



Founded 1749

**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM**

**November 13, 2017  
Regular Session 7:30 PM**

**ROLL CALL**

Mr. Baumann	Absent
Mr. Cioppettini	Present
Mr. Diegnan	Absent
Mr. Gisser	Present
Mayor Orban Brown	Present

Also Present: John M. Mills, III, Esq., Township Attorney  
Debbie Bonanno, Administrator  
Mary Beth Zichelli, Township Clerk  
Karen Fornaro, CFO

**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 7, 2017. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

**ANNOUNCEMENTS**

**Veteran's Day**-The Mayor thanked all veteran's for their service.

**Elections** - The Mayor congratulated Amalia Duarte on her election to the Township Committee and commended the candidate Rick Blood for an excellent campaign.

**Mendham Boys Cross Country Team** won their group 3 division. It was the first time they won in a long time.

**West Morris Soccer Club** will be in the semifinals on November 14<sup>th</sup>.

**The Mayor** announced that the subdivision of Pitney property was approved by the Board of Adjustment on Thursday, November 9<sup>th</sup>. It consists of 7 acres for open space, 1 ½ acres for civic purposes, and under 4 acres for bidding for a private developer.

**Mr. Cioppettini** announced that there would be a meeting to discuss the best way to enhance the property before it is put up for sale before the end of the year.

**Boards/committees Appointments** - The Mayor asked the Clerk to send a letter to every board or committee member who is up for reappointment to ask them to state their desire to continue to be on the board and some of their goals. She also asked to copy the Chairperson on the letter. The Mayor would like to notify the newspapers regarding the committees, so we would have resumes of interested volunteers on file.

**Michael R. Bello** has applied to be a senior firefighter at the Brookside Engine Co. #1. He is a junior firefighter now.

## **APPROVAL OF MINUTES**

October 24, 2017, regular session

Mayor Orban Brown called for a motion. Mr. Gisser moved. Mr. Cioppettini seconded. All members present voted to approve.

October 24, 2017, executive session

Mayor Orban Brown called for a motion. Mr. Gisser moved. Mr. Cioppettini seconded. All members present voted to approve.

## **ORDINANCES**

### **ORDINANCE FOR SECOND READING**

#### **ORDINANCE 2017-13**

#### **CREATING A NEW CHAPTER NUMBER 259 TO BE KNOWN AS PROPERTY MAINTENANCE – DUTIES OF OWNERS WITH RESPECT TO DANGEROUS CONDITIONS IN THE MUNICIPAL RIGHT OF WAY**

This ordinance was introduced on first reading on October 24, 2017. The Mayor called for a motion to adopt. Mr. Cioppettini moved. Mr. Gisser seconded. This was on for first reading on October 24<sup>th</sup>.

**Nick Monahan, 20 West Main Street**, asked what the scope of the problem is and what the savings to the town is.

**Brian Hayes, chairman of the Tree Committee**, knows the consideration of this is due to the emerald ash borer, but feels the 14 day requirement is too strict since finding a tree company could be difficult in a short time frame if the ash borer hits hard.

**Peter Dumovic, 3 Shelton Road**, agrees that 14 days is too brief and suggests 30 or 60 days.

**Patricia Zimmerman, 3 West Main Street**, asked what happens if a resident places a fence in the right of way. Mr. Mills stated that the ordinance states that no such object shall interfere with sight distance of any property.

**Amalia Duarte, 22 Brockton Drive**, agreed with the extended time frame.

**Mr. Cioppettini** asked Mr. Mills if changing the timeframe from 14 to 45 was a simple amendment that would not interfere with adopting the ordinance. Mr. Mills said it was okay to amend it.

**The Mayor** stated the reason for the ordinance was because of the Emerald Ash Borer and the township has no idea how many trees will be infected. She went on to say that there have been numerous instances where there are dead or dying trees that homeowners expect them to be removed at the expense of the Township. The Township has learned that if the trees are infected it is dangerous to cut them down and really should be removed prior to infestation.

**Mr. Gisser** estimated the scope to be about 30%, but wanted to clarify the tree ordinance still applies; permits required, etc.

**Mr. Cioppettini** moved to amend the ordinance to reflect 45 days.

A roll call was taken and all members present voted to approve.

## **NEW BUSINESS**

### **ORDINANCES**

#### **ORDINANCE FOR FIRST READING**

##### **2017-14**

#### **AN ORDINANCE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AMENDING THE SEWER SERVICE CHARGES FOR THE MENDHAM EAST WATER POLLUTION CONTROL SYSTEM**

Mayor Orban Brown called for a motion. Mr. Gisser moved. Mr. Diegnan seconded. Second reading and public hearing will be November 28, 2017. Mr. Cioppettini announced that the finance committee presented a spreadsheet with the rate increase to the Mendham Sewer East Committee, that would be valid for 6-7 years as long as they did their projections correctly. The Finance Committee asked the MSE Committee to communicate the information with the rest of Drakewick residents and our CFO also sent everyone a letter. A roll call was taken. Mr. Diegnan abstained. All other members present voted to introduce.

## **RESOLUTIONS**

### **RESOLUTION 2017-164 (tabled from October 24<sup>th</sup> meeting)**

#### **TO AUTHORIZE AN INTERLOCAL SERVICES AGREEMENT (MASH)**

Mayor Orban Brown called for a motion. Mr. Cioppettini moved. Mr. Gisser seconded. Mr. Cioppettini thanked MASH and Mendham Borough for working together. The Mayor reminded residents that MASH is a service available for doctor's appointments and shopping and encouraged people to take advantage of it. The Mayor also stated she was encouraged about receiving quarterly reports. All members present voted to approve.

### **RESOLUTION 2017-169**

#### **AUTHORIZING REFUND OF OVERPAYMENT OF TAXES DUE TO NJ STATE TAX COURT JUDGMENT**

Mayor Orban Brown called for a motion. Mr. Gisser moved. Mr. Cioppettini seconded. All members present voted to approve.

### **RESOLUTION 2017-170**

#### **AUTHORIZING CHANGE ORDER #3 AND 4 FOR COPPOLA SERVICES, INC. FOR THE MENDHAM EAST WASTEWATER TREATMENT PLANT**

Mayor Orban Brown called for a motion. Mr. Cioppettini moved. Mr. Gisser seconded. Ms. Bonanno explained that change order #3 was to replace a pipe that had built up and was not expected. Change order # 4 was left out of the drawing plan and was decided by the contractors and electrician that it was necessary. Ms. Bonanno also stated that the plant will be up and running soon. All members present voted to approve.

### **RESOLUTION 2017-171**

#### **AUTHORIZING 2017 BUDGET APPROPRIATION TRANSFER**

Mayor Orban Brown called for a motion. Mr. Cioppettini moved. Mr. Gisser seconded. The Mayor commented that this transfer is amazingly less than in past years. All members present voted to approve.

#### **AMENDING 2017 BUDGET INSERTION OF SPECIAL ITEM OF REVENUE FOR "STATE OF NEW JERSEY – RADON AWARENESS PROGRAM"**

Mayor Orban Brown called for a motion. Mr. Gisser moved. Mr. Cioppettini seconded. Ms. Bonanno stated the Environmental Commission will be working on the marketing aspect of these tests. All members present voted to approve.

### **RESOLUTION 2017-173**

#### **APPOINTING DENISE BOBINSKI PART TIME, PERMANENT ADMINISTRATIVE ASSISTANT**

Mayor Orban Brown called for a motion. Mr. Cioppettini moved. Mr. Gisser seconded. All members present voted to approve.

**RESOLUTION 2017-174**

**APPOINTING TYLER SZAREK DPW TRUCK DRIVER/LABORER**

Mayor Orban Brown called for a motion. Mr. Cioppettini moved. Mr. Gisser seconded. All members present voted to approve

**RESOLUTION 2017-175**

**AUTHORIZING PAYMENT OF BILLS**

Mayor Orban Brown called for a motion. Mr. Cioppettini moved. Mr. Gisser seconded. All members present voted to approve

**RESOLUTION 2017-176**

**APPOINTING PAMELA WEINER AS A FULL TIME FINANCE/TAX ASSESSING CLERK**

Mayor Orban Brown called for a motion. Mr. Cioppettini moved. Mr. Gisser seconded. All members present voted to approve

**RESOLUTION 2017-177**

**AUTHORIZING A WRITTEN AGREEMENT AND GENERAL RELEASE BETWEEN ROBERT WYSOKOWSKI AND THE TOWNSHIP OF MENDHAM AND THE TOWNSHIP OF MENDHAM POLICE DEPARTMENT**

Mayor Orban Brown called for a motion. Mr. Cioppettini moved. Mr. Gisser seconded. All members present voted to approve

**REPORTS**

**Open Items Update**

**Police Department building** – The Mayor declared that the Chief will come up with a time line. There are many items to take into consideration when deciding the new building, such as the flood zone, possibly the old Ralston firehouse or shared services with the Borough. The Mayor commented that shared services with the Borough are not likely, mainly due to the size of the building and parking.

Mr. Cioppettini noted he would like to find an engineer from town to do pro bono work to help on the plans for building the police station and determining if it can be where it is presently. Mr. Gisser wanted to let residents know that our patrolmen are always out and around the entire township, so there is no reason for concern if it was decided to use Ralston as a police station. The police would still always be accessible to this side of town.

**Pitney rezoning** – Mr. Cioppettini stated it was necessary to explore any zone changes and ways to make enhancements to the property to get the most for our tax dollar. The change in zoning should be done before going to bid. He also said the enhancements would be discussed in closed session at the next meeting.

**Playground plans and cost estimate**—The Mayor said the Recreation Director would be attending the league of municipalities to get ideas of plans and cost for the new playground.

**Assessment Letter** – One of the first assignments of the new hire would be to get a letter out to residents who have had improvements and based on the permits closed out, their house should be reassessed.

**Mosle Preserve** – Mr. Cioppettini has asked Mr. Read to go to bid to get a price to demolish the buildings.

**Expansion of TC Working Committees to Include Residents** – The Mayor commented that this would be addressed by the 2018 Committee.

## HEARING PERSONS PRESENT

**Amalia Duarte, 22 Brockton Drive**, asked about the change order resolution to which Ms. Bonanno and Mr. Gisser explained.

**Patricia Zimmerman, 3 West Main Street**, talked about the tour of the nodes with Verizon.

## DISCUSSION

Mr. Cioppettini noted that he had a couple of areas to find some economies and adjustments. A number of communities have converted to a land use board, which means combining the Board of Adjustments with the Planning Board. It means fewer residents, consistent decision making, saving money, one attorney instead of two and one meeting a month, not two. He asked Mr. Mills to draft the necessary ordinance to combine the two boards.

Mr. Cioppettini noted that the Township has a recreation commission and director and because of the way the ordinance is written, there is a conflict with that. He suggested changing the recreation commission to an open Space, parks and recreation advisory committee.

The Mayor commented that in both cases, it makes good sense. She feels there is less demand for both boards. Getting a quorum for the boards is often difficult and there have been vacancies on the Recreation Commission, possibly due to the five year term commitment.

Mr. Gisser commented that he needs to understand the details, digest all of the information and read the ordinances before he can make a decision.

Mayor Orban Brown reminded the process of posting and advertising the agenda and minutes should be followed.

## ADJOURNMENT

The Township Committee adjourned at 8:50 PM.

Respectfully submitted,



Mary Beth Zichelli  
Township Clerk