

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
September 8, 2015 – 6:00 p.m.**

Deputy Mayor Cioppettini called the meeting to order at 6:00 p.m., Township Hall, Brookside, New Jersey.

ROLL CALL:

Mr. Cioppettini	Present
Mrs. Orban Brown	Present
Mrs. Thomas	Present
Mr. Tolley	Present
Mayor Baumann	Absent-arrived at 7:30

Also Present: Mr. Carroll, Attorney
Beth Foley

SALUTE TO THE FLAG

STATEMENT OF ADEQUATE NOTICE:

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 Daily Record, on September 2, 2015. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk. Official action may be taken.

FINANCE REPORT - Mr. Cioppettini stated that looking at the year to date budget comparison and 2014 budget comparison the Township is on track with our budget for 2015. There are some items of concern and the Committee would ask Mike to notify any department heads if they were out of budget.

Sam Tolley said the revenues were lower than normal due to various reasons, but they are working towards more revenues, less bills. Uniform construction code fees are lower than usual and municipal court fines are down, but activity is same. Mr. Tolley stated that it may be the nature of the activities are different. Cable was only budgeted \$91,000 for cable franchise and we are ahead of that, which Mr. Tolley said, we should look into since he thought it was a budgeted number. Telephone bills and electricity bills are also up, but are being looked into.

Mr. Cioppettini stated that the clerk will have her "to do" list at the next meeting

Chief Crawford reported the following:

- Through a Grant the PD received, they conducted a drunk driving road block stop, where they made 600 stops, 19 failed sobriety tests and 0 arrests. The purpose is to get people to stop drinking and driving. They are hoping to get another grant for another road block at the end of November.
- Productivity is up 15% from last year, possibly due to several new officers to help.
- Injured officer will be coming back next week
- Officer Degregario will be completing his year of probation tonight.
- The new Taurus is up and running and has a license plate reader, valued at \$18,000, but paid \$3000 for it. It is very helpful and thankful for all our donated funds.
- Overtime pay - anticipated 150 hours left this year, which will keep the PD under budget for it.
- The Chief asked why he has not received his Municipal Alliance funding, to which Mr. Tolley explained that the Township was behind in handling that due to staffing issues.

Dave Read, DPW reported on the following:

- Mr. read gave a plowing plan and man power plan for the snow plowing and salting-report attached
- Mrs. Thomas asked about the truck that is being replaced and Mr. Read said that the new truck was in the plan for the plowing routes. He also stated that the DPW is down 6 men, but he has applications to go over with the Committee.
- Mr. Cioppettini questioned the purchasing of two new trucks, but Mr. Read explained that it was already in the capital budget and they were needed.
- The storm water basins were discussed. Mr. Read had a proposal from Stormwater Management for cleaning the catch basins which has to be further discussed.

Deputy Mayor Cioppettini reconvened and called the meeting to order at 7:30 p.m., Township Hall, Brookside, New Jersey.

ROLL CALL:

Mr. Cioppettini	Present
Mrs.Orban Brown	Present
Mrs. Thomas	Present
Mr. Tolley	Present
Mayor Baumann	arrived at 7:30

Also Present: Mr. Carroll, Attorney
Beth Foley
Mr. Mills relieved Ms. Foley and Mr. Carroll at
7:45 PM

SALUTE TO THE FLAG

STATEMENT OF ADEQUATE NOTICE:

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 Daily Record, Observer Tribune and the Star Ledger on January 6, 2015. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

Official action may be taken.

APPROVAL OF MINUTES

Mayor Bauman called for a motion to approve the meeting minutes for:

August 25, 2015

Mr. Orban Brown motioned that the minutes be approved, seconded by Mrs. Thomas.

A roll call vote was taken:

Ayes: Cioppettini, Thomas, Orban Brown

Nayes: none

Abstain: Tolley

Absent: Baumann

COMMITTEE REPORTS

Fire – Mr. Cioppettini stated that he and Mayor Baumann met with both Ralston and Brookside Fire Departments and will be reporting to the Committee as soon as the follow up has been done.

Finance – Mr. Tolley told the committee that they had extraordinary financial challenges this year. They will be addressing revenue issues, rebonding and staffing issues in the future.

ANNOUNCEMENTS

Shredder Day will be September 26th from 8:30 – 12 noon in the Town Hall Parking lot

Brush Pick up – curbside will be October 5th. All information is on our website

Clam bake is Saturday, September 12, 2015, sponsored by the Brookside Fire Department

John Wilson, a longtime resident passed away and Mr. Tolley asked that he be remembered as a great participant in the parade plans and also very involved in the Youth Soccer League.

The Mayor and Mrs. Orban Brown rode in the parade and commented on a well-attended, beautiful parade.

PRESENTATION

Friends of Pitney – Omie Ryan and Theresa Finlay – presentation/notes attached

David Epstein, President of Land Conservancy, has studied the Pitney project and feels it is so well thought out, and is a sustainable plan for the residents.

Mrs. Orban Brown asked if it is permitted for Friends to maintain the seven acres of Open Space property. Mr. Epstein said it will still be owned by the Town and it is permitted for public use, not private, but that the Friends will maintain it for all.

Mr. Tolley commented that he thought more of a financial presentation would have been done and we clearly need more detail; what types of activities, parking, and buildings. He also said he was not aware that the township has not made any commitment to Friends of Pitney. He also questioned what restrictions might be placed on the property by the grants the Friends might obtain.

Mr. Cioppettini thanked the Friends for their presentation and sees that this continues to be a win-win situation for the community and hopes that the Friends can get the answers Mr. Tolley is asking for.

Mrs. Thomas also thanked the Friends for the presentation, but also thought they would have given more information, especially the time line and where the funding is coming from. She also recommended a public meeting on the use of the property and asked for detail regarding the viability of their plan.

Omie Ryan told the Committee that they have a good financial plan, but wasn't sure how much to discuss tonight. She agreed to a public meeting and stated that the Friends have a vision for the property and the goals are attainable.

Ms. Finlay stated that many of the issues being raised are being considered by the Friends and can be shared.

Mrs. Orban Brown asked the Friends create a detailed business plan and commitments to programming. She also said the ingress and egress were important factors and Ms. Ryan confirmed that this has been determined.

Mr. Tolley stated that the committee must come to an understanding of what they want to do, sell or lease and he explained to Mr. Epstein the noise and parking issues in the past and that is a concern to him for the future of Pitney.

Mayor Baumann questioned the six-year plan of spending \$1.7 million. Mrs. Ryan explained they planned on spending \$255,000 in Phase 1 and \$575,000 in Phase 2. The Mayor asked if the property was to go to auction for 1 million, would they be able to raise that money. Mrs. Ryan stated they believed the lease option was a very good way to be able to have the property put to use almost immediately. Mayor Baumann asked about an asset vs. liability.

David Epstein said it would become an asset for the town and now it is a liability. If the property is leased, the improvements made become the town's.

Mayor Baumann stated that ideally the lease amount would cover our debt, but should we get reimbursed for the property 100%.

Mrs. Ryan thanked the committee for listening to the Friends proposal and said they were excited about the prospects for the future.

HEARING PERSONS PRESENT

Sue Browse, 13 Cooper Rd, asked for anyone in support of Pitney Farms to stand up. Given the amount of residents that stood clearly shows that residents want to save Pitney Farms. She added that Friends also has an Online petition of over 600 residents in support of Pitney Farm.

Patricia Zimmermann, commented that she is rather short, so no one could see that she was the only one sitting. She asked if a structural engineer has looked at the property and if insurance companies have looked at the property.

Andrea Turner, 13 Woodland Road, expressed her support for the restoration of Pitney Farms and thinks that the problem of noise can easily be taken care of by limiting the hours of events.

Warren Gisser, 39 West Main St. supports Pitney Farm and thinks it is a great vision, but finances and understanding all aspects are important.

Bob Wowk, 12 Cooper Rd., asked to have Mr. Gisser's spreadsheet posted on the website and also think about what forum and possibly a referendum would be necessary to satisfy the residents.

Cecelia Donato, Ironia Road stated there are 5700 people in town which means 5100 people did not sign the petition. She also suggested the Friends of Pitney confirm the commitments by volunteers because typically the other venues in town are lacking volunteers and events. She also agreed with Mrs. Zimmerman about hiring a structural engineer.

Robert Jacobus, 150 Mendham Rd East, read the spreadsheets and believes the value of the property is nothing near what the town paid for the property and not sure how the values on the spreadsheet were derived.

Mr. Konidavis, 6 Ballantine Rd reminded everyone that there are seven acres that will be untouched and we are only concerned about 5 acres. He also commented that residents have had wonderful ideas, but not the time, effort or desire to take care of it. He stated that although he is friends with many of the Friends of Pitney, he has eight reasons for being against the restoration of Pitney. Some of these reasons are: it is a financially terrible deal for the town, Friends is a group of people who have only been together 9 months and have no track record of fiscal responsibility, remember the property is in the middle of a residential area and what will happen to the surrounding residents when the property becomes a busy public place.

Jane McNeil, East Main Street, expressed her support of Friends of Pitney, talking about the history surrounding Pitney.

David Zimmerman, 48 Cold Hill Road, talked about the legacy that a restored Pitney has to offer. He believes the Committee should seize the opportunity and let Pitney be restored rather than build six homes.

Glen Thompson, Hope Farm Lane, expressed the support by Hexacon Players of Mendham for Pitney.

NEW BUSINESS

ORDINANCES FOR FIRST READING

ORDINANCE 10-2015

CROSSWALK ON COREY LANE

Mrs. Orban Brown motioned that the ordinance be introduced, seconded by Mr. Tolley

A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Tolley, Baumann

Nays: none

Abstain: none

Absent: none

ORDINANCE 11-2015

AMENDING THE SEWER SERVICE CHARGES FOR THE MENDHAM EAST WATER POLLUTION CONTROL SYSTEM

Mrs. Thomas motioned that the ordinance be introduced, seconded by Mrs. Orban Brown
Mr. Cioppettini had questions about income and expenses for the system and offered additional language.

Mr. Tolley motioned to have 11-2015 tabled until a meeting no sooner than October 27th meeting, seconded by Mrs. Thomas

A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Tolley, Baumann

Nays: none

Abstain: none

Absent: none

ORDINANCE 12-2015

AMENDING THE SEWER SERVICE CHARGES FOR THE MENDHAM WEST WATER POLLUTION CONTROL SYSTEM

Mr. Tolley motioned to have 11-2015 tabled until a meeting no sooner than October 27th , seconded by Mrs. Thomas

A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Tolley,

Nayes: none
Abstain: Baumann
Absent: none

ORDINANCE 13-2015

GRANTING FRANCHISING TO NEW JERSEY AMERICAN WATER FOR DESIGNATED PROPERTY

Mrs. Thomas motioned to approve the ordinance and seconded by Mrs. Orban Brown.
Mr. Cioppettini stated he had issues that the development is still in the due diligence state and may not have a development. He asked Mr. Mills if we should add a clause of contingency or table it.

It was decided to table the ordinance until the September 22nd meeting

RESOLUTIONS

RESOLUTION 2015-119

**TOWNSHIP OF MENDHAM AUTHORIZING A CHANGE ORDER #2 FOR
REIVAX CONTRACTING EAST MAIN STREET DRAINAGE IMPROVEMENTS**

Mrs. Thomas motioned that the resolution be approved, seconded by Mr. Cioppettini.
A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Tolley, Baumann
Nayes: none
Abstain: none
Absent: none

RESOLUTION 2015-120 (*memorialized from 8/25 meeting*)

**THE TOWNSHIP OF MENDHAM AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO
CONVEY TITLE TO A 1976 FORD TRUCK KNOWN AS 19-85 TO BROOKSIDE ENGINE CO. NO. 1
FOR ONE DOLLAR**

Mrs. Orban Brown motioned that the resolution be approved, seconded by Mr. Cioppettini.

A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Baumann
Nayes: none
Abstain: Tolley
Absent: none

RESOLUTION 2015-121

**THE TOWNSHIP OF MENDHAM
AUTHORIZING REFUND OF OVERPAYMENT OF 2015 TAXES**

Mrs. Thomas motioned that the resolution be approved, seconded by Mr. Tolley
A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Tolley, Baumann
Nayes: none
Abstain: none
Absent: none

RESOLUTION 2015-122

THE TOWNSHIP OF MENDHAM

APPOINTING TED MAGLIONE TO THE PLANNING BOARD

Mrs. Thomas motioned that the resolution be approved, seconded by Mr. Tolley.

Mrs. Orban Brown asked about the procedure for appointing members to committees.

A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Tolley, Baumann

Nayes: none

Abstain: none

Absent: none

RESOLUTION 2015-123

APPOINTING EVAN THOMAS OEM COORDINATOR

Mrs. Orban Brown motioned that the resolution be approved, seconded by Mr. Tolley

A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Tolley, Baumann

Nayes: none

Abstain: Thomas

Absent: none

RESOLUTION 2015-124

THE TOWNSHIP OF MENDHAM AUTHORIZING THE PAYMENT OF BILLS

AUTHORIZING PAYMENT OF BILLS

Mr. Tolley motioned that the resolution be approved, seconded by Ms. Orban Brown.

It was brought to the attention of the committee that there were discrepancies in the electrical bills and DPW was asked to verify meters of certain town-owned buildings.

Mr. Tolley discussed a new process of check signing, suggested by Ms. Wilson and it was agreed that checks should be printed and signed after the meeting.

A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Tolley, Baumann

Nayes: none

Abstain: none

Absent: none

NEW BUSINESS

Mr. Tolley asked that the Zoning Ordinance be reintroduced due to technical errors made by the Clerk at the time of introduction.

Mayor Baumann re-introduced Ordinance 2015-6 with a second reading on October 27, 2015. Motion made by Mr. Tolley and seconded by Mrs. Thomas.

A roll call vote was taken:

Ayes: Baumann, Thomas, Tolley

Nayes: Cioppettini, Orban Brown

Abstain: none

Absent: none

DISCUSSION

Tax Collector - Mr. Tolley explained that the Tax Collector has asked for a professional person in the Tax office and suggested she give a resume as to what she thinks an experienced tax person needs. Mr. Tolley stated there is no rush with this and also needs to consider the Tax Collector position for next year.

Mr. Tolley also explained that the tax collector is requesting a second validator to be purchased.

Mr. Cioppettini motioned that the resolution be approved, seconded by Mrs. Orban Brown .

A roll call vote was taken:

Ayes: Orban Brown, Cioppettini, Baumann

Nayes: Thomas, Tolley,

Abstain: none

Absent: none

Refunding Bond-Warren Gisser explained the importance of a refunding bond. A 6 pm start of the next meeting, September 22nd was decided on to meet with professionals to determine when and if a refunding bond is done.

Drakewick/Brookrace -The concerns of the sewer treatment plants were brought up; repair and rates. Mr. Tolley stated he would talk to the people in Drakewick.

OPEN ITEMS

- **Committees, rosters** – Mrs. Orban Brown commented that committees and rosters should be updated.
- **LOSAP** – Mrs. Orban Brown said that the procedure should be reviewed. Mr. Tolley asked that it be checked that members are only on one list and look at past practices
- **Court system** –Mrs. Orban stated the court is losing money on court and would like to look into this.
- **New salary ordinance** – Mrs. Orban Brown asked for an updated salary ordinance
- **Brookside Bridge** - Mrs. Thomas asked about the start of the Brookside Bridge replacement.
- **Regional School Study**-Mrs. Thomas said it is in the school's court now and they will reach out to them to set up a meeting.
- **Shared Services**- Mayor Baumann stated he and Mayor Henry have talked about getting together to discuss shared services.
- **Administrative Committee**-Mrs. Thomas asked if we can meet as an administrative staff, and not the whole committee since it makes it difficult to get work done.

HEARING PERSONS PRESENT

Warren Gisser, 39 West Main Street, commented on the purchase of license plate readers and suggested becoming familiar with what it has to offer. It is not always a good tool to have since it sometimes gives too much information.

Cecelia Donato—has also heard there are a lot of issues related to the license plate readers.

Patricia Zimmerman asked that white stripes be put on streets and not yellow next time any streets are painted/

Nick Monahan, 20 west main st., commented on three topics; wants to see an open process about pitney, the town gives a lot of money to west morris central and should be studied and he also agrees with the license plate reader issue and feels the data should be kept for no more than 30 days.

Terris Grazinski, 4 Byram Court, asked why the residents are not informed about the sewer system.

Rick Blood, 32 Tingley Road, asked why the Pitney property has not been appraised.

RESOLUTION 2015-125

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Mrs. Thomas motioned that the resolution be approved, seconded by Mr. Cioppettini.

A roll call vote was taken:

Ayes: Cioppettini, Orban Brown, Thomas, Tolley, Baumann

Nays: Thomas

Abstain: none

Absent: none

EXECUTIVE SESSION

Contracts

Personnel

ADJOURNMENT

The Township Committee meeting went into Executive Session at 10:30, which then recessed back to open session at 11:00, whereupon a motion to adjourn was passed.

Respectfully submitted,

Mary Beth Zichelli
Township Clerk