger, Township Clerk

**TOWNSHIP OF MENDHAM  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**ORDINANCE 16-2022**

**AN ORDINANCE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY,  
AMENDING THE SEWER SERVICE CHARGES FOR THE MENDHAM EAST WATER POLLUTION CONTROL  
SYSTEM**

**WHEREAS**, Ordinance 10-96 entitled “An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Establishing Sewer Services charges for the Mendham East Water Pollution Control System” established sanitary sewer service fees to be charged to the owners of properties served by such system; and

**WHEREAS**, Ordinance 10-96 was amended by Ordinance 17-97, Ordinance 21-2003, Ordinance 28-2006, and Ordinance 14-2007, ordinance 15-2015, ordinance 14-2017, and ordinance 7-2020; and

**WHEREAS**, The Township has determined that the sanitary sewer service fees to be charged to the owners of properties served by the Mendham East Water Pollution Control System shall be amended to adequately meet the managerial, professional, overhead and all other operating expenses.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mendham, County of Morris, New Jersey, as follows:

**SECTION ONE:**

1. The owner of every property connected to and served by the Mendham East Water Pollution Control System (a self-liquidating municipal utility established by Ordinance 8-96 entitled “An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Providing for the Acceptance of the Mendham East Water Pollution Control System and its Operating and Maintenance by the Township as a Self-Liquidating Municipal Utility”) shall pay to the Township and annual service charge in accordance with the following schedule:

| <u>Property Use</u>  | <u>Annual Service Charge</u> |
|--|------------------------------|
| Single-family dwelling unit and Condominium dwelling unit: |                              |
| 1 Bedroom Dwelling   | \$1,085                      |
| 2 Bedroom Dwelling   | \$2,170                      |
| 3 Bedroom Dwelling   | \$3,255                      |
| 4 Bedroom Dwelling   | \$4,341                      |
| 5 Bedroom Dwelling   | \$5,524                      |

2. The annual service charges provided in Paragraph 1 of this ordinance shall be billed by the Collector of Taxes of the Township and be due and payable quarter-annually on February 1, May 1, August 1 and November 1 in each and every year.
3. If any bill for service charges remains unpaid after the due date, the amount due shall bear interest at the rate of eight percent (8%) per annum up to \$1,500 and eighteen percent (18%) over \$1,500. No interest shall be charged if payment of any quarterly service charge is made within the tenth calendar day following the date upon which the quarterly service charge became due. Service charges, and any interest thereon, provided by this Ordinance shall be liens on the respective properties against which such charges are made, and the payment may be enforced in the same manner provided for the collection of taxes.
4. All service fees received by the Township pursuant to this ordinance shall be dedicated revenues to adequately meet the managerial, professional, overhead and all other operating expenses of the Mendham East Water Pollution Control System in accordance with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.
5. The rate structure established herein shall be effective January 1, 2018 and continue thereafter until amended or modified.

**SECTION TWO:**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

**SECTION THREE:**

All ordinances of the Township of Mendham which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION FOUR:**

This ordinance shall take effect upon final passage and publication thereof as provided by law.

Adopted December 12, 2022

**TOWNSHIP OF MENDHAM  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**ORDINANCE 17-2022**

**AN ORDINANCE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY,  
AMENDING THE SEWER SERVICE CHARGES FOR THE MENDHAM WEST WATER POLLUTION CONTROL  
SYSTEM**

**WHEREAS**, Ordinance 10-96 entitled “An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Establishing Sewer Services charges for the Mendham West Water Pollution Control System” established sanitary sewer service fees to be charged to the owners of properties served by such system; and

**WHEREAS**, Ordinance 10-96 was amended by Ordinance 15-2016; and

**WHEREAS**, The Township has determined that the sanitary sewer service fees to be charged to the owners of properties served by the Mendham West Water Pollution Control System shall be amended to adequately meet the managerial, professional, overhead and all other operating expenses.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mendham, County of Morris, New Jersey, as follows:

**SECTION ONE:**

1. The owner of every property connected to and served by the Mendham West Water Pollution Control System (a self-liquidating municipal utility established by Ordinance 8-96 entitled “An Ordinance of the Township of Mendham, in the County of Morris, New Jersey, Providing for the Acceptance of the Mendham West Water Pollution Control System and its Operating and Maintenance by the Township as a Self-Liquidating Municipal Utility”) shall pay to the Township and annual service charge in accordance with the following schedule:

| <u>Property Use</u>                                       | <u>Annual Service Charge</u> |
|---|------------------------------|
| Single-family dwelling unit and Condominium dwelling unit |                              |
| Single - Family   | \$1,621                      |
| Condo Unit  | \$ 669                       |

2. The annual service charges provided in Paragraph 1 of this ordinance shall be billed by the Collector of Taxes of the Township and be due and payable quarter-annually on February 1, May 1, August 1 and November 1 in each and every year.
3. If any bill for service charges remains unpaid after the due date, the amount due shall bear interest at the rate of eight percent (8%) per annum up to \$1,500 and eighteen percent (18%) over \$1,500. No interest shall be charged if payment of any quarterly service charge is made within the tenth calendar day following the date upon which the quarterly service charge became due. Service charges, and any interest thereon, provided by this Ordinance shall be liens on the respective properties against which such charges are made, and the payment may be enforced in the same manner provided for the collection of taxes.
4. All service fees received by the Township pursuant to this ordinance shall be dedicated revenues to adequately meet the managerial, professional, overhead and all other operating expenses of the Mendham West Water Pollution Control System in accordance with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.
5. The rate structure established herein shall be effective January 1, 2023 and continue thereafter until amended or modified.

**SECTION TWO:**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

**SECTION THREE:**

All ordinances of the Township of Mendham which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION FOUR:**

This ordinance shall take effect upon final passage and publication thereof as provided by law.

Adopted December 12, 2022