

**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
REGULAR MEETING**

**DATE:** Tuesday, February 15, 2022  
**TIME:** 7:30 PM  
**LOCATION:** Town Hall and Remote Via Zoom

**ROLL CALL**

Mr. Baio	Present
Ms. Duarte	Present
Ms. Neibart	Present
Mr. Orlins	Present
Mayor Monaghan	Present

Also, present:

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

**SALUTE TO THE FLAG**

**STATEMENT OF ADEQUATE NOTICE** – Read by Mayor Monaghan

Adequate Notice of this meeting of the Township Committee of the Township of Mendham was given as required by the Open Public Meetings Act as follows: Notice was given to the Observer Tribune and Daily Record on January 10, 2022. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

**PROCLAMATIONS**

- **RECOGNIZING FEBRUARY AS BLACK HISTORY MONTH** – read by Mayor Monaghan
- **RECOGNIZING FEBRUARY AS AMERICAN HEART MONTH** - read by Committeewoman Neibart

**COVID – 19 UPDATE**

Update provided under announcement

**ANNOUNCEMENTS**

Ms. Neibart announced that Governor Murphy will be lifting the school mask mandate as of March 7, 2022.

Ms. Duarte announced that the Stigma Free Task Force will sponsor a Youth Mental Health workshop on March 22<sup>nd</sup> and March 29<sup>th</sup>. Ms. Duarte and Mayor Monaghan had a call with the town planner to discuss holding a workshop on the Master Plan to review some of the questions that have come up and allow the public to have some input and ask questions. She also noted that this evening there was a 2<sup>nd</sup> finance advisory committee meeting which was not videotaped or offered via zoom. She noted that a request was made from a participant/Mendham TV to be able to record the meeting.

Mayor Monaghan commented that the finance advisory committee meeting was opened to the public, totally transparent. He thanked that the Recreation Department for the event on Friday night; which was a great use of Pitney Park.

**OPEN TO THE PUBLIC**

George Koenig – 13 North Gate Road - Mr. Koenig spoke on his conversation with the Morris County Agricultural Board, specifically to the definition of background, live, or recorded music; a definition was not available by the State Agricultural Development Committee (SADC) or the Morris County Ag Board. Mr. Koenig noted that he was referred, by the Morris County Ag Board, to the township committee to set noise standards via a noise ordinance. He proposed that the township address the noise ordinance without making an ordinance for the entire town.

Patricia Zimmerman – 3 West Main Street - Ms. Zimmerman noted that coming to a 5:30 pm meeting (Finance Advisory Committee) could be a problem for some residents. She explained that we have the opportunity to make these discussions available to all residents through Zoom or video recording. She asked that committee to make the meetings available to all the residents.

Peter Banos – 47 Ironia Road, Mendham Borough – Mr. Banos spoke on his testimony at the Morris County Ag Board regarding the concert at Backer Farm on 9/11.

Frank Zammataro – 41 Corey Lane – Mr. Zammataro asked about the committee’s standard for presenting meeting minutes to the public/website.

Diana Orban-Brown – Ironia Road – Ms. Orban-Brown commented that several boards have not posted their meeting agendas and/or minutes to the township website.

Melissa and David Rainis – 290 Mountainside Road, Mendham Borough – They reiterate Mr. Banos’ comments noting that they also filed a complaint with the Morris County Ag Board regarding the 9/11 concert Backer Farm’s 9/11 concert. They are concerned that the Ag Board will not take any guidance from Mendham Borough and Township residents regarding the Backer Farm application. She also expressed that the township committee needs to take a position for their resident; she went through several concerns regarding the brewery application, noting the hours of operation, waivers, lighting concerns, and the effect on India Park.

Marta Longo – 42 Corey Lane – Ms. Longo is happy to hear that there might be meeting in March regarding the Master Plan. She reiterated the comments on the posting of meeting minutes.

Bruce Harris – 8 Brocken Drive – Mr. Harris sat in on the finance sub-committee and noted that he found the process to be a little difficult to understand. He would be interested in something that the committee can be published that says, this is the timetable that we will run.

**Motion to close hearing persons present made by Mr. Baio, Seconded by Ms. Neibart.**

Mayor Monaghan addressed the questions from the public.

Mr. Orlins spoke on the format for the finance advisory committee and noted that there is very much a process that the participants are involved.

**APPROVAL OF MEETING MINUTES**

- June 28, 2021 Special and Regular Meeting
- January 5, 2022 Reorganization Meeting

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		

**RESOLUTIONS – CONSENT AGENDA**

The following resolutions were submitted to the Township Committee for review and made available to the public for inspection prior to the meeting, and may be adopted by one motion.

**2022-042** 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

**2022-043** 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		

**OPEN TO THE PUBLIC**

George Koenig – 13 North Gate Road – Mr. Koenig read sections from the Master Plan 2021, Page 23 section titled Roadway Capacity, and Page 18, section titled Roadscape Preservation. He noted that the section on Roadway Capacity doesn’t seem to work with adding more traffic to the road. He shared the section titled Roadscape Preservation because he thinks that some of the public is looking for the township’s position on the Backer Farm brewery application.

Patricia Zimmerman – 3 West Main Street – Ms. Zimmerman spoke on the finance advisory committee process specifically the request to host meetings via Zoom or hybrid.

Peter Banos – 47 Ironia Road, Mendham Borough – He was disheartened not to hear (from the Township Committee) any conversation on the Backer Farm Brewery Proposal. He asked the following questions:

1. Did the Township lawyer give the committee an update on the AG board meeting of February 3rd?
2. Would the Township work on an ordinance to limit the operations of the Backer proposal?
3. What would you do if the Ag Board approves the Backer proposal in a month or two?
4. Would you continue to work on the noise ordinance, as Mr. Koenig recommended, and the proposal for a stricter ordinance and the state ordinance to protect residents from health and safety concerns that many have expressed at the AG board meeting?

Terrill Doyle – 5 Cross Way – Does the township committee have any updates from the lawyer regarding the AG board meetings on the Backer Farm Brewery Application? She requested updates at every township committee meeting from the lawyer.

Diana Orban-Brown – Ironia Road – Ms. Orban-Brown commented that no one is persecuting members of the Finance Committee, noting that it is easy to record the meetings. She also clarified that when she commented on the posting of agendas and minutes, it was not meant to criticize or embarrass anyone. She is not concerned about the minutes of the township committee because those meetings are recorded and posted on Mendham TV almost immediately; her concern is with the other boards or committee.

Melissa Rainis – 290 Mountainside Road, Mendham Borough – Ms. Rainis added a question, Are town official required to disclose that they are investing in the Backer Brewery or involved in any similar situation?

**Motion to close hearing persons present made by Mr. Orlins, Seconded by Mr. Baio.**

Mayor Monaghan addressed several questions from the public. Mr. Orlins addressed Ms. Zimmerman’s question on zoom meetings.

## **DISCUSSION**

### **SEWER WEST CAPITAL PROJECT**

Mr. Gabloff gave an update on the sewer project and budget; the estimate is approximately \$160,000. Certain items are small in nature and can be completed by the Sewer Operator. We have asked Veolia and NSU to review the estimates and make sure they are accurate given current changes in the market.

### **CAPITAL UPDATE**

Mr. Gabloff gave a summary of the requested and recommended requests from various departments. He noted that nothing has been approved; items that still need discussion have to do with the library and town hall renovations, road paving, and the turf field at Mosle.

### **DEBT SERVICE PLAN**

Mr. Gabloff reviewed the current debt service and discussed options for the future, i.e., opportunities to look to refinance.

### **CONSTRUCTION UPDATE**

The construction on the new police station is on schedule. He noted that a change order on electrical work would be presented at the next township committee meeting. Mr. Gabloff noted that there is a standing weekly meeting on the project.

The Township Committee convened into Executive Session at 10:02 PM.

## **ADJOURN**

Motion to adjourn made Mr. Orlins; Seconded by Mr. Baio. The Township Committee adjourned at 10:28 PM.

Respectfully submitted,

Distributed: 3/22/2022

Approved: 3/28/2022

Maria F. Coppinger  
Township Clerk