

**TOWNSHIP OF MENDHAM
TOWNSHIP COMMITTEE
REGULAR MEETING**

DATE: Monday, February 12, 2024
TIME: 6:30 PM-7:00 PM- EXECUTIVE MEETING
 7:00 PM- 7:30 PM- FINANCE COMMITTEE
 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
Mr. Monaghan	Present
Ms. Moreen	Present
Ms. Spirig	Present
Mayor Neibart	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 NEIBART

STATEMENT OF ADEQUATE NOTICE- READ BY MAYOR NEIBART

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 5,2024. Notice was posted on the bulletin board in the Township offices and notice was filed with the Township Clerk.

RESOLUTION TO CONVENE INTO EXECUTIVE SESSION

2024-041 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
Ms. Duarte	X		X		
Mr. Monaghan			X		
Ms. Moreen		X	X		
Ms. Spirig			X		
Mayor Neibart			X		

EXECUTIVE SESSION

Will not be a public session. Executive session only

A motion to enter executive session was made by Ms. Duarte; seconded by Mr. Monaghan. A voice vote was taken with all members voting in favor, no one opposed.

The Mayor and Township Committee convened into Executive Session at 6:30 PM.

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A motion to reconvene into open session was made by Mr. Monaghan and seconded by Ms. Duarte. A voice vote was taken will all members voting in favor, no one opposed.

The Mayor and Township Committee reconvened into Open Session at 7:00 PM for the purpose of conducting the Finance Committee meeting.

FINANCE COMMITTEE

The Township Committee and Finance Committee discussed the Capital Budget process and what will be financed.

A motion to take a 5-minute recess was made by Ms. Duarte and seconded by Mr. Monaghan.

PRESENTATION

West Morris Regional HS Tax Referendum

Rob Strobel, School Board President, Tom Brooks, Finance Committee Chair, and Dr. Sargeant were in attendance to present the West Morris Regional High School Tax Referendum.

Dr. Barbara Sargeant, Superintendent of the West Morris Regional High School District presented the upcoming Tax Referendum. The district is able to receive State Aid which will help offset the costs of the necessary projects needed at both West Morris Mendham High School and West Morris Central High School. Both High Schools need a new HVAC and air conditioning system as a number of classrooms do not have air conditioning. In addition, renovations are needed in some classrooms, such as the technology and lab and the home ec.

The kitchen needs renovation, as well as the field house locker rooms and showers as the plumbing is not functioning. At this time the students are not able to take showers after practice. A new public address system is also needed to better alert the students and facility.

A partial roof replacement is needed and repave part of the driveway and parking areas.

The Township Committee had a few questions pertaining to the presentation and the budget. Mr. Strobel said some of the projects are left out of state aid as they are not for educational purposes. The financing is over a span of 20 years. The tax referendum vote is March 12, 2024.

PROCLAMATION(S)

Recognizing February as Black History Month

Mayor Neibart read aloud the proclamation on behalf of the Township Committee proclaiming February as Black History month. It is important as a community to celebrate the many achievements and contributions made by Black Americans.

Recognizing February as American Heart Month

Mayor Neibart read aloud the proclamation on behalf of the Township Committee proclaiming February as American Heart month and encourage everyone to make sure to seek medical help if having a heart event and encourage heart health.

RECOGNIZING NEW MEMBER(S)

Mayor Neibart recognized the following Junior members joining Ralston Engine Company No. 1. Max Orlins, Michael Pschar, William Wallace

ANNOUNCEMENTS

Mayor Neibart had the following announcements:

1. February 14, 2024, is the blood drive at the Brookside Community Club from 12pm-5pm.
2. Senior and Teen luncheon is February 19, 2024, at the Brookside Community Club.
3. The facilities tour is scheduled for February 17, 2024, starting at 9:30am for the Township Committee and Finance Committee.
4. March 12, 2024, is the West Morris Regional Bond referendum vote.
5. Due to the impending weather event, please try and stay off the roads and OEM is ready to assist with the storm.

Ms. Spirig had the following announcements:

1. Trash collection may be rescheduled due to the impending weather. Look for updates on the website.
2. Library hosting Wine with Friends fundraiser on April 19, 2024, from 7pm-9pm.
3. Please check the library's website regarding the Valentine's event due to the impending weather.

Mr. Monaghan had the following announcement:

1. The Founders Day when Mendham Township was incorporated was March 29, 1749. It's the 275th birthday of Mendham Township in 2024. There will be events with food trucks and different activities and in early fall in conjunction with the Cider mill there will be an event. Please reach out to nmonaghan@mendhamtownship.org or the Historic Preservation's website. We encourage everyone to get involved.

Ms. Duarte had the following announcements:

1. Brookside Community Club is having a fundraiser to benefit the Community Club. The event is "Bourbon and Bubbles" on February 27, 2024, from 6:30pm-11:00pm. The cost is \$75.00 per ticket.
2. Stigma Free Task Force is hosting "Beating the Winter Blues" on February 25, 2024 at the Brookside Community Club from 2pm-5pm. This event is for all ages.

OPEN TO THE PUBLIC

Mayor Neibart opened for public comments.

Jane MacNeil, 31 East Main Street, Brookside, NJ commented that on the street name change of East and West Main Street to Water Street. Ms. MacNeil further commented that there is a Water Street in Morristown, NJ. 110 Residents would be affected by this and is not in support of changing the name of the street due to many factors.

Alison Griffin, 5 East Main Street, Brookside, NJ commented that she is in support of the street name change because of the confusion between the duplicate addresses in Mendham Borough which creates confusion for deliveries and as issues on a daily basis.

Warren Gisser, 39 West Main Street, Brookside, NJ commented that addresses are an issue in the Township but more about finding houses. Brookside Engine Company is selling number signs as part of a fundraiser which will help the fire department locate your house.

Rick Hedeman, 15 West Main Street, Brookside, NJ commented that he has issues with having duplicated addresses as it pertains to the health and safety of the residents. Emergency responders showed up at his residence when it was for the other address. Mr. Hedeman further commented that he had an issue with the gas company and being billed for the other address which created months of work to correct.

Monica Smith, 29 East Main Street, Brookside, NJ commented that she has similar issues with deliveries and many people have a Post Office box to help with mail delivery. Ms. Smith has issues with bills and other entities. Ms. Smith is in support of changing the name of the street.

Patricia Hettling, 34 West Main Street, Brookside, NJ commented that she is a long time Township resident and has lived at her residence since 1964. Ms. Hettling is not in favor of changing the street name.

Zsuzsanna Geller-Varga, 13 West Main Street, Brookside, NJ commented that she has issues with deliveries. Ms. Varga's most recent issue was when a contractor came to the residence and started working on the roof but needed to be at 13 West Main Street in Mendham Borough. Ms. Varga supports the changing of the street name.

Michael Sandford, 30 West Main Street, Brookside, NJ commented that he has similar issues, and the situation is complex. Mr. Sandford has concerns about getting emergency services at the residence due to the confusion. Mr. Sandford supports changing the street's name.

Debbie Replogle, 9 East Main Street, Brookside, NJ commented that she has been a resident for 34 years and shares her duplicate address with the Church in Mendham Borough. Mr. Replogle commented that modernization has occurred and is in support of changing the streets name.

Joan Yakimischak, 57 West Main Street, Brookside, NJ commented that this situation is a Google issue. Google put a pin on their property, but it was for the neighbor's tenant's apartment. Google also has a picture of their home on the duplicate address in Mendham Borough. Ms. Yakimischak suggested the Township reach out to Google to correct this.

Patricia Hays, 23 West Main Street, Brookside, NJ has lived here for 55 years. Ms. Hays is not in favor of changing the streets name. It would be a major inconvenience to change the name.

Roberta Huey, 25 West Main Street, Brookside, NJ has lived in Brookside for 55 years and commented that she is not in favor of changing the street's name.

Robin Hedeman, 15 West Main Street, Brookside, NJ is in favor of changing the street name as it pertains to the various issues as well as a historic point, the street was named Water Street at one time.

Allison Matthew Ruttley, 3 West Main Street, Brookside, NJ participated via Zoom are in support of the changing of the street name as we experience the same delivery and mail issues.

Dave Schwartz, 20 West Main Street, Mendham Borough, NJ participated via Zoom lives in Mendham Borough and shares his address with Committeeman Monaghan and has mail delivery issues and contractors showing up at his home and even has issues with getting mail for the Elementary School.

Samantha Sandford, 30 West Main Street, Brookside, NJ participated via Zoom followed up on her husband's earlier comments about concerns on the health and safety of having confusion on duplicate addresses. People have a hard time finding their home.

Sharon Hurley, 6 East Main Street, Mendham Borough, NJ participated via Zoom is a tenant at her address and similar issues with deliveries and mail having duplicate addresses.

Alexis Nash, 26 West Main Street, Brookside, NJ participated via Zoom commented on having similar delivery and mail issues and it's confusing when they have to say they have a Morristown zip code but they live in Brookside.

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

Motion to close public comment period was made by Ms. Duarte and seconded by Mr. Monaghan, with all members present voting in favor, no one opposed.

APPROVAL OF MEETING MINUTES

- January 27, 2024- Workshop-Team Building Minutes

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

Ms. Moreen and Ms. Spirig were unable to vote on the January 27, 2024, minutes as they were not present for that meeting.

- January 29, 2024- Regular Meeting Minutes

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

EAST AND WEST MAIN STREET NAME CHANGE PROCESS

Motion to move from discussion was made by Ms. Duarte, seconded by Mr. Monaghan, with all members present voting in favor, no one opposed.

The Township Committee discussed the Street name change process and what it would involve for the Township and the residents on East and West Main Street. The Historic Preservation Committee will need to provide input on the street name change.

Mr. Monaghan has lived at his West Main Street address for 20 years and has experienced similar issues but has been able to solve them by sending packages to the Post Office and further changed his mailing zip code to the Morristown exchange. He occasionally has to send packages to the duplicate address in the Borough and the Borough address occasionally has to deliver packages to Brookside. Delivery people are part of the issue and packages get misdirected regardless of what address you have. It will be a lot for the residents as well as the School and Post Office to navigate all the paperwork involved in updating documents.

Ms. Duarte commented that Butler and Kinnelon have duplicate streets. The Township of Morris recently had a request for a street name change and ended up doing a survey that needed a super majority vote and that threshold wasn't met so the street name was not changed.

Ms. Moreen commented that the process needs to be carefully defined when making this consideration. The problem needs to be identified before a solution can be determined and survey the impacted residents and the Historical Preservation Committees side of the name change.

Ms. Spirig commented that a survey is important since this is a small group but thought needs to go into the what the survey is measuring.

Mayor Neibart commented that the survey should be multi-pronged with the different layers of the name change. Mayor Neibart feels the Township Committee should be involved in obtaining information to not place the burden on the Township employees.

The Township Committee agreed that this is a very complicated process and extreme thought, and due diligence needs to be done and the cost of this change needs to be considered.

ORDINANCE FOR INTRODUCTION

01-2024 AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM MORRIS COUNTY, NEW JERSEY NATIVE PLANT ORDINANCE

PUBLIC HEARING FEBRUARY 26, 2024

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

Ms. Moreen requested a friendly amendment to Ordinance 01-2024 to remove Section 6. A motion to make the amendment was made by Ms. Moreen and seconded by Ms. Spirig.

Vote on amendment 1

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

Mr. Monaghan requested a friendly amendment to Ordinance 01-2024 to remove Section 9. A motion to make the amendment was made by Mr. Monaghan and seconded by Ms. Spirig.

Vote on amendments

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

CONSENT AGENDA RESOLUTIONS

2024-042 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS

2024-043 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM AUTHORIZING REFUND OF OVERPAYMENT OF TAXES DUE TO COUNTY BOARD OF TAXATION ADDED ASSESSMENT JUDGMENT

2024-044 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVAL OF THE LOSAP QUALIFICATION LIST FOR THE BROOKSIDE ENGINE COMPANY NO. 1, RALSTON ENGINE COMPANY NO.1 AND MENDHAM TOWNSHIP FIRST AID SQUAD

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

DISCUSSION

A motion to move Brookside 2 replacement to the first item of discussion was made by Mayor Neibart.

Brookside Engine 2 Replacement

Fire Chief Daniel Wood and Assistant Chief Warren Gisser presented to the Township Committee the rate opportunity to purchase a new engine for Brookside Engine Company No.1 as Engine 2 is beyond its usable life and this opportunity would save significant money since another town did not take the order of the fire truck. The truck available has all the necessary options that would be needed, and this would save the Township from having to build the truck and wait up to 3 years for delivery and would be over \$1,000,000.00. The price of the truck that is currently being offered is \$725,158.00. The Township Committee approved a letter of intent to buy but wants to make sure it's not locking the Township into purchasing.

A bond ordinance was done in 2023 to appropriate money for Ralston Engine Company No.1's Tender but Ralston has not provided any quotes or moved forward in building the new Tender. The money appropriated in the Bond would need to be amended to allow for the purchase of the new engine for Brookside Engine Company No.1.

There may be an ability to purchase both fire trucks, but the Capital budget will need to be evaluated.

Town Hall Renovation Update

Mayor Neibart requested Mr. Gabloff email the Township Committee the updates to Town Hall.

Process for deciding 2024 Capital Projects

The Finance Committee met prior to the regular Township Committee to discuss Capital projects and Mr. Gabloff has been working on the numbers in the budget. Prioritizing projects is more important than meeting department needs and wants. A Capital plan for now and future Governing bodies is important.

Mendham Township Response to Assembly Bill No. 4/Senate Bill No.50 & Affordable Housing Resolution

The Township Committee discussed the amended bill that was passed. The concern of this new bill is how it will affect the various towns throughout New Jersey. Mayor Neibart would like to craft a letter to send to the Governor and Senate members. There are environmental concerns as well as how affordable housing will be calculated. There are many reasons this new bill is of concern. Affordable housing is necessary, but the process needs to be addressed and without damaging the environment.

Ash Tree Update

Mayor Neibart requested Mr. Gabloff email the Township Committee the updates about the Ash tree removal.

OPEN TO THE PUBLIC

Mayor Neibart opened for public comments.

Warren Gisser, 39 West Main Street, Brookside, NJ asked about the facilities tour on February 17, 2024, and asked if the Township Committee would be visiting Brookside Engine Company. Mr. Gisser further commented on visiting every level on changing the street name of East and West Main Street.

George Koenig, 13 North Gate Road, Mendham, NJ commented that he purchased one of the street signs that Brookside Engine company was selling as part of their fundraiser and encouraged others to purchase. Mr. Koenig commented on the name change. While it wouldn't affect him, he feels those who want it, the Senior citizens would need assistance in changing all their documents. Mr. Koenig is in favor of Affordable Housing but commented that the bill passed was rushed and would like to see this slowed down to ensure the Townships land is protected.

Ed Coury- Mosle Road, Mendham, NJ commented on the wants and wishes of the Township. Renovating Town Hall is a need as it serves the community, fire engines are a need, school renovations, and maintaining the infrastructure of the other Township buildings are a need. The amount of taxes that residents can bare is limited.

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

Motion to close public comment period was made by Ms. Moreen and seconded by Ms. Spirig, with all members present voting in favor, no one opposed.

LIAISON REPORTS

Tabled to the next Township Committee meeting.

ADJOURN

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

The regular meeting of the Mendham Township Committee was adjourned at 10:50 P.M.

Respectfully submitted,

Distributed: 02/23/2024
Approved: 02/26/2024

Karen Orgera
Acting Township Clerk
TOWNSHIP OF MENDHAM

RESOLUTION 2024-041

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.



(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.



(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 **February 12, 2024 at 6:30 P.M.** in the Mendham Township Middle School, 16 Washington Valley Road, 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: February 12, 2024

ORDINANCE NO. 01-2024
AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
MORRIS COUNTY, NEW JERSEY
NATIVE PLANT ORDINANCE

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Sec. 1. TITLE

This ordinance shall be known and may be cited as “Municipality of Mendham Township Landscape Ordinance Promoting the Use of Native Vegetation.”

WHEREAS, native plants are localized, well adapted to the local soils and climate, tend to be more insect and disease resistant, and require less watering and fertilizing than non-native plants.

WHEREAS, local governments use native plant ordinances to improve the landscape principles that guide landscaping of all new developments. Many communities find that the use of appropriate native vegetation in local landscaping helps achieve water conservation goals, preserves habitat, and reduces landscaping maintenance costs.

WHEREAS, wildlife such as birds are more attracted to the native plants with which they co-evolved, and use such plants for food, cover, and rearing their young.

WHEREAS, native plants, having evolved in the climate, are extremely hardy and therefore have lower maintenance and replacement costs.

WHEREAS, native plant usage helps restore the ecological balance we have lost through development.

Sec. 2. PURPOSE AND INTENT

The purpose of this ordinance is to establish guidelines for the design, installation, and maintenance of landscaped areas that require the use of native vegetation and to promote the preservation of indigenous plant communities. The Municipality recognizes the significant benefits of establishing and protecting native vegetation and, therefore, the necessity to require the use of native vegetation in all newly planted public landscaped areas within the Municipality. A specific garden with historical or other special significance can request an exception to this ordinance by approval from the Environmental Commission, provided that plants do not appear on the New Jersey Invasive Species Strike Team’s Do Not Plant List. The Municipality strongly recommends that developers, property owners and landscapers consult the New Jersey Invasive Species Strike Team’s Do Not Plant List, and plant native plant species rather than species on this list for all new plantings in Mendham Township wherever possible.

It is the intent of this ordinance that these minimum landscape guidelines be incorporated in order to help combat the climate crisis, species extinction and to promote public health, safety, and welfare by: (a) Acknowledging that native plants are the foundation of the food web and diverse native plants are required to sustain healthy biodiversity; (b) acknowledging pollination is an essential ecological survival function, and without native plants and the pollinators that depend on them, the human race and all of earth's terrestrial ecosystems will not survive; (c) doing our part to reverse the massive decline in native pollinator populations from widespread use of pesticides in agribusiness, loss of habitat from development, and from excessive use of non-native plants in landscaping; (d) protecting and promoting genetically diverse and appropriate native vegetation; (e) promoting microhabitats in Township areas for the conservation of wildlife by establishing new, and maintaining and connecting existing, wildlife habitat; (f) creating larger, more connected plant populations and helping ensure the future of native plant species by increasing their ability to migrate in response to changes in climate; (g) promoting public health through the long term, widespread adoption of diverse native plantings; and (h) educating residents on the importance of native plant species and native pollinators to the ecosystem.

Sec. 3. DEFINITIONS

(a) Invasive Plant: a plant reproducing outside its native range and outside cultivation that disrupts naturally occurring native plant communities by altering structure, composition, natural processes, or habitat quality. Refer to the New Jersey Invasive Species Strike Team’s Do Not Plant List for an up-to-date list.

(b) Landscaped Area: the entire parcel less the building footprint, driveway, non-irrigated portions of parking lots, hardscapes such as decks and patios, and other non-porous areas. Water features are included in the calculation of landscaped areas.

(c) Landscaping: any combination of living plants and non-living landscape material such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials.

(d) Native Plant: those species of plants naturally occurring within a specific habitat or biogeographical region prior to European contact, according to best scientific and historical documentation. Refer to Jersey-Friendly Yards¹ for a database.

(e) Pollinators: animals (primarily insect, but sometimes birds or mammals) that fertilize plants, resulting in the formation of seeds and the fruit surrounding seeds, that humans and other animals rely on to produce nuts and fruits that are essential components of a healthy diet, and that the majority of flowering plant species found world-wide rely on to make the seeds that will become the next generation of plants.

(f) Straight Species: a native plant that is not a cultivar or has not been bred to emphasize or minimize certain traits of the parent plant. Naturally occurring hybrids of native plants shall be considered as Straight Species for the purpose of this ordinance.

Sec. 4. APPLICABILITY

After the effective date of this ordinance, these guidelines shall apply to all public town buildings and public land within the incorporated and unincorporated areas of the Municipality.

Sec. 5. BEST PRACTICES FOR PLANTING

The Municipality shall, where possible, use the Jersey-Friendly Yards best practices for environmentally friendly landscaping which includes guidance on planning, maintaining healthy soil, watering wisely, fertilizing less, avoiding pesticides, and creating habitat for wildlife.

Sec. 6. LIMITS ON WEED CONTROL LAWS

No regulation shall be enacted by the Municipality or any person or entity which prohibits or discourages the planting, maintenance, or protection of native plants or requires or incentivizes the removal or reduction of native vegetation, except when deemed necessary for public safety.

Sec. 7. INVASIVE PLANTS FORBIDDEN

After the effective date of this ordinance, the Municipality shall not use or install any invasive plant in any Municipal property. Landowners and developers shall be encouraged to plant native plants and avoid planting invasive plants on their property.

Sec. 8. PRIORITIZING STRAIGHT SPECIES

The Municipality shall, to the extent possible and to the extent such plants are reasonably available, prioritize using and installing native plants that are straight species on any Municipal property. Cultivars may need to be chosen for disease resistance, size/height management or other attributes. Care should be taken to ensure that leaf and flower color as well as flower form is as close to the straight species as possible.

Sec. 9. CONFLICTING REGULATIONS REPEALED

All rules and regulations that are in conflict with this article, in whole or in part, are hereby repealed to the extent that they are in conflict.

Sec. 10. SEVERABILITY

If any portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate provision and shall not affect the validity of the remaining portions of the article.

Sec. 11. EFFECTIVE DATE

This ordinance shall take effect 30 days after it is enacted by the Municipality; provided, however, that this ordinance shall not apply to any plantings carried out pursuant to existing contracts, invitations to bid, or designs completed prior to the effective date of this article.

Introduced February 12, 2024

RESOLUTION 2024-042
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: February 12, 2024

RESOLUTION 2024-043
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM
AUTHORIZING REFUND OF OVERPAYMENT OF TAXES DUE TO COUNTY BOARD OF TAXATION
ADDED ASSESSMENT JUDGMENT

WHEREAS, the Tax Collector has certified to the Township of Mendham that a payment be refunded due to an overpayment of taxes as a result of County Board of Taxation Added Assessment judgment; and

WHEREAS, the Governing Body has reviewed said certification and approved the same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, being the Governing Body thereof that payment is refunded as follows:

Block & Lot & Qualifier	Refund to:	Amount:
Block 116 Lot 10 8 Combs Hollow Rd	Corelogic Centralized Refunds PO Box 9202 Coppell, TX 75019	\$545.92

Adopted: February 12, 2024

RESOLUTION 2024-044

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM APPROVAL OF THE LOSAP QUALIFICATION LIST FOR THE BROOKSIDE ENGINE COMPANY NO. 1, RALSTON ENGINE COMPANY NO.1 AND MENDHAM TOWNSHIP FIRST AID SQUAD

WHEREAS, Ordinance 12-1999, adopted by the Township Committee of the Township of Mendham on August 18, 1999, created a Length of Service Award Program (LOSAP) in order to reward members of the volunteer Mendham Township Fire Department and Mendham Township First Aid Squad; and

WHEREAS, Brookside Engine Company No.1, Ralston Engine Company No.1 and Mendham Township First Aid Squad have provided the attached list of all members who have qualified for the 2023 LOSAP award.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, that the eligibility list attached to this resolution are approved and will be posted in accordance with Chapter 388, P.L. 1997.

Adopted February 12, 2024

Resolution 2024-044

BROOKSIDE ENGINE CO No. 1

Betz, Jeffrey A
Clarke, Christian
Cooper, Eric M
Daley, Patrick H
Gisser, Warren J
Gisser, Zachary R
Gordon, Peter J.
Haversang, Erik
Jones, Archer J
Kaufman, Henrik
Kemp, John D
Neibart, Sarah R
Raitt-Forest, Spencer J
Rice, Sean M
Roth, Jon P
Sauerman, Stephen M.
Sauerman, Stephen T.
Tolley, Samuel K
Witzcak, Stanley N
Wlazlowski, Robert B
Wolfson, Joshua R
Wood, Daniel A

FIRST AID SQUAD

George Budd
Bill Dunlevy
Leslie Dunlevy
Christine Hinson
Robin Johnston
Bernadette Koenig
Nanci Kane
Jason Leffler
Bob Marold
Zach Gisser
Barbara Nelson
John Ransegnola
Marlene Russell
Ghen Saito
Ty Saito
Krista Witzcak
Stanley Nicholas Witzcak
Harrison Voyles
Estelle Pasquier
Ann Marie Saito
Emi Saito
Jesse Smith
Saskia Vander Linden
Cammy Voyles
Harriet Zimmerman

RALSTON ENGINE CO No.1

Ian Baio
Jeffrey Betz
Paul Hogan
Tom Montgomery
Nolan Mortensen
J Scott Mortensen
Nick Petonak