

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
DECEMBER 9, 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	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**

*Drive Sober or Get Pulled Over Proclamation*

Mayor Merkt read the proclamation and called for a motion. Mrs. Thomas so moves. Mr. Baumann seconded. All members present voted to approve.

Annual Report - Township Risk Manager

Risk Manager Frank Covelli reviewed recent developments including property coverage changes for 2014. He quickly reviewed the different types of coverage. The Township had no lost time accidents in 2012 or 2013. The MEL Safety Institute now offers two new on-line safety training classes, which are Hazard Communication w/ GHS and Bloodborne Pathogens. The training can be completed by the fire departments and DPW by running the class as a training video.

Mrs. Thomas questioned fire apparatus insurance. Mr. Covelli clarified that vehicles over 15 years old are insured for actual cash value and vehicles newer than 15 years old are insured for replacement cost. Mrs. Thomas asked about protection under the Good Samaritan Law and Mr. Covelli stated that people have total immunity as long as they had good intentions to help a person.

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Mr. Covelli confirmed that there are no areas of the Township exposed or at risk. Mr. Covelli also recommended the adoption of Resolution 2013-158, renewal of dental coverage, since there was a two percent decrease in premiums.

**Mosle Reserve Draft Master Plan**

Township Engineer John Hansen presented the five year vision plan for the property. The draft has been submitted to the Recreation Commission for comments and a revised plan will be presented in January. It was recommended to post the draft of the website in order to receive resident feedback. Committee comments can be submitted to Mr. Mountain.

Mr. Baumann noted that the gate to the park was recently locked and Mr. Mountain stated that the reoccurring issue has to be addressed. Mrs. Thomas questioned trails that are slated for development. It was her understanding that the trails could not be developed due to typography and Mr. Hansen agreed to look into the issue.

Mr. Tolley believed the report would include specific details regarding the plan for the parking lot. Mr. Hansen stated that there is an additional concept plan addressing the chapel and parking lot that will be submitted as a supplement.

Mayor Merkt was concerned about lighting issues and wanted the report to clearly indicate that lights are not permitted in the park. Mr. Tolley commented that lighting is not permitted on any fields. There was a brief discussion regarding the groups that utilize the fields.

Mayor Merkt opened the meeting to the public.

Russ McCabe, 16 Carriage Hill

Mr. McCabe agreed that the lighting issue should be addressed since park usage has been increased. He suggested staggering events and games in order to limit the amount of cars. He noted that people continue to walk the trails through the winter and questioned when hunting was permitted. Mr. Mountain stated that the Wildlife Committee makes a concerted effort to work with the police department and post notice that the park is closed. The park is completely closed only during shotgun hunting which is a short season. He noted that it is impossible to block all access to the walking trails.

There being no further comments hearing persons present was closed.

Mayor Merkt asked Mrs. Thomas to continue running the meeting.

**APPROVAL OF MINUTES**

Mrs. Thomas called for a motion to move the regular and executive session minutes for November 12, 2013. Mr. Tolley so moved and Mayor Merkt seconded. All members present voted to approve.

Mrs. Thomas called for a motion to move the regular and executive session minutes for November 26, 2013. Mayor Merkt so moved and Mr. Tolley seconded. All members present voted to approve except Mr. Baumann abstained.

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**DISCUSSION**

Request for Building Permit Fee Refund – Michael Cannavo, 25 Cold Hill Road  
It was confirmed that there has been no construction. There was consensus that the fee should be refunded and the resolution was added to new business.

**COMMITTEE REPORTS**

Mr. Mountain stated that the Finance Committee has completed the draft capital budget plan. A PowerPoint presentation will be presented to the public at a future meeting.

Mrs. Thomas noted that Mendham TV expanded their programming schedule. She stated that recreation offers many winter programs including ski club. She encouraged residents to check the Township website for events and programs. It was noted that Mendham football team had a commendable season.

**HEARING PERSONS PRESENT**

Pat Zimmerman, 3 West Main Street

Mrs. Zimmerman stated that utility companies should start putting wires underground. She recommended that the Committee discuss the issue when they meet with the BPU. It was noted that the subcommittee will be meeting with the Division of Water; however, will reach out to the proper representative to start discussions.

Michael Merritt, Mountainside Road

As a fire department member Mr. Merritt stated that volunteers spend a lot of time waiting near fallen wires for utility companies to arrive. Estimated times of arrival are not given. He requested to ask the BPU what data is being collected to improve the problem. If they are not collecting data then the Committee should encourage them to do so.

Bob Zimmerman, 3 West Main Street

Mr. Zimmerman noted that the orange cones in front of the post office have been removed, allowing cars to once again cut through the parking lot. He recommended placing a barrel on the corner.

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

**ANNOUNCEMENTS**

Mayor Merkt stated that during his meeting with Mayor Henry regarding the study of a possible merger, Mayor Henry advised that the Borough would rather investigate expanding shared services. Mayor Merkt stated that the Township should explore opportunities for shared services; however, hoped that the merger issue is revisited in the future.

**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"

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Mrs. Thomas read the ordinance by title and called for a motion. Mayor Merkt so moved and Mr. Tolley seconded. The meeting was open to public hearing. There being no comments public hearing was closed. All members present voted to approve.

**NEW BUSINESS**

**Resolutions**

**RESOLUTION 2013-156**

AUTHORIZING PAYMENT OF BILLS

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

**RESOLUTION 2013-157**

APPOINTING KATHY O'SHEA TO THE POSITION OF POLICE MATRON

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

**RESOLUTION 2013-158**

RENEWING THE GROUP DENTAL PROGRAM FOR ELIGIBLE EMPLOYEES  
AND THEIR DEPENDENTS WITH DELTA DENTAL OF NEW JERSEY, INC.

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

**RESOLUTION 2013-159**

2013 BUDGET APPROPRIATION TRANSFER

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

**RESOLUTION 2013-160**

CANCELING CAPITAL APPROPRIATION BALANCES

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

**RESOLUTION 2013-161**

CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN  
AMENDMENT ENTITLED: CHATHAM TOWNSHIP, MORRIS COUNTY, MUNICIPAL CHAPTER  
PROPOSED AMENDMENT TO THE UPPER DELAWARE, UPPER RARITAN AND NORTHEAST  
WATER QUALITY MANAGEMENT PLAN (WQMP)

Mrs. Thomas read the resolution by title and called for a motion. Mr. Baumann so moved. Mr. Tolley seconded. After a brief discussion the Committee decided to take no action. Mayor Merkt made a motion table the resolution and Mr. Tolley seconded. All members present voted to table the resolution.

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**RESOLUTION 2013-162**

AUTHORIZING REDUCTION OF PERFORMANCE BOND - GREEN VIEW ESTATES  
BLOCK 123, LOTS 24, 25, 33, 34, AND 36

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

**RESOLUTION 2013-163**

APPROVING ISSUANCE OF SOCIAL AFFAIR PERMIT  
MORRISTOWN MEMORIAL HEALTH FOUNDATION

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

**RESOLUTION 2013-164**

AUTHORIZING DISPOSAL OF SURPLUS PROPERTY THROUGH GOVDEALS  
ONLINE AUCTION

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

**RESOLUTION 2013-165**

AMENDING 2013 BUDGET  
INSERTION OF SPECIAL ITEM OF REVENUE

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

**RESOLUTION 2013-166**

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Contracts

Personnel

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

**RESOLUTION 2013-167**

AUTHORIZING REFUND OF BUILDING PERMIT FEE  
MICHAEL CANNAVO

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

**DISCUSSION**

Mr. Tolley was disappointed that cars are once again cutting through the post office parking lot. He stated that the cones should be replaced until a permanent solution is found. He recommended placing a sign with a breakaway post or a large flower planter.

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**HEARING PERSONS PRESENT**

There being no comment hearing persons present was closed.

**EXECUTIVE SESSION**

The Committee entered into executive session at 9:10 p.m.

The Committee returned from executive session at 9:30 p.m.

**ADJOURN**

Upon a motion made and seconded the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk