

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
FEBRUARY 26, 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; 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 regular session meeting minutes from February 11, 2013. Mr. Tolley so moved. Mr. Strobel seconded. All members voted to approve.

Mayor Merkt called for a motion to move the executive session meeting minutes from February 11, 2013. Mr. Strobel so moved. Mrs. Thomas seconded. All members voted to approve.

Mayor Merkt called for a motion to move the special session meeting minutes from February 19, 2013. Mr. Tolley so moved. Mr. Strobel seconded. All members voted to approve, except Mr. Baumann and Mrs. Thomas abstained.

DISCUSSION

a. Land Disturbance Ordinance Proposal – John Hansen, Ferriero Engineering
Mr. Ferriero presented a Land Disturbance Ordinance. Mr. Ferriero stated that there are significant gaps in the current ordinance, such as allowing an unregulated numbers of trees to be cut if not constructing a house. Residents will be required to submit plans if disturbing more than 2,500 square feet or creating an impervious surface of more than 1,000 square feet. The permit will be issued by the zoning officer.

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
FEBRUARY 26, 2013**

There was discussion regarding Planning Board review. It was agreed that the definition of 'disturbed' should be added. It was noted that 'steep slope' is defined elsewhere in the Ordinances.

Mr. Ferriero verified that there have been several issues concerning unregulated work affecting storm water control. Mr. Mountain stated that, from an historical perspective, this type of plan review would have been very helpful in the past. Residents can clear cut an area or change the grading in a way that impacts their neighbors; however, the Township can't control the situation.

Mayor Merkt requested a summary of specific cases that justify the Ordinance. There was discussion regarding cost to residents.

b. Zoning Map Update

Mr. Ferriero stated that Ordinance 4-2008 created a Reuse of Existing Building Overlay Zone and the zoning map needs to be updated to match the changes.

c. Regional High School Update

Mayor Merkt noted that Mendham Borough has tentatively approved a resolution authorizing a 2013 budget line item for a share of a feasibility study of two options for reorganizing schools. He added that it is currently unknown whether Mendham Borough's full council will support the resolution, or if Chester Borough and Chester Township will take similar action. Mayor Merkt noted that there was previously no consensus on what options should be studied.

Mayor Merkt stated that the Committee's primary focus is developing a 2013 municipal budget that assures continuation of services. The Township will deliberate adding a budget line item for the feasibility study if the Chesters also demonstrate an interest in the study proposed by Mendham Borough.

Mr. Strobel noted that it was his understanding from one member of the Chester Board of Education that the Chester Board would not be including funding for a study in its budget.

Mr. Tolley recommended reaching out to the mayors of the Chesters and Mendham Borough to discuss the possibility of an agreement.

COMMITTEE REPORTS

Mrs. Thomas noted that the Finance Committee has been meeting to review the budget. A budget workshop that is open to the public is scheduled for 6:30 p.m., March 5, 2013.

HEARING PERSONS PRESENT

Kevin Corbett, 18 Corey Lane

Mr. Corbett stated that progress was made during last year's regional high school discussions, and added that failure does not mean the issue is resolved or dead. Mr. Corbett recommended

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
FEBRUARY 26, 2013**

participating in the study and stated that allocating the funds is a signal that the Township is serious about resolving the issue.

Brian Cavanaugh, Corey Lane

Having property in both the Township and the Borough, Mr. recently urged the Borough Council to work closely with Mendham Township and Chester Borough. He stated that the Township should also support the study of two options following the dissolution of West Morris Regional High School. Mr. Cavanaugh stated that the large number of voters in the Mendhams and Chesters presents a unique opportunity to make progress.

Mayor Merkt stated that he will reach out to the mayors to understand their intentions.

ANNOUNCEMENTS

None

OLD BUSINESS

Mr. Mountain stated that the Tingley Road property remains overgrown; however, the lending institution has submitted a written completion date of March 15, 2013. If the work is not completed by the 15th the Township will act on the Ordinance.

Resolution 2012-31

RESOLUTION OPPOSING A-1196

Mayor Merkt read the resolution by title and called for a motion. Mr. Tolley so moved. Mrs. Thomas seconded. Mr. Strobel stated that he viewed the legislation and agreed with opposition due to the vague terms used. All members voted to approve.

NEW BUSINESS

Resolutions

RESOLUTION 2013-34

AUTHORIZING PAYMENT OF BILLS

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

RESOLUTION 2013-35

AUTHORIZING REFUND OF TAX OVERPAYMENT

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

RESOLUTION 2013-36

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Personnel – Finance Office

Discussion – State Tax Appeal Resolution

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
FEBRUARY 26, 2013**

Pending Litigation – Thackery Lane

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

DISCUSSION

Mr. Strobel noted that a discussion regarding a potential study of the high school coincides with the long budget process. Mayor Merkt's willingness to reach out to the other mayors shows the Township's interest and dedication in the regional high school study.

HEARING PERSONS PRESENT

Michael Merritt, Mountainside Road

Mr. Merritt noted that the volunteers taping the meeting will not be present when the Committee reemerges from Executive Session. In order to keep an accurate record, Mr. Merritt asked that a brief summary of the actions taken after executive session be presented at the start of the next meeting.

Norm Preston, Main Street

Mr. Preston noted that some people are very adamant about getting the funding formula changed and he recommended starting a fundraising program or trust fund account solely for the purpose.

Bob Marino, Mendham Borough

Mr. Marino stated that the Township budgeted a line item for the study last year so re-appropriating will have zero tax impact. He added that the appropriation will demonstrate the Township's willingness to discuss the issue further. Mr. Marino stated that during discussions last year Mendham Township showed a great deal of responsiveness and consideration toward their citizens.

EXECUTIVE SESSION

Upon motion duly made the Committee entered executive session at 8:30 p.m.

The Committee returned from executive session at 9:00 p.m.

RESOLUTION 2013-37

ESTABLISHING ANNUAL SALARY FOR CERTIFIED TAX COLLECTOR

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 2013-38

APPOINTING TERRIS A. GARBARINI AS DEPUTY TAX COLLECTOR/
ASSISTANT FINANCE OFFICER

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

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
FEBRUARY 26, 2013**

RESOLUTION 2013-39

APPOINTING JULIE A. KUPILIK TO THE PART TIME POSITION OF FINANCE
ACCOUNT CLERK

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

ADJOURN

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

Respectfully submitted,

Kathleen Potter, Township Clerk