

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

DATE: Tuesday, December 27, 2022
TIME: 7:30 PM
LOCATION: Mendham Township Middle School, All Purpose Room,
16 Washington Valley Road, Brookside NJ
And via the Zoom communications platform (referenced herein as “Zoom”)

ROLL CALL

Mr. Baio	Present
Ms. Duarte	Present [via Zoom]
Ms. Neibart	Present
Mr. Orlins	Present
Mayor Monaghan	Present

SALUTE TO THE FLAG LED BY MAYOR MONAGHAN

Mayor Monaghan led the assembled in the Pledge of Allegiance.

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

Proclamation to Maria Coppinger, Township Clerk

Mayor Monaghan and the Township Committee presented a proclamation to Maria Coppinger, Township Clerk, for her service to the Mendham Township community.

Mayor Monaghan read the proclamation aloud to all assembled.

Ms. Coppinger thanked the Mayor and Township Committee, as well as the Mendham Township community for the opportunity to serve as Township Clerk. She also welcomed Karen Orgera as she begins her professional service to the community as Acting Township Clerk.

Mayor Monaghan and the Township Committee expressed their appreciation to Ms. Coppinger for her service and provided their well-wishes.

Proclamation to West Morris Mendham High School Coach Roy Hamblen

Mayor Monaghan and the Township Committee presented a proclamation to West Morris Mendham High School Coach Roy Hamblen on his retirement after 34 years of service at the high school and as an accomplished and acclaimed cross-county coach.

Mr. Orlins read the proclamation aloud to all assembled.

Mayor Monaghan and the Township Committee expressed their appreciation to Mr. Hamblen for his 34 years of service to the Mendham Township youth and acknowledged the positive impact he made on the lives of many student athletes.

Mr. Hamblen thanked Mayor Monaghan and the Township Committee for the proclamation and briefly shared a few stories as he reflected on his years of coaching.

All assembled provided their well-wishes to Mr. Hamblen in his future endeavors with many parents and students expressing their personal thanks and appreciation to Mr. Hamblen.

PRESENTATION

None

ANNOUNCEMENTS

The Mayor and Township Committee made the following announcements:

Mr. Baio, Deputy Mayor, expressed his thanks to the Mendham Township community for allowing him to have served them on the Township Committee for the past 3 years and further expressed his appreciation for the support he has been receiving following the recount of the November General election recount.

Ms. Neibart wished everyone a warm holiday season and provided a reminder that registration is open for residents interested in participating in the Township's recreation ski program. She further expressed her personal thanks to Ms. Coppinger for her service as Township Clerk.

Ms. Duarte expressed her personal thanks to Mr. Hamblen and Ms. Coppinger for their service to the community. She further provided her well-wishes to Ms. Coppinger in her new home and wished everyone a happy new year.

OPEN TO THE PUBLIC

Mayor Monaghan opened the meeting for public comments and stated that each person would be given two minutes to speak.

Addison O'Donnell, 10 Colonial Road, Mendham NJ commented that he is one of the voters brought into Mr. Baio's lawsuit alleging ineligibility to vote in the November General election in Mendham Township based on his residency at that time. He commented that his family has been Brookside residents for 62 years and confirmed that he currently resides at 10 Colonial Road.

George Koenig, 13 North Gate Road, Mendham NJ participated via Zoom. He thanked Mr. Orlins and Ms. Coppinger for their service to the community and provided his accolades to Mr. Orlins for his work as a member of the Township Committee.

Christine Blood, 32 Tingley Road, Mendham NJ commented that she supports the right of any candidate running for public office to seek a recount of election results and, if necessary, to file a legal proceeding to ensure that all votes were cast by eligible voters. Ms. Blood further commented that the lawsuit filed should proceed to judicially validate the outcome of the election.

John Seravalli, 111 Imperial Drive, participated via Zoom. He commented on the importance that every citizen must vote in the jurisdiction where they reside. He further commented that, regardless of political party, there must be a process to ensure that all votes that were cast in the Mendham Township Committee race are lawful and legal.

Debby Dolche, 46 Essex Drive, Mendham Borough NJ commented that Mr. Baio's lawsuit has drawn national attention and thus may have far-reaching implications nationwide. She further commented that the place where a young person may choose to live after graduating college may not be permanent, which is why some may maintain their hometown address. Ms. Dolche voiced her disappointment that Mr. Baio filed a lawsuit questioning the eligibility of Vote by Mail ballots cast in Mendham Township during the November General election.

Laura Ali, Morris County Republican Committee Chairwoman, participated via Zoom. She commented that the township residents should not be embarrassed by the lawsuit which seeks to validate voter Vote by Mail ballots cast but rather should be concerned that voter fraud may be an issue and ineligible votes should not be counted to ensure fair elections. She encouraged everyone to respect the judicial process as it proceeds in its course.

Matthew Messina, Brockden Drive, Mendham NJ provided his well-wishes to Coach Hamblen. He warned against embracing election conspiracy theories and commented that no one should question how long, or where, a young voter may temporarily living or judge that they may not be eligible to vote using their parents' address.

Peter Staples, 10 Woodland Drive, Brookside NJ participated via Zoom. He commented that Mr. Baio's lawsuit is a sham and offered that efforts should be focused in cleaning up voter registration rolls. He further commented that there is no evidence that Vote by Mail encourages voter fraud.

Carol Terrill, no address was stated, participated via Zoom. She expressed her disappointment in Mr. Baio filing a lawsuit alleging voter fraud and contesting many Vote by Mail ballots that were cast by young voters.

Christine Meyers, 11 Village Road, New Vernon NJ and a former long-time Mendham Township resident thanked Mr. Orlins for his service on the Township Committee. She commented that accounts of voter fraud across our county have led to questioning of the integrity of elections. Ms. Meyers further commented that there is a legal process that may be engaged to audit and validate that all eligible votes cast are counted. Ms. Meyers lastly commented that greater efforts must be made to verify that voter registration rolls are accurate.

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. Neibart and seconded by Mr. Orlins, with all members present voting in favor, none opposed.

APPROVAL OF MEETING MINUTES

- Special, Regular and Executive Session of October 24, 2022

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

- Special, Regular & Executive Session of November 14, 2022

TOWNSHIP COMMITTEE	MOTION	SECOND	VOICE VOTE		
			YES	NO	ABSTAIN
Mr. Baio			x		
Ms. Duarte			x		
Ms. Neibart	x		x		
Mr. Orlins		x	x		
Mayor Monaghan			x		

- Regular Meeting November 28, 2022

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		

- Regular Meeting & Executive Session of December 8, 2022

TOWNSHIP COMMITTEE	MOTION	SECOND	VOICE VOTE		
			YES	NO	ABSTAIN
Mr. Baio			x		
Ms. Duarte	x		x		
Ms. Neibart			x		
Mr. Orlins		x	x		
Mayor Monaghan			x		

REGULAR AGENDA – RESOLUTIONS

2022-181 Resolution of the Township Committee of the Township of Mendham Appointing Acting Township Clerk and Certified Municipal Registrar

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

2022-182 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		
Ms. Neibart		x	X		
Mr. Orlins	x		X		
Mayor Monaghan			X		

2022-183 Resolution of the Township Committee of the Township of Mendham Establishing 2023 Office Hours and Holiday Schedule

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

2022-184 Resolution of the Township Committee of the Township of Mendham Authorizing the Purchase of Turn Out Gear and other Equipment for the Mendham Township Fire Department to Firefighter One of Sparta, New Jersey through the New Jersey State Contract, # 17-Fleet-00811

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		

2022-185 Resolution of the Township Committee of the Township of Mendham Authorizing the Purchase of Spatial Data Logic Software for the Mendham Township Building and Construction Department

Discussion:
The Township Committee requested additional information regarding the software application and integration of use for the Construction Department. The Township Administrator will follow up with the Construction Department.

Ms. Neibart requested Resolution 2022-185 be tabled.

Motion to table:

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

2022-186 Resolution of the Township Committee of the Township of Mendham Authorizing 2022 Budget Appropriation Transfer

Resolution 2022-186 was removed from the agenda. No action was taken.

2022-187 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	VOICE VOTE		
			YES	NO	ABSTAIN
Mr. Baio	x		x		
Ms. Duarte			x		
Ms. Neibart			x		
Mr. Orlins		x	x		
Mayor Monaghan			x		

2022-188 Resolution of the Township Committee of the Township of Mendham Authorizing Cancellation of Capital Account Fund Balances

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

2022-189 Resolution of the Township Committee of the Township of Mendham Authorizing the Mayor and Township Clerk to Execute Developers’ Agreement Between Mendham Shores, LLC, and the Township of Mendham

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

OPEN TO THE PUBLIC

Mayor Monaghan opened the meeting for public comments.

Robin Kline, former municipal clerk for the Borough of Mendham, provided her well-wishes to Maria Coppinger in her future endeavors. Ms. Kline applauded Karen Orgera on her appointment as Mendham Township’s Acting Clerk and commented that the Mendham Township Mayor & Committee, residents, and businesses are very fortunate have Ms. Orgera as their incoming Acting Township Clerk.

Pat Zimmerman, no address provided, participated via Zoom. She expressed her interest in understanding the definition of residency in New Jersey elections.

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 Ms. Neibart and seconded by Mr. Baio, with all members present voting in favor, none opposed.

DISCUSSION

The Mayor and Committee discussed the following matters:

Mayor Monaghan and the Township Committee discussed and finalized the Township Committee meeting date schedule for calendar year 2023. A resolution to adopt the 2023 Annual Township Committee meeting schedule will be placed on the Reorganization Meeting agenda.

Discussion regarding reuse/repurposing of the former Police Station will be discussed at the February 13, 2023 meeting.

Lastly, Mayor Monaghan expressed his appreciation and gratitude to Mr. Orlins for serving on the Township Committee. Mayor Monaghan and the Township Committee provided their well-wishes to Mr. Orlins in his future endeavors.

LIAISON REPORTS

None

The Mayor and Committee convened into Executive Session at 9:29 p.m.

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The Mayor and Committee reconvened into public session at 10:31 p.m. only for purpose of adjourning the public meeting.

ADJOURN

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

The Township Committee meeting was adjourned at 10:31 PM.

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

RESOLUTION 2022-181

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPOINTING ACTING MUNICIPAL CLERK AND REGISTRAR OF VITAL STATISTICS

WHEREAS, a vacancy exists in the position of Municipal Clerk and Registrar of Vital Statistics for the Township of Mendham due to the resignation of Maria Coppinger effective December 30, 2022; and

WHEREAS, N.J.S.A. 40A:9-133 requires that every municipality shall have a municipal clerk appointed for a three-year term by the governing body; and

WHEREAS, a vacancy exists in the position of Mendham Township Municipal Clerk and Registrar of Vital Statistics effective December 28, 2022; and

WHEREAS, N.J.S.A. 40A:9-133c. permits the governing body, within 90 days of the occurrence of a vacancy by reason of departure of a registered municipal clerk, to appoint a person who does not hold a registered municipal clerk certificate to act as acting municipal clerk for a period not to exceed one (1) year and commencing on the date of the vacancy; and

WHEREAS, the Mendham Township Committee desires to appoint Karen Orgera as Acting Municipal Clerk and Registrar of Vital Statistics for a term of one (1) year commencing on December 28, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris, State of New Jersey, as follows:

1. Karen Orgera is hereby appointed to the position of Acting Municipal Clerk and Registrar of Vital Statistics of Mendham Township for a term of one (1) year commencing on December 28, 2022 and terminating on December 28, 2023, unless, at the option of the Township Committee, such person is either reappointed as set forth herein, or obtains a registered municipal clerk certificate and is appointed as the Municipal Clerk.
2. Karen Orgera, as Acting Municipal Clerk, shall perform all of the duties of the Township Clerk as set forth in N.J.S.A. 40A:9-133 and be compensated for the position in the amount of \$65,000. At the option of the Mendham Township Committee and with the approval of the Director of the Division of Local Government Services, be reappointed as Acting Municipal Clerk for a maximum of two subsequent one-year terms following the termination of the temporary appointment.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Attorney, Township Auditor, the Director of the Division of Local Government Services and the

Adopted: December 27, 2022

RESOLUTION 2022-182
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
PAYMENT OF BILLS

BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris, State of New Jersey, that the Chief Financial Officer be and hereby is authorized to pay current bills as attached hereto and made a part hereof, contingent upon the approval of the Finance Committee.

Adopted: December 27, 2022

RESOLUTION 2023-183
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING 2023
OFFICE HOURS AND HOLIDAY SCHEDULE

BE IT RESOLVED by the Township Committee of the Township of Mendham that the following hours be established for 2023:

Municipal Offices shall be open Monday through Friday from 8:30am to 4:00pm

SUMMER HOURS– JULY 3rd THROUGH SEPTEMBER 1st

Monday thru Thursday: 8:00am to 4:00pm

Friday: 8:00am to 1:00pm

BE IT FURTHER RESOLVED that pursuant to Section 45-4c. of the Code of the Township of Mendham the following holidays will be observed during the calendar year 2023.

New Year’s Day*	
Martin Luther King, Jr. Day	January 16 th
President’s Day	February 20 th
Good Friday	April 7 th
Memorial Day	May 29 th
Independence Day*	July 3 rd & 4 th
Labor Day	September 4 th
Columbus Day	October 9 th
Veteran’s Day	November 10 th
Thanksgiving Day	November 23 rd
Day after Thanksgiving	November 24 th
Christmas Day	December 25 th

Full time employees of the Township will also be entitled to one floating holiday per calendar year, to be taken at the option of the employee, upon two weeks’ notice in writing and with the approval of the department head.

Adopted: December 27, 2022

RESOLUTION 2022-184
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
PURCHASE OF TURN OUT GEAR AND OTHER EQUIPMENT FOR THE MENDHAM TOWNSHIP FIRE
DEPARTMENT TO FIREFIGHTER ONE OF SPARTA, NEW JERSEY THROUGH THE NEW JERSEY STATE
CONTRACT, # 17-FLEET-00811

WHEREAS, the Township of Mendham, pursuant to N.J.S.A 40A:11-11, N.J.A.C. 5:34-7.1, may by resolution purchase any goods or services from approved Cooperative Purchasing programs; and

WHEREAS, the Township of Mendham Fire Department is in need of new turnout gear and other equipment; and

WHEREAS, Firefighter One of Sparta, New Jersey, offers the turnout gear and equipment through the New Jersey State Contract # 17-Fleet-00811 in a total amount of \$15,665.15; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered as follows:

General Capital fund	C-04-55-032-001	\$15,665.15
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NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Mendham, County of Morris, State of New Jersey authorizes the Mayor and the Township Clerk to enter into a contract with Firefighter One of Sparta, New Jersey, in an amount of \$15,665.15 for the purchase of turnout gear and other equipment

Adopted: December 27, 2022

RESOLUTION 2022-185
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
PURCHASE OF SPATIAL DATA LOGIC SOFTWARE FOR THE MENDHAM TOWNSHIP BUILDING AND
CONSTRUCTION DEPARTMENT

[RESOLUTION TABLED]

WHEREAS, The Township of Mendham’s Construction office has identified a need to upgrade its current software for the management of permits and inspections; and

WHEREAS, Spatial Data Logic of Somerset, New Jersey offers a suite of programs which includes construction permit management; and

WHEREAS, The Construction Official has recommended Spatial Data Logic; and

WHEREAS, the cost of implementation is \$18,450; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered as follows:

Current Fund	2-01-21-22-195-100	\$18,450
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NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Mendham, County of Morris, State of New Jersey authorizes the Mayor and the Township Clerk to enter into a contract with Spatial Data Logic of Somerset, New Jersey, in an estimated amount of \$18,450. for the purchase of SDL software.

RESOLUTION 2022-186
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING 2022 BUDGET APPROPRIATION TRANSFER

[RESOLUTION WITHDRAWN]

BE IT RESOLVED, by the Township Committee of the Township of Mendham, County of Morris and State of New Jersey, that 2022 Budget Appropriations Transfer totaling **\$16,000** are to be made in the following manner:

FROM:	AMOUNT
Uniform Construction Code – Salary and Wages	16,000
TOTAL	\$16,000
TO:	AMOUNT
Uniform Construction Code – Maintenance of Software	16,000
TOTAL	\$16,000

NOW, THEREFORE, BE IT RESOLVED, by the Township of Mendham, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with provision N.J.S.A. 40A:4-59, part of the surplus in the accounts heretofore mentioned be and the same is hereby transferred to the accounts mentioned as being insufficient and directs the Chief Financial Officer to execute this transfer transaction.

RESOLUTION 2022-187

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

WHEREAS, the Township Committee of the Township of Mendham is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Mendham to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- ☐ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- ☐ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- ☐ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- ☐ (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- ☐ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- ☐ (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- ☒ (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

Teamsters 469 (DPW)

- ☒ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose right could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

2023 Board, Committee and Liaison Appointments

- ☐ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris, State of New Jersey, assembled in public session on **December 27, 2022 at 7:30 P.M.** in the Township Municipal Building, 2 West Main Street, Brookside, New Jersey, that the Township Committee shall meet in Executive Session, from which the public shall be excluded, for the discussion of matters relating to the specific items designated above.

BE IT FURTHER RESOLVED that it is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Adopted: December 27, 2022

RESOLUTION 2022-188
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZE
CANCELLATION OF CAPITAL ACCOUNT FUND BALANCES

BE IT RESOLVED that the following unrequired balances of the Sewer East Capital Improvement Authorizations be and same are hereby cancelled, and Chief Financial Officer is directed to make such entries in the Township’s books of account to properly reflect these cancellations.

ORD. #	DESCRIPTION	AMOUNT
2016-09	Upgrade To the Mendham Sewer East	\$181,430.5
2017-10	Replacement of Effluent Disposal System – Sewer	1,195,482.58
		\$1,376,913.08

Adopted: December 27, 2022

RESOLUTION 2022-189
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE
MAYOR AND TOWNSHIP CLERK TO EXECUTE DEVELOPERS' AGREEMENT BETWEEN MENDHAM
SHORES, LLC AND THE TOWNSHIP OF MENDHAM

WHEREAS, the Planning Board of Township of Mendham had approved a major subdivision on Shores Road in the Township; and

WHEREAS, a Developers Agreement had been prepared in connection with said approval, and on June 10, 2019 the Township Committee adopted Resolution 2019-098 approving the agreement and authorizing the Execution of the Developer's Agreement by and between the Township and Mendham Shores LLC; and

WHEREAS, the agreement was executed by the developer but not by the Township.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey that the Developers Agreement be executed nunc pro tunc June 10, 2019.

Adopted: December 27, 2022