

TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
APRIL 1, 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
Timothy Day, Chief Financial Officer

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 March 7, 2013; Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

1. PRESENTATIONS

a. Morris County 2013 Budget Overview - Freeholder Budget Subcommittee
Freeholder Hank Lyon stated that the main objective of the County budget was to keep consistent service without raising taxes. This is the first time in 15 years the County budget has no increase. Freeholder Lyon reviewed expenses and budget challenges.

There was discussion regarding funding for the County college and park system. Freeholder Lyon welcomed ideas regarding how to utilize open space tax now that much of the open space in Morris County has been successfully preserved. Mr. Strobel agreed that it would be helpful to use the funds for maintenance of the properties.

The meeting was opened to hearing persons present.

Norm Preston, West Main Street

Mr. Preston recommended using surplus funds to build a softball complex.

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Diana Brown, Ironia Road

Ms. Brown stated that, as a member of the Morris County Open Space Trust Committee, she believes that open space funds are also used for flood mitigation and historic preservation. She said that she will raise the issue for discussion at the next meeting.

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

b. Presentation of K-8 School Budget - Salvatore Constantino, Superintendent
Superintendent Salvatore Constantino reviewed the school's process of creating a student-centered budget. He discussed budget goals, which include continuous improvement in student achievement, providing support for students to meet benchmarks, offering high quality experiences across the curriculum, and having safe and efficient facilities.

Mr. Constantino stated that the 2013-2014 budget will have no increase to the tax levy while still maintaining all school programs. Cost cutting initiatives were reviewed. Mr. Constantino presented an historical look at budget constraints and reviewed sources of revenue.

Mr. Constantino reviewed student achievements, which include:

- MTMS is the Highest Performing Middle School in the State
- MTMS named a NJ Reward School for consistent high achievement and high growth
- MTES named a NJ Reward School for high growth
- Four Morris County athletic titles in 2012/2013
- Award-winning instrumental and vocal program

There was discussion regarding test scores and the reward program. It was confirmed that one teacher recently retired and a replacement will not be hired due to a decline in enrollment. Mr. Constantino stated that class size ranges between 16 and 20 students. He noted that the Mandarin language class will not continue due to low enrollment.

Mr. Baumann questioned staff retention. Mr. Constantino stated that a positive working environment and competitive contract encourage teachers to stay with the system. There was a brief discussion regarding benefits offered to the teachers.

Mr. Strobel stated that the elementary school delivers value to the community and is a model that should be emulated in other communities.

The meeting was opened to hearing persons present.

Peter Dumovic, 3 Shelton Road

Mr. Dumovic applauded the Board for their hard work on the budget. He supported the continued educational improvements.

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Pat Zimmerman, West Main Street

Ms. Zimmerman thanked Mr. Constantino and the Board of Education for continuing to hold the school election in April.

There being no further comment hearing persons present was closed.

2. BUDGET INTRODUCTION

ORDINANCE 2013-05

EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
& ESTABLISH A CAP BANK

Mayor Merkt read the ordinance by title and called for a motion. Mrs. Thomas so moved. Mr. Tolley seconded. All members voted to approve. This ordinance is scheduled for 2nd reading and public hearing on April 23, 2013.

RESOLUTION 2013-45

AUTHORIZING SELF-EXAMINATION OF BUDGET

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

RESOLUTION 2013-46

INTRODUCTION OF THE 2013 MUNICIPAL BUDGET

Mayor Merkt read the resolution by title and called for a motion. Mrs. Thomas so moved. Mr. Tolley seconded. Mrs. Thomas stated that the Finance Committee worked diligently to craft a budget that will continue services in the Township without a great tax increase. She reported that it was difficult to offset major budget drivers, which included a decline in rates, the need to reduce debt, and the high snow removal and hurricane clean-up expenses. Mrs. Thomas stated that there will be a tax increase of \$54.00 per year per \$900,000.00 of assessed value. There will be a detailed budget presentation on April 8, 2013 and a budget public hearing on May 13, 2013.

All members voted to approve.

3. APPROVAL OF MINUTES

Mayor Merkt called for a motion to move the special session meeting minutes from March 5, 2013. Mr. Tolley so moved. Mrs. Thomas seconded. All members voted to approve.

Mayor Merkt called for a motion to move the regular meeting minutes from March 11, 2013. Mr. Baumann so moved. Mr. Strobel seconded. All members voted to approve except Mrs. Thomas abstained.

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

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Mayor Merkt called for a motion to move the special session meeting minutes from March 21, 2013. Mr. Baumann so moved. Mr. Strobel seconded. All members voted to approve.

4. DISCUSSION

a. Non-Binding Referendum – Merging of the Mendhams

Mayor Merkt stated that the Township needs to explore every possible avenue of savings during these tough economic times, adding that it is important to ask residents if they are interested in exploring the possibility of merging with Mendham Borough. He noted that the referendum would be written as objectively as possible and used to gauge the public's sentiment on the issue.

Mr. Tolley stated that the issue should be discussed with Mendham Borough and their mayor. He stated that any substantial change requires public desire. Mayor Merkt responded that he spoke with Mayor Henry to indicate the Township's initiative.

Mr. Baumann stated that the Township and the Borough share many services. He supported making the process a public decision. Mrs. Thomas supported the effort to gain resident feedback. Mr. Strobel supported the non-binding referendum, adding that the key word is "explore" since the idea is to delve into the impact on both towns.

Mayor Merkt noted that a merger is not guaranteed even if both towns support the idea. The referendum is the very beginning of the process. He added that it is still helpful to know if residents do not want to move in such a direction.

b. Draft Mission Statement – Regional School Study

Mr. Tolley stated that there was discussion among the Finance Committee regarding funding a study. He noted that, while the money is available if necessary, the Committee first wants to see interest from the school boards and other municipalities. The mission statement is meant to provide focus if the study moves forward.

Mayor Merkt stated that he desires several additions to the statement. The educational component should specifically state that the communities are seeking to enhance the quality of the schools. The public entities should select the professional who will conduct the study. Mayor Merkt stated that Mendham Borough's minutes revealed that the Committee expected equal contribution from each town in order to move forward with a study. He added that the Township's commitment should be no greater than the other municipalities.

Mr. Strobel stated that there must be an educational component with an emphasis on delivering value to the community. Involvement from the school boards and surrounding municipalities is critical. Mrs. Thomas agreed that there must be support from the school boards and parents. Mr. Baumann stated that the education of the children should be the number one focus, and discussions that distract from that focus are not productive.

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Mr. Strobel noted that IB program candidates have a higher college acceptance rate than non IB students. He stated that the superintendent has secured an agreement to include the IB program in the State report card.

5. COMMITTEE REPORTS

Mrs. Thomas felt that the comments in The Patch regarding Brookside Beach fees for Mendham Borough were inaccurate. She reviewed the fee and related correspondence.

Mr. Baumann made several Recreation announcements and encouraged residents to visit the Township website for full details.

6. HEARING PERSONS PRESENT

There being no comments, hearing person present was closed.

7. ANNOUNCEMENTS

Mr. Baumann congratulated the Mendham ice hockey team on a successful season.

8. NEW BUSINESS

Ordinance Introduction

ORDINANCE 2013-04

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,218,000 THEREFOR, INCLUDING \$250,000 EXPECTED TO BE RECEIVED AS A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT, \$82,000 RECEIVED FROM CONTRIBUTIONS, \$56,350 AS THE DOWN PAYMENT FROM THE CAPITAL IMPROVEMENT FUND AND \$81,000 AVAILABLE FROM THE CAPITAL IMPROVEMENT FUND, AND AUTHORIZING THE ISSUANCE OF \$748,650 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Merkt read the ordinance by title and called for a motion. Mr. Tolley so moved. Mrs. Thomas seconded. Mr. Mountain gave a brief explanation and reviewed the projects included. All members voted to approve. This ordinance is scheduled for 2nd reading and public hearing on April 23, 2013.

Resolutions

RESOLUTION 2013-47

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 voted to approve.

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RESOLUTION 2013-48

AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
TOWNSHIP BUDGET, SEWER UTILITY EAST, SEWER UTILITY WEST

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

RESOLUTION 2013-49

AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT WITH THE BOROUGH OF
MENDHAM AND THE TOWNSHIP OF RANDOLPH FOR CONSTRUCTION
INSPECTION SERVICES

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 2013-50

ESTABLISHING BROOKSIDE BEACH AND RECREATION ACTIVITY FEES

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 2013-51

SUPPORTING TOWNSHIP REQUEST TO STATE DEPARTMENT OF
TRANSPORTATION FOR REASSIGNMENT OF DISCRETIONARY AID FUNDS

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

RESOLUTION 2013-52

APPROVING RAFFLE LICENSE

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 2013-53

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Attorney Client Privilege – Tax appeal settlements
Thackery Lane

Potential Litigation - Roxiticus Road

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

DISCUSSION

Mr. Mountain provided an update regarding the clearing of trees on Roxiticus Road. He stated that the State and Township have issued notices of violation to the homeowner regarding the excessive amount of trees cut along wetlands and an important trout stream corridor. A

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significant amount of restoration is required to stabilize the area before construction can continue.

Mr. Mountain gave an update on a Tingley Road property. The DPW cleared the property and the bank will be sent an invoice for the work.

HEARING PERSONS PRESENT

Norm Preston, West Main Street

Mr. Preston noted that the Mendham Township High School Mock Court were State champions.

The temporary budget was clarified for Diana Brown. The amount of Township debt that has been paid off was discussed for Pat Zimmerman.

EXECUTIVE SESSION

Upon motion duly made the Committee entered executive session at 9:35 p.m.

The Committee returned from executive session at 9:50 p.m.

RESOLUTION 2013-54

RESOLUTION TO APPROVE SETTLEMENTS OF REAL PROPERTY TAX APPEALS

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

ADJOURN

Upon a motion made and seconded the meeting was adjourned at 9:52 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk