

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
NOVEMBER 12, 2013**

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

ROLL CALL:	Mr. Baumann	Absent
	Mr. Strobel	Absent
	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:** 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 3, 2013. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

**RECAP ON POST EXECUTIVE SESSION ACTIONS**

There was no post executive session action taken.

**PRESENTATIONS**

McMATCH Award

The Township came in first place in the competition to collect donations for the food pantry. Mayor Merkt gave a special thanks to Elizabeth Rego and Rita Schmidt for their hard work promoting and collecting for the drive. The plaque was presented to Ms. Rego.

Pitney Farm Public Purpose Study Committee – Omie Ryan

Ms. Ryan presented a summary of the formation of the subcommittee. The volunteer group is composed of residents and nonresidents, many with professional expertise offering their services pro bono. She wished to gain agreement on an articulate and clear charge from the Township Committee.

Ms. Ryan presented the following charge:

“Charge by the Township Committee of the Township of Mendham to the Pitney Farm Public Purpose Committee: The Pitney Farm Public Purpose Committee is charged with the task of examining feasibility of locating a core public and municipal function to the Pitney Farm

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
NOVEMBER 12, 2013**

property. As part of this effort the Pitney Farm Public Purpose Committee will 1) evaluate the suitability of the site and develop a conceptual proposal for compatible future uses; 2) identify funding strategy; 3) assess community support for new uses of the site. At the end of this examination the Pitney Farm Public Purpose Committee will report its finding to the Township Committee as a presentation and written report by the end of January 2014. This committee will be made up of resident and nonresident volunteers who have an interest in the property or a relevant expertise.”

Ms. Ryan asked if one or multiple options should be studied and proposed. She stated that the group is also assuming that funding will be sought from outside sources, such as public and private grants. She proposed returning in January with a status report on their progress and hopefully a final feasibility study in February.

Mayor Merkt believed that a single core purpose would be sufficient, but more than one option is also acceptable. He noted that certain options may easily eliminate themselves. For example a police department in that location would place two departments within less than a mile of each other. He didn’t want to prejudice the considerations of the subcommittee by limiting their research and scope.

Mayor Merkt stated that there are two key issues. 1) is there a core purpose that justifies the Township’s continuous investment in the property and; 2) how will the project be funded. He noted that the Township can maintain support for activities that are already conducted; however, cannot contribute to the capital. The Township is already overcommitted and working to reduce high debt service. He said that operating issues can be discussed down the road; however, the property is currently self-sustainable.

Mr. Tolley added that, while they are looking for a key purpose, there may be many tiers related to that purpose. The multiple options must work in harmony.

**APPROVAL OF MINUTES**

Mayor Merkt called for a motion to move the regular meeting minutes from October 29, 2013. Mrs. Thomas so moved. Mr. Tolley seconded. All members present voted to approve.

Mayor Merkt called for a motion to move the executive session meeting minutes from October 29, 2013. Mrs. Thomas so moved. Mr. Tolley seconded. All members present voted to approve.

**DISCUSSION**

Farmers Market Correspondence

Co-chairs Diane Tolley and Melanie Edwards were present to address their letter to the Committee. Ms. Tolley explained that the Green Team is requesting to hold the Farmers Market at Pitney Farm on Saturdays in June through October. They believe it will be a perfect fit since the market is low impact.

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
NOVEMBER 12, 2013**

Mr. Mountain added that Chief Crawford approved the event; however, wants to view the final layout. Ms. Tolley noted her intentions to involve the Police Department when creating the layout. She confirmed that there will be no permanent physical changes. She requested that a sign be posted at the entrance of the property so people are aware of the location.

Mayor Merkt stated that signage will be discussed at a later date. Mrs. Thomas said that Pitney is a very appropriate location for the Farmers Market. She agreed that signage should be discussed after the final report is presented. Mr. Tolley agreed Pitney is an appropriate location and will not interfere with the subcommittee. He questioned the number of booths and Ms. Tolley stated that there are usually between 9 and 11 vendors.

Mr. Mountain confirmed that there will be no interference and the event will increase people's awareness of the property.

Mayor Merkt asked Mr. Mills to memorialize the Committee's decision in a resolution to be adopted at the next meeting.

**Sign Ordinance**

Mayor Merkt asked Mr. Milles to prepare an ordinance incorporating the Planning Board recommendations.

**Report on India Brook Park Buildings**

Mayor Merkt noted the report and asked if the Committee had any further questions. Mr. Tolley suggested that the Facilities Committee also examine Pitney and work with the Pitney Subcommittee.

**COMMITTEE REPORTS**

Mrs. Thomas stated that the Finance Committee is now in capital budget review. Mr. Tolley noted that he met with a library representative to discuss future planning.

**HEARING PERSONS PRESENT**

David Bailin, 10 Washington Valley Road

Mr. Bailin questioned the hunting in Dismal Harmony and requested repair to a damaged bridge. Mr. Mountain stated that an eagle scout is planning to fix the bridge, which should be completed by spring. He clarified that the parks are not closed during bow hunting since hunters are present only during hours when the public does not use the property.

There being no further comments, hearing persons present was closed.

**ANNOUNCEMENTS**

Mayor Merkt congratulated Mrs. Thomas and Mr. Tolley on their reelection. He noted that the public comment regarding possible merger discussions with Mendham Borough received an

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
NOVEMBER 12, 2013**

overwhelmingly positive outcome, with 1,588 votes in favor and 222 votes against. He suggested reaching out to the Borough to propose discussion and memorializing the Committee's intentions with a resolution.

Mrs. Thomas supported the resolution and hoped that the Borough saw discussions as a positive opportunity. Mr. Tolley didn't see the need for a resolution and suggested that Mayor Merkt personally reach out to the Council. Mayor Merkt asked Mr. Mills to prepare the resolution.

Mayor Merkt stated that recent meetings with JCP&L regarding pole replacement have been successful. He urged residents to inform Mr. Mountain of any concerns.

Mayor Merkt took a moment to recognize the DPW for the work repairing and cleaning the town after Superstorm Sandy. Mr. Tolley and Mrs. Thomas agreed they have done an excellent job with cleanup while still completing their everyday tasks.

**OLD BUSINESS**

**Ordinance Public Hearing**

**ORDINANCE 9-2013**

AN ORDINANCE OF THE TOWNSHIP OF MENDHAM DELETING CHAPTER 20 "SOIL EXTRACTION REGULATIONS" AND CHAPTER 24 "LOT DEVELOPMENT PERMIT" AND CREATING A NEW CHAPTER 20 "LAND DISTURBANCE"

Mayor Merkt read the ordinance by title and called for a motion to table the ordinance with public hearing on November 29, 2013. Mrs. Thomas so moved. Mr. Tolley seconded. All members present voted to approve.

**ORDINANCE 11-2013**

BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE #2013-4 OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY FINALLY ADOPTED APRIL 23, 2013.

Mayor Merkt read the ordinance by title and called for a motion to table the ordinance with public hearing on November 29, 2013. Mr. Tolley so moved. Mrs. Thomas seconded. All members present voted to approve.

**NEW BUSINESS**

**Resolutions**

**RESOLUTION 2013-141**

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 present voted to approve.

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
NOVEMBER 12, 2013**

**RESOLUTION 2013-142**

**CHANGE IN MONETARY AMOUNT IN PETTY CASH FUND**

Mayor Merkt read the resolution by title and called for a motion. Mr. Tolley so moved. Mrs. Thomas seconded. After a brief discussion, there will be a \$100.00 cap for each individual. All members present voted to approve.

**RESOLUTION 2013-143**

**AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP  
OF MENDHAM AND EDMUNDS & ASSOCIATES, INC. FOR APPLICATION  
SOFTWARE SUPPORT AND HARDWARE AND SYSTEM SOFTWARE SUPPORT**

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

**RESOLUTION 2013-144**

**APPOINTING ELIZABETH FOLEY TO THE POSITION OF PLANNING BOARD /  
BOARD OF ADJUSTMENT SECRETARY AND CONSTRUCTION ASSISTANT**

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

**RESOLUTION 2013-145**

**APPOINTING SUE PISCITELLO TO THE POSITION OF TAX ASSESSOR'S  
ASSISTANT/ BOARD OF HEALTH SECRETARY**

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

**RESOLUTION 2013-146**

**AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC**

Matters pertaining to:

Contract – Police Negotiation Update

Litigation – Thackery Lane

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

**DISCUSSION**

Mr. Mountain noted that the Board of Public Utilities can schedule a meeting in December; however, they would first like to meet with a subcommittee to discuss the issues.

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
NOVEMBER 12, 2013**

**HEARING PERSONS PRESENT**

David Bailin, 10 Washington Valley Road

Mr. Bailin was pleased to hear the positive comments regarding the DPW. The Township is fortunate to have a sufficient road department. He recommended expressing appreciation in a more formal manner.

There being no further comment hearing persons present was closed.

**EXECUTIVE SESSION**

The Committee entered into executive session at 8:25 p.m.

The Committee returned from executive session at 8:40 p.m.

**ADJOURN**

Upon a motion made and seconded the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk