

TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
JANUARY 29, 2013

Mayor Merkt called the meeting to order at 7:30 p.m. Township Hall, Brookside, New Jersey.

ROLL CALL:	Mr. Baumann	Present
	Mr. Strobel	Present
	Mrs. Thomas	Present
	Mr. Tolley	Present
	Mayor Merkt	Present

Also Present: John M. Mills, III, Esq., Township Attorney
Stephen Mountain, Township Administrator
Kathleen Potter, Township Clerk

PLEDGE OF ALLEGIANCE

ADEQUATE NOTICE: Mrs. Potter read the following statement: 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 Star Ledger, Observer Tribune and the Daily Record on January 3, 2013 and January 25, 2013; Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

APPROVAL OF MINUTES

Mayor Merkt called for a motion to move the executive session meeting minutes from December 18, 2012. Mr. Tolley so moved. Mrs. Thomas seconded. All members voted to approve, except Mr. Baumann abstained.

Mayor Merkt called for a motion to move the regular meeting minutes from January 14, 2013. Mrs. Thomas so moved. Mr. Baumann seconded. All members voted to approve, except Mr. Strobel abstained.

Mayor Merkt called for a motion to move the executive session meeting minutes from January 14, 2013. Mr. Baumann so moved. Mr. Tolley seconded. All members voted to approve, except Mr. Strobel abstained.

DISCUSSION

Mrs. Thomas stated that she and about 15 residents attended the first Community Emergency Response Team class. Those who complete the class can legally help with any OEM situation.

Mayor Merkt said that he attended the Governor's Winter Summit which offered opportunity to hear about the effects of Hurricane Sandy.

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COMMITTEE REPORTS

Mr. Mountain stated that the Finance Committee met about a week ago to discuss final details regarding the budget book, which was distributed at the special meeting. A budget meeting is scheduled for 9:00 a.m., Saturday, February 2, 2013. All budget meetings are open to the public and the schedule is posted on the website.

Mayor Merkt announced that the next mayor's meeting is schedule for January 31, 2013 in Chester.

HEARING PERSONS PRESENT

Erika Kantor, 7 Thackery Lane

Ms. Kantor asked for an update regarding an ongoing issue with a property on Thackery Lane. She noted the continued barking and constant presence of employees. Mr. Mountain stated that he will meet with the animal control officer to review the enforcement of the new Ordinance. Mr. Mills added that, while there has not been progress on the existing municipal court complaints filed in Chester, he anticipated relief by the spring. Ms. Kantor added that there are no permanent residents at the home. Mr. Mills recommended filing a new complaint. Mr. Strobel noted that dog license renewals are due January 31, 2013 and added that the Ordinance is intended to be enforced throughout the municipality.

Michael Merritt, 73 Mountainside Road

Mr. Merritt questioned if members of the Township Committee were receiving health benefits and it was confirmed that no members are receiving benefits at this time.

ANNOUNCEMENTS

No further announcements.

OLD BUSINESS

Ordinance Public Hearing

ORDINANCE 2013-01

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN MENDHAM TOWNSHIP, NEW JERSEY.

Mayor Merkt read the Ordinance by title and called for a motion. Mrs. Thomas so moved. Mr. Strobel seconded. The meeting was open to public hearing.

Michael Merritt, 73 Mountainside Road

Mr. Merritt noted the importance of Comcast addressing the lack of communication among the company's staff and to customers during the hurricane. He stated that no guidance regarding the duration of the outage was provided during the three weeks he had no internet, phone or cable. There was discussion regarding filing complaints with the Board of Public Utilities. Mr. Strobel recommended requesting a report of customer service as allowed in Section 9 of the Ordinance.

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There being no further comments public hearing was closed. All members voted to approve.

NEW BUSINESS

Ordinance Introduction

ORDINANCE 2013-02

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 2012-03 OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY FINALLY ADOPTED APRIL 24, 2012, AS AMENDED BY BOND ORDINANCE #2012-06 OF THE TOWNSHIP FINALLY ADOPTED JULY 24, 2012, IN ORDER TO CLARIFY SOURCES OF NON-DEBT FUNDING.

Mayor Merkt read the Ordinance by title and called for a motion. Mrs. Thomas so moved. Mr. Strobel seconded. Mr. Mountain gave a brief explanation. All members present voted to approve. This ordinance is scheduled for 2nd reading and public hearing on February 11, 2013.

Resolutions

RESOLUTION 2013-20

AUTHORIZING PAYMENT OF BILLS

Mayor Merkt read the resolution by title and called for a motion. Mr. Tolley so moved. Mrs. Thomas seconded. All members voted to approve.

RESOLUTION 2013-21

AUTHORIZING REFUND OF STATE TAX APPEALS

Mayor Merkt read the resolution by title and called for a motion. Mr. Strobel so moved. Mr. Baumann seconded. All members voted to approve.

RESOLUTION 2013-22

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY TO CANCEL CAPITAL APPROPRIATION BALANCES

Mayor Merkt read the resolution by title and called for a motion. Mr. Tolley so moved. Mr. Baumann seconded. All members voted to approve.

RESOLUTION 2013-23

AUTHORIZING AGREEMENT WITH NISIVOCCIA & COMPANY LLP
MUNICIPAL AUDITOR FOR THE YEAR 2013

Mayor Merkt read the resolution by title and called for a motion. Mrs. Thomas so moved. Mr. Strobel seconded. All members voted to approve.

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RESOLUTION 2013-24

**APPOINTING MEMBERS TO TOWNSHIP BOARDS, COMMITTEES
AND COMMISSIONS**

Mayor Merkt read the resolution by title and called for a motion. Mr. Tolley so moved. Mr. Strobel seconded. All members voted to approve.

RESOLUTION 2013-25

APPROVING RAFFLE LICENSES

Mayor Merkt read the resolution by title and called for a motion. Mr. Tolley so moved. Mr. Baumann seconded. All members voted to approve.

RESOLUTION 2013-26

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Tax Appeal Update

Personnel - Finance Department

Contract - T&R Performance Measurement Proposal

MC Municipal Utilities Recycling Contract

Mayor Merkt read the resolution by title and called for a motion. Mr. Strobel so moved. Mr. Baumann seconded. All members voted to approve.

DISCUSSION

No further discussion.

HEARING PERSONS PRESENT

There being no comment, hearing persons present was closed.

EXECUTIVE SESSION

Upon motion duly made the Committee entered executive session at 8:15 p.m.

The Committee returned from executive session at 9:05 p.m.

ADJOURN

Upon a motion made and seconded the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk