

**TOWNSHIP OF MENDHAM  
TOWNSHIP COMMITTEE  
REGULAR MEETING**

**DATE:** Wednesday, December 27, 2023  
**TIME:** 7:30 PM- REGULAR MEETING  
**LOCATION:** **MENDHAM TOWNSHIP MIDDLE SCHOOL**  
All Purpose Room  
16 Washington Valley Road, Brookside; and  
And via the Zoom communications platform (referenced herein as “Zoom”)

**ROLL CALL**

Ms. Duarte	Present
Ms. Moreen	Present-arrived after roll call via Zoom
Ms. Neibart	Present
Ms. Spirig	Present
Mayor Monaghan	Present

Also, present:  
Mr. Jason Gabloff, Township Administrator  
Karen Orgera, Acting Township Clerk  
Mr. John M. Mills, Esq.

**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 6, 2023 and again on January 31, 2023. Notice was posted on the bulletin board in the Township offices and notice was filed with the Township Clerk.

**ANNOUNCEMENTS**

Mayor Monaghan had the following announcements:

1. The 275<sup>th</sup> birthday of Mendham Township is in 2024, and the Historic Preservation Committee formed a committee to prepare for the event and is seeking members of the community to volunteer. If interested in volunteering you can email Nick Monaghan at [nmonaghan@mendhamtownship.org](mailto:nmonaghan@mendhamtownship.org) or Robin Johnston at [robin543@yahoo.com](mailto:robin543@yahoo.com)
2. January 4, 2024, is Mendham Townships Re-Organization meeting at 7pm in the Township Middle School.

Deputy Mayor Neibart had the following announcements:

1. Blood drive is February 14, 2024, at the Brookside Community Club.

Ms. Spirig had the following announcements:

1. Please consider donating to the Mendham Township Library, First Aid Squad and Fire Departments.

Ms. Duarte had the following announcements:

1. Environmental Commission is having a Styrofoam recycling event, January 6, 2024, from 9am-12pm at the Mendham Borough Department of Public Works garage at 37 Ironia Road.
2. Office hours will be January 12, 2024, from 11:00am-12:30pm. Walk ins are welcome or you can set an appointment by sending an email to [aduarte@mendhamtownship.org](mailto:aduarte@mendhamtownship.org)
3. Encouraged supporting small businesses. Local artist, Laurie Pettine opened an art gallery and store called ArtLab Gallery and Gallery store in Mendham Borough at 15 East Main Street.

**OPEN TO THE PUBLIC-TOWN BUSINESS**

Mayor Monaghan opened the meeting for public comments.

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

Ms. Duarte made a motion to close the public comment period seconded by Ms. Neibart. A voice vote was taken with all members present voting in favor, no one opposed.

APPROVAL OF MEETING MINUTES

- December 11, 2023- Regular Meeting Minutes

TOWNSHIP COMMITTEE	MOTION	SECOND	VOICE VOTE		
			YES	NO	ABSTAIN
Ms. Duarte	X		X		
Ms. Moreen					
Ms. Neibart		X	X		
Ms. Spirig			X		
Mayor Monaghan			X		

ORDINANCE FOR SECOND READING/PUBLIC HEARING

15-2023      AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM MORRIS COUNTY, NEW JERSEY AN ORDINANCE AMENDING VARIOUS CHAPTERS RELATING TO THE SCHEDULING OF FEES

INTRODUCED DECEMBER 11, 2023

TOWNSHIP COMMITTEE	MOTION	SECOND	ROLL CALL VOTE		
			YES	NO	ABSTAIN
Ms. Duarte	X		X		
Ms. Moreen					
Ms. Neibart			X		
Ms. Spirig		X	X		
Mayor Monaghan			X		

Public Hearing:

Mayor Monaghan opened the public hearing on Ordinance 15-2023.

Seeing and hearing no one wishing to speak, Mayor Monaghan asked for a motion to close the public hearing. A motion was made by Ms. Duarte and seconded by Ms. Spirig. A voice vote was taken with all members present voting in favor, no one opposed.

16-2023      AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM MORRIS COUNTY, NEW JERSEY AN ORDINANCE AMENDING VARIOUS CHAPTERS RELATING TO THE COMPOSITION OF THE COMMITTEES INDICATED BELOW

INTRODUCED DECEMBER 11, 2023

TOWNSHIP COMMITTEE	MOTION	SECOND	ROLL CALL VOTE		
			YES	NO	ABSTAIN
Ms. Duarte	X		X		
Ms. Moreen					
Ms. Neibart		X	X		
Ms. Spirig			X		
Mayor Monaghan			X		

Public Hearing:

Mayor Monaghan opened the public hearing on Ordinance 16-2023.

Seeing and hearing no one wishing to speak, Mayor Monaghan asked for a motion to close the public hearing. A motion was made by Ms. Duarte and seconded by Ms. Neibart. A voice vote was taken with all members present voting in favor, no one opposed.

CONSENT AGENDA RESOLUTIONS-MOVED AS ONE

- 2023-198      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS
- 2023-199      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING 2024 OFFICE HOURS AND HOLIDAY SCHEDULE
- 2023-200      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE CANCELLATION OF CAPITAL ACCOUNT FUND BALANCES
- 2023-201      RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM RE-APPOINTING KAREN ORGERA ACTING MUNICIPAL CLERK AND REGISTRAR OF VITAL STATISTICS

TOWNSHIP COMMITTEE	MOTION	SECOND	ROLL CALL VOTE		
			YES	NO	ABSTAIN
Ms. Duarte	X		X		
Ms. Moreen					
Ms. Neibart			X		
Ms. Spirig		X	X		
Mayor Monaghan			X		

DISCUSSION

Town Hall Renovation Update

Mr. Gabloff commented that the project is progressing smoothly and ahead of schedule. The survey results are in for deciding the Town Hall exterior color. Gray was the winner of the survey. The results of the survey will be posted on the Township website.

## **OPEN TO THE PUBLIC-BACKER LETTER**

Mayor Monaghan opened the meeting for public comments.

George Koenig, 13 North Gate Road, Mendham, NJ recognize the Township Committee's due diligence regarding the proposed Backer Brewery. Concerned about future decisions if the project goes through. Suggested keeping the preserved farm that was preserved using taxpayer dollars. Suggested a senior or teen center or football field.

Steve Dreskin, 3 Roxiticus Road, Mendham, NJ strongly opposes the proposed Backer Brewery. Requested another time in January for the public to comment on the letter to the Morris County Agricultural Board. Mr. Dreskin further commented on the good this project will bring to Mendham Township. Mr. Dreskin commented further about a new traffic study.

Robert Fox, 34 Oak Knoll Road, Mendham, NJ commented on the letter submitted to the Morris County Agricultural Board dated December 22, 2023. Mr. Fox further commented on the traffic study and the intersections at Route 24 and Roxiticus Road and Route 24 and Ironia Road. Has concerns about the health and safety of the residents the proposed Backer Brewery may create. Mr. Fox provided his prepared statement to the Township Committee and Acting Township Clerk.

Peter Banos, 47 Ironia Road, Mendham, NJ commented that he was not satisfied with his OPRA response. Mr. Banos then commented on the proposed Backer Brewery and the project to comply with the stormwater compliance requirements even if the project doesn't trigger a major development. Mayor Monaghan commented that if the project becomes a major development, then the applicants will have to comply with stormwater requirements.

Frank Strafacci, Cedar Lane, Mendham, NJ commented that the safety of the neighbors be considered regarding the proposed Backer Brewery and continue vigilance.

Terrill Doyle, 5 Cross Way, Mendham, NJ participated via Zoom thanked the Township Committee for their thoughtful considerations on the proposed Backer Brewery project and further commented that she sent an email to the Township Committee with her comments.

Barrett Kolton, 3 North Gate Road, Mendham, NJ participated via Zoom had technical issues on his end using zoom. Ms. Koenig was able to reach Mr. Kolton via telephone and was able to comment. Mr. Kolton commented on how the ordinances will be enforced regarding the proposed Backer Brewery.

Bernadette Koenig, 13 North Gate Road, Mendham, NJ commented on legislation S3131 regarding noise "you can't disturb the neighbors". This pertained to cars playing music, i.e. boom cars and party noise. Noise can't be heard within 50 feet of the property line.

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

Ms. Duarte made a motion to close the public comment period seconded by Ms. Neibart. A voice vote was taken with all members present voting in favor, no one opposed.

The Township Committee will circulate the letter and each member will add edits and comments from resident feedback and will review the edits at the January 18, 2024 meeting to prepare to submit to the Morris County Agricultural Board.

## **ADJOURN**

Having no further business to conduct, a motion to adjourn was made by Ms. Duarte and seconded by Ms. Neibart, with all members present voting in favor, no one opposed.

The regular meeting of the Mendham Township Committee was adjourned at 8:44 P.M.

Respectfully submitted,

Distributed: 01/12/2024

Approved: 01/18/2024

Karen Orgera  
Acting Township Clerk  
TOWNSHIP OF MENDHAM

**ORDINANCE NO. 15-2023**  
**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**MORRIS COUNTY, NEW JERSEY**  
**AN ORDINANCE AMENDING VARIOUS CHAPTERS RELATING TO THE SCHEDULING OF FEES**  
**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY**  
**OF MORRIS, NEW JERSEY, AS FOLLOWS:**

**SECTION 1.** The below listed Chapters scheduling various FEES are hereby amended as follows:

PERMIT TYPE	RECOMMENDED FEE
<b>§ 361-2. Wells</b>	
Application	\$275.00
Alteration	\$200.00
Permit Renewal	\$100.00
<b>§ 361-5. Food handlers' license.</b>	
Annual	\$220.00
Temporary	\$ 75.00
Reinspection	\$ 80.00
<b>§ 160-10 Peddling and Soliciting</b>	
Application Fee	\$100.00
<b>§ 160-7 Uniform Construction Code</b>	
Plumbing Fixture per Fixture	\$50.00
Plumbing Device Fee	\$50.00
Plumbing Stack Fee	\$50.00
Plumbing Utility Service Connection Fee	\$50.00
Photovoltaic System 0-50 KW	\$100.00
Photovoltaic Systems over 100KW	\$750.00
Application fee for permitted variance	\$150.00
<b>Certificates of Occupancy</b>	
For new construction, additions, alterations, repairs, minor work or building subject to removal	\$125.00
Certificate of continued occupancy	\$100.00
Certificate of occupancy pursuant to a change of use	\$100.00
Certificate of occupancy following the completion of asbestos abatement	\$30.00
Temporary certificate of occupancy	\$75.00
<b>§ 160-13 Street, sidewalks, and driveways</b>	
Minor road opening permit (includes fees plus bond)	\$175.00
Major road opening permit (includes fees plus bond)	\$275.00
Driveway Permit (includes fee plus bond)	\$75.00
<b>ZONING PERMIT APPLICATION FEE</b>	\$100.00

Introduced: December 11, 2023

**ORDINANCE NO. 16-2023**  
**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**MORRIS COUNTY, NEW JERSEY**  
**AN ORDINANCE AMENDING VARIOUS CHAPTERS RELATING TO THE COMPOSITION OF THE COMMITTEES**  
**INDICATED BELOW**  
**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF**  
**MENDHAM, NEW JERSEY, AS FOLLOWS:**

**SECTION 1.** The Ordinances listed below are amended as set forth.

**Chapter 10-45 “Open Space Trust Committee”**

Section A. amended to add an additional sentence: “The Township Committee reserves the right within 30 days of the re-organization meeting to appoint additional alternate members by a majority vote of the membership. The term of any such appointees shall end upon the conclusion of the calendar year of appointment.”

**Chapter 10-46 “Historic Preservation Committee”**

Section B. “Membership Requirements.” Is amended to add a new class of members as follows:

“(1) (d) “The Township Committee reserves the right within 30 days of the re-organization meeting to appoint additional alternate members by a majority vote of the membership. The term of any such appointees shall end upon the conclusion of the calendar year of appointment.”

**Chapter 10-47 “Finance Advisory Committee”**

Section B. “Membership.” Is amended to add a new class of members as follows:

“(4) “The Township Committee reserves the right within 30 days of the re-organization meeting to appoint additional alternate members by a majority vote of the membership. The term of any such appointees shall end upon the conclusion of the calendar year of appointment.”

**Chapter 10-42 “Open Space, Parks and Recreation Advisory Committee”**

Section B. “Membership #3.” Is amended to add a new class of members as follows:

“(3) “The Township Committee reserves the right within 30 days of the re-organization meeting to appoint additional alternate members by a majority vote of the membership. The term of any such appointees shall end upon the conclusion of the calendar year of appointment.”

**The “Tree Protection Committee”**

Is amended to provide for a new class of members: “The Township Committee reserves the right within 30 days of the re-organization meeting to appoint additional alternate members by a majority vote of the membership. The term of any such appointees shall end upon the conclusion of the calendar year of appointment.”

**SECTION 2.**

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 3.**

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 4.**

This Ordinance shall take effect after final passage and publication pursuant to law.

Introduced: December 11, 2023

**RESOLUTION 2023-198**  
**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, 2023

**RESOLUTION 2023-199**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM ESTABLISHING 2024**  
**OFFICE HOURS AND HOLIDAY SCHEDULE**

**BE IT RESOLVED** by the Township Committee of the Township of Mendham that the following hours be established for 2024:

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

SUMMER HOURS– JUNE 3<sup>rd</sup> THROUGH SEPTEMBER 2<sup>nd</sup>  
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 2024.

New Year’s Day	January 1st
Martin Luther King, Jr. Day	January 15 <sup>th</sup>
President’s Day	February 19 <sup>th</sup>
Good Friday	March 29th
Memorial Day	May 27 <sup>th</sup>
Independence Day*	July 4 <sup>th</sup> & July 5 <sup>th</sup> (Friday)
Labor Day	September 2 <sup>nd</sup>
Columbus Day	October 14 <sup>th</sup>
Veteran’s Day*	Observed July 5th
Thanksgiving Day	November 28 <sup>th</sup>
Day after Thanksgiving	November 29 <sup>th</sup>
Christmas Day	December 25 <sup>th</sup>

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, 2023

**RESOLUTION 2023-200**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM**  
**AUTHORIZING THE CANCELLATION OF CAPITAL ACCOUNT FUND BALANCES**

**BE IT RESOLVED** that the following unrequired balances of Capital Improvement Authorizations and Capital Reserves 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.

-			CAPITAL IMP. FUND (CIF)	CAPITAL FUND BALANCE	DEFFERED CHARGES UNFUNDED
ORD. #	DESCRIPTION	AMOUNT			
2007-6	Brush and Vegetation Removal	2,793.14	2793.14		
2015-9	Various Improvements	2,775.52			2,775.52
	Reserve for Preliminary Expenses: Appraisals	35.00		35.00	
	Reserve for Municipal Facilities	2,438.00		2438.00	
	Reserve for Preliminary Expenses- Town Hall Feasibility Study	55.48		55.48	
	Reserve for Preliminary Expenses- Road Improvements	300.00		300.00	
		\$8,397.14	2,793.14	2,828.48	2,775.52

Adopted December 27, 2023



**RESOLUTION 2023-201**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM RE- APPOINTING**  
**KAREN ORGERA ACTING MUNICIPAL CLERK AND REGISTRAR OF VITAL STATISTICS**

**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**, 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**, Karen Orgera was appointed as Acting Municipal Clerk for a period of one year commencing on December 28, 2022; and

**WHEREAS**, the Mendham Township Committee desires to re-appoint Karen Orgera as Acting Municipal Clerk and Registrar of Vital Statistics for a term of one (1) year commencing on December 27, 2023.

**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 re-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 27, 2023 and terminating on December 27, 2024, 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. 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 one additional subsequent one-year term 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, 2023