



Founded 1749

**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
October 9, 2018  
Minutes of Regular Session 7:30 PM**

**1. ROLL CALL:**

Mr. Cioppettini Present  
Ms. Duarte Present  
Mr. Gisser Present  
Ms. Neibart Present  
Mayor Diegnan Present

Also present:

Thomas Satery, Attorney  
Debbie Bonanno, Township Administrator  
Maria Coppinger, Township Clerk

**2. SALUTE TO THE FLAG**

**3. 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 Observer Tribune and Daily Record on January 4, 2018. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

**4. PROCLAMATION**

Honoring Ms. April Kater - Mayor Diegnan read the proclamation which will be presented to Ms. Kater during the football game on Friday, October 12<sup>th</sup>.

**5. ANNOUNCEMENTS/REPORTS**

Mayor Diegnan made the following announcements:

- Ralston Cider Mill will host their annual apple pressing event on October 13<sup>th</sup> from 1-5PM.
- Ralston Cider Mill Museum will be open for public tours every Saturday and Sunday in October.
- Morris County Municipal Utilities Authority household hazardous waste collection is scheduled for October 13<sup>th</sup> at Chatham High School.
- Voter registration deadline for the upcoming general election is October 16<sup>th</sup> and the vote-by-mail deadline is October 30<sup>th</sup>.
- Board of Health will sponsor a free rabies clinic on November 3<sup>rd</sup>.
- Friday Night Lights football game is scheduled for October 12<sup>th</sup>.
- Ralston Playground is delayed due to the weather. The grand opening of the playground will hopefully take place at the end of October.

Ms. Duarte made the following announcements:

- Office hours scheduled for October 12<sup>th</sup>.
- The Township Committee will sponsor a presentation by Jersey Central Power and Light (JCP&L) on October 17<sup>th</sup>. Residents will hear from Area Manager, Rob Walton, on the storm restoration process.

- This week is Mental Health Awareness Week and Morris County Stigma-Free Communities Initiative is encouraging residents to please sign the online pledge to end the stigma around mental health and substance abuse disorders.
- October is Fire Prevention Month – The Brookside Engine Company is partnering with the library on a children’s program which will be held on October 10<sup>th</sup>. Brookside Engine Company will also host a program at the elementary school on October 26<sup>th</sup>.
- The Ralston Engine Company is coordinating with local departments a recruitment night at the Friday Night Lights football game. The companies will also be present to support the high school for their Red Bandana night which is an event in memory of Welles Remy Crowther of Nayack, NY.

Mr. Cioppettini made the following announcement:

- The first finance committee meeting is scheduled for October 23<sup>rd</sup> to discuss the 2019 budget.

Ms. Neibart made the following announcement:

- The next meeting of the Ad Hoc Shared Services Committee is scheduled for October 17<sup>th</sup>. The committee will be reviewing animal pounds/shelters, animal control and recreation services.

Mr. Gisser made the following announcements:

- The open house for Brookside Engine Company is tentatively scheduled for November 11<sup>th</sup>.
- The K-8 district HSA is hosting an event on October 28<sup>th</sup>.
- A very productive meeting was held with Superintendent of Schools Dr. Constantino, Business Administrator Ms. Mosner, Debbie Bonanno and Karen Fornaro.

## 6. OPEN TO THE PUBLIC ON AGENDA ITEMS

Trish O’Brien – 3 East Ridge Road – She is excited to see resolution no. 2018-168 on the agenda and that the funds are going towards the playground.

Diana Orban Brown – Ironia Road - She expected to see a revised fire ordinance on tonight’s agenda. Mayor Diegnan commented that a revised fire ordinance will be on the agenda at the next meeting.

Bob Wowk 12 Cooper Road – He advised the Township Committee that the budget meeting dates have not been posted on the website. He asked if information on the SALT deductions could also be posted on the website. Mr. Cioppettini expressed that the rulings, that have been received, would not allow for charitable contributions to go against property taxes so we do not want to mislead anyone with that information. Ms. Bonanno expressed that the Chief Financial Officer is in the process of outlining what all is involved with the deductions.

Rimma Nielsen – Representative for Woodland Lakes – She wanted to know the township’s commitment to widen Shores Road due to the increase traffic when the development of 9 Shores Road is complete. Mayor Diegnan will address the question during the second reading of the ordinance which is on the agenda.

## 7. APPROVAL OF MINUTES

Regular Meeting of August 28, 2018

**Ms. Duarte moved. Mr. Cioppettini seconded.**

**Roll call vote: All members present voted to approve except for Ms. Neibart who abstained.**

Executive Meeting of August 28, 2018

**Mr. Gisser moved. Mr. Cioppettini seconded.**

**Roll call vote: All members present voted to approve except for Ms. Neibart who abstained.**

## 8. RESOLUTIONS

**2018-166** Resolution of the Township Committee of the Township of Mendham Authorizing the Appointment of Joseph Fronapfel to the Position of Season Laborer

**Mr. Gisser moved. Ms. Neibart seconded.**

**Roll call vote: All members present voted to approve.**

**2018-167** Resolution of the Township Committee of the Township of Mendham Authorizing a Contract for Auction Services to Max Spann R.E. & Auction Co. for the Sale of Certain Land and Property No Longer Needed for Public Use by the Township of Mendham

**Ms. Duarte moved. Ms. Neibart seconded.**

**Roll call vote: All members present voted to approve.**

**2018-168** Resolution of The Township Committee of The Township of Mendham Accepting the Sum of \$5,449.83 From West Morris Woman's Junior Club

**Ms. Duarte moved. Mr. Gisser seconded.**

Mayor Diegnan and Ms. Duarte thanked the West Morris Woman's Junior Club for their assistance with the playground.

**Roll call vote: All members present voted to approve.**

**2018-169** Resolution for the Township Committee of the Township of Mendham Authorizing the Payment of Bills

**Mr. Cioppettini moved. Ms. Duarte seconded.**

**Roll call vote: All members present voted to approve.**

## **9. ORDINANCES FOR ADOPTION**

**14-2018** An Ordinance of the Township of Mendham Amending Chapter 21 Section 2.2 'Zoning Map' (1 Cold Hill Road, Block 131.01, Lot 1)

**Mr. Gisser moved. Ms. Neibart seconded.**

Mayor Diegnan opened the meeting to the public. Seeing no hands and hearing no voice Mayor Diegnan closed the meeting to public.

**Roll call vote: All members present voted to approve.**

**15-2018** An Ordinance of the Township of Mendham Amending Chapter 21 Section 2.2 'Zoning Map' (2 Shores Road, Block 127, Lot 29)

**Mr. Gisser moved. Ms. Neibart seconded.**

Mayor Diegnan opened the meeting to the public.

William Kloehn – 3 Reservoir Ridge Lane - He expressed that the re-zoning of 2 Shores Road property will make his property illiquid and virtually unsellable. He has been advised that the re-zoning would cause a severe reduction in the value of his property. He expressed that there has been a lack of information from the Township and the builders. However, he received notices from the township and builder, last week. He expressed that the situation is extremely dire and does not approve of the ordinance unless the builders buy his property.

Eric Mauriello – 6 Woodlawn Terrace - His property is also adjacent to the Shores Road property. He expressed that the project makes sense for the town and for Shores Road. He mentioned that there are some properties (R-3) that are at risk of losing value and to mitigate that risk, the project needs to be executed on point. He is frustrated with the process and feels it is backwards since the township is approving the zoning prior to seeing the plans. He also has requested to see a screening plan.

William Kloehn – 3 Reservoir Ridge Lane – He spoke to the builder regarding the screening plan and the builder expressed that they will take existing trees and move them to the boarder of the property.

Heide Blair Herms - 5 Reservoir Ridge Road - She is also very concern with her property value and the screening plan since, right now, there is a lot of privacy. The builder mentioned moving mature trees for the screening plan however she is very concern with the property value.

Karen Muha - 7 Shores Road – She lives right next door to the potential development and she cannot wait for the builders to start digging. She cannot wait for the builders to have an opportunity to change this property into something lovely.

Steve Baum – 9 Shores Road – He is one of the developers and owners of 2 Shores Road. They have done everything they could, to reach out to the community, to advise them of their intentions. They are small developers looking to do the right thing and will continue to reach out to the community throughout the entire process. He disagrees with the comments that the development of Shores Road would decrease the value of certain properties. He expressed that their intentions are positive compared to what was there prior. They are working with local professionals, who are aware of the local laws, historic character and style, to deliver a fantastic product.

William Kloehn – 3 Reservoir Ridge Lane – He commented that he heard the builder say that he will do everything to not diminish the value of his own property however Mr. Kloehn wanted to know what the builders are doing to not diminish the value of the other properties. He hopes the committee resolves all the issues so the planning process could move forward.

Mayor Diegnan addressed Ms. Nielsen’s question regarding the request to widen Shore Road. He expressed that the Township Committee has no intentions on widening Shores Road and that the Planning Board is the one to review the application not the Township Committee. He also commented that the screening plan is also something that has to be reviewed and approved with the Planning Board. Mayor Diegnan expressed that the Township Committee has received legal advice from the Planning Board Attorney and Township Attorney on the procedure to re-zone a property. He also mentioned that the property is in an R-3 zone which allows for three homes to be built. The rezoning will permit an increase of two to three homes to be built on the property.

Ms. Duarte encouraged the public to attend upcoming Planning Board meetings.

Mr. Cioppettini commented that the committee has no evidence if this project will increase or decrease property values but expressed that property taxes are a greater deterrent in the value of a property. He believes that the developers have been forthright and the planning board will get it right.

Ms. Neibart echoed Mr. Cioppettini’s comments. The three things that helped Ms. Neibart with moving the rezoning forward was that the project would assist with bringing young families to Mendham Township, the builder’s plan to maintain the historical characters of the homes and that the development will help with an increase in tax base. She clarified that they are making a decision on the zoning and not on the plans for the project.

Mr. Gisser is comfortable with the decision to move forward on the re-zoning ordinance.

Mayor Diegnan commented that the township has a highly capable Planning Board and he is very comfortable with them reviewing any application to make sure they preserve what is in the best interest of the town.

**Roll call vote: All members present voted to approve. (Ordinance 15-2018)**

**16-2018** To Repeal Ordinance 11-2018, Entitled “An Ordinance Township of Mendham Morris County – New Jersey Authorizing the Sale of Certain Lands and Premises No Longer Needed for Municipal Purposes (Land and Frontage Situate on Ballantine Road Mendham Township, New Jersey – Pitney Property)”

**Mr. Gisser moved. Ms. Neibart seconded.**

Mayor Diegnan opened the meeting to the public. Seeing no hands and hearing no voice Mayor Diegnan closed the meeting to public.

**Roll call vote: All members present voted to approve.**

**17-2018** Authorizing the Public Sale at Auction of Tax Lot 1, Block 131.01 (1 Cold Hill Road – A/K/A The “Pitney Property”), In the Township of Mendham, Morris County, New Jersey Pursuant to N.J.S.A. 40a:12-13(A)

**Mr. Gisser moved. Mr. Cioppettini seconded.**

Diane Orban Brown – She asked for clarification on the rezoning of the five acres versus the seven acres. Mr. Gisser provided clarification on the rezoning.

Peter Dumovic – 3 Shelton Road – He is a supporter of repealing ordinances 16-2018, 17-2018 and resolution 2018-168. He commented that it is important to hear the details on how the Pitney property will be marketed since the

ordinance does not reflect those details. Mayor Diegnan noted that the bid specifications will be advertised by Max Spann.

Nick Monaghan – 20 West Main Street - He supports the ordinance to sell the property and believes it brings closure. He wanted to know if the auction would be a matter of finances or based on a qualified buyer. Attorney Satory commented that there are certain bid specifications that the bidders would have to adhere to.

**Roll call vote: All members present voted to approve.**

Mayor Diegnan mentioned the timeline for the auction process.

## 10. DISCUSSION/PRESENTATIONS

**Mayor Diegnan made a motion to change the start time for the next township committee meeting from 7:30 PM to 6:00PM. Mr. Gisser seconded the motion. All members present voted to approve except for Ms. Neibart who abstained.**

Mayor Diegnan commented that the Pitney Seven Acres Task Force met and they have made terrific progress. The Task Force met with residents living in the surrounding neighborhoods to gather ideas about the Pitney Property. Phase I will be presented to the public in November.

Ms. Duarte made the following comments:

- The Environmental Commission and the Raritan Headwater Association held a well-water testing campaign. Fifty (50) homeowners participated and the campaign was very successful.
- The fire companies have been working on the pending fire ordinance. She attended the Ralston Fire Company meeting regarding the bid specification for their new truck.
- The Stigma-Free Committee will look at the Borough of Paramus, as a model for ideas to use across the Mendhams. The Chief of Police is working with the schools on different programs. The committee spoke about hosting a health and wellness community fair in the upcoming year. The committee has discussed formalizing the Stigma -Free Committee but waiting until next year to do so.
- She circulated an ordinance to the committee to establish a permanent Communications Committee. . She expressed that a couple of residents have expressed interest in the committee and she would like the ordinance to move forward.

Ms. Neibart made the following comments:

- The Ad Hoc Shared Service Committee met a couple of times to discuss the Department of Public Works. They discussed a miller, inter-municipality paving crew, taking inventory of all budgetary items, inter-municipality schedule and animal control services. They also discussed sharing services for a dog park.

Mr. Gisser made the following comments:

- The condensed proposal for the dredging of Brookside Beach was circulated and he asked for the committee's approval to move forward with the dredging. The cost for the dredging has been included in the budget. Discussion continued on the dredging of Brookside Beach

**Motion was made by Mr. Cioppettini to move forward with the dredging of Brookside. Mr. Duarte seconded the motion. Roll call vote: All members present voted to approve.**

11. **2018-170** Resolution for the Township Committee of the Township of Mendham Authorizing Discussion without the Presence of the Public – Personnel Matters / Legal Matters

**Ms. Duarte moved. Ms. Neibart seconded.**

**Roll call vote: All members present voted to approve.**

## 12. OPEN TO THE PUBLIC:

Nick Monaghan – 20 West Main Street - Thanked Ms. Neibart for the update on shared services. He is glad that the committee is moving forward with the dredging of Brookside Beach. He suggested setting targets and reviewing those targets after a couple of years so the township could have some more objective data.

Diana Orban Brown – Ironia Road – She sent an email to the Mayor and Administrator regarding resolution 2018-160 about the changes in the personnel policy. She had some questions regarding the resolutions and was hoping to get some clarity.

Patricia Zimmerman – 3 West Main Street – She excited for the candidates’ forum and she hoping that the candidates come together for the forum.

Peter Dumovic – 3 Shelton Road – He echoes Mrs. Zimmerman’s comments about the candidate’s forum. He announced that the library will host an “Out of your Mind” fundraiser on Thursday, October 25 at the Brookside Community Club.

Kimberly Gavagan - 10 Kennaday Road – She supports the township forming a permanent communication committee. She has experience in the field and noted that communication is constantly changing. She also supports the idea of a dog park.

### 13. ADJOURN

The Township Committee entered into Execution Session at 9:30 PM and returned at 9:45PM.

**Ms. Duarte moved. Ms. Neibart seconded.**

**Roll call vote: All members present voted to approve.**

Respectfully Submitted,

Maria Coppinger, Township Clerk

Distributed: 12/07/18

Approved: 12/10/18