

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
APRIL 14, 2014**

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

<b>ROLL CALL:</b>	Mr. Baumann	Absent
	Mr. Merkt	Present
	Mr. Strobel	Present
	Mr. Tolley	Present
	Mayor Thomas	Present

Also Present:	John M. Mills, III, Esq., Township Attorney
	Amey Upchurch, Interim Township Administrator
	Kathleen Potter, Township Clerk

**SALUTE TO THE FLAG**

**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, 2014. 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**

Two resolutions were approved after executive session. Resolution 2014-62 approved settlements of real property tax appeals and Resolution 2014-63 authorized a contract with the Canning Group, LLC.

**PRESENTATIONS**

Mosle Follow Up Report – Lori Dent & Recreation Committee

Lori Dent presented a prioritized plan of the Mosle Master Plan. She noted that the chapel has no historical significance or value and recommended removal. All improvements will be made through donations, not taxpayer money. Money is already in place for the \$10,000.00 cost of the north parking lot improvement plan. The priorities and recommendations were reviewed. Mrs. Dent will verify that the cost includes removal of the chapel.

The meeting was open to public comment. There being no comments hearing persons present was closed.

Morris County 2014 Budget Overview – Freeholder Budget Subcommittee

Freeholder John Krickus discussed budget highlights, which include a zero percent tax increase. The capital budget will focus on roads and bridges, and work scheduled for the Township was reviewed. Mr. Krickus highlighted the services provided by the County.

There was discussion regarding the funding for Morris County's Central Park. When Mr. Strobel asked if physical therapy is offered at Morris View, Mr. Krickus stated that physical therapy is offered primarily for residents. There was discussion about state aid. Mrs. Thomas questioned if

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staff reduction impacted services and overtime. Mr. Krickus explained that the areas were restructured to provide the same level of service.

The meeting was open to the public. There being no comments, public hearing was closed.

**Presentation of K-8 School Budget**

Superintendent Salvatore Constantino and Board of Education President Andrew Christmann presented to 2014-2015 school budget. Mr. Constantino reviewed the budget development process, noting that each account was examined this year to insure proper budgeting. Budgeting goals included continued improvement in student achievement, student support to meet benchmarks, and maintenance of safe and efficient facilities. Curriculum and instruction highlights were reviewed. Mr. Constantino discussed repairs needed to the buildings and also reviewed student achievements.

The proposed budget includes a 1.7% increase to the local tax levy. Salaries and benefits constitute almost 75% of the operating budget.

Mr. Strobel praised the achievements of the school and questioned K-12 curriculum alignment. Mr. Constantino stated that they meet quarterly with the high school to discuss curriculum initiatives and ensure that their students are ready to move to higher education. There was discussion regarding the pre-K program.

There was discussion regarding public input and Mr. Christmann noted that there is little public attendance at school board meetings. A majority of public input was received through alternate methods, such as HAS meetings and emails.

It was noted that enrollment has decreased an average of 10 to 20 students per year over the past four years. There was further discussion on the pre-K program and Mr. Constantino stated that the program is self-funding and revenue producing.

Mr. Christmann stated that the Board believes they are providing a better level of education than the private schools.

The meeting was open to the public.

**Sam Barsa, 20 Conifer Drive**

Mr. Barsa stated that his daughter received a superb education at Saint Joe's and believed the private school was superior and more efficient than the Mendham public school.

**Diana Orbin Brown, Ironia Road**

Ms. Brown suggested that the school board film their meetings to encourage attendance. Mr. Constantino confirmed that the school also reports on actual expenses, noting that they investigate expenses that appear unnecessary.

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Michael Brown, Ironia Road

Mr. Brown agreed that residents must attend the meetings in order to understand the budget. He suggested utilizing the new email program to encourage attendance. Mr. Constantino stated that the newsletter also includes a detailed report about the previous Board meeting.

Pat Zimmerman, West Main Street

Ms. Zimmerman noted that the Board of Education and Township Committee hold meetings on the same night.

Ralph Marcello, Olmstead Lane

Mr. Marcello stated that, while his children just entered the school system, he supported the programs and commended the pre-school program for utilizing space to generate revenue.

Amalia Duarte, 22 Brockden Drive

Ms. Duarte questioned if a shared schooling system with the Borough has been considered. Mr. Constantino stated that the possibility would be examined if enrollment consistently declined. He noted that the budget is reviewed and measured for efficiency at the County level.

There being no further comment hearing persons present was closed.

**APPROVAL OF MINUTES**

Mayor Thomas called for a motion to move the regular meeting minutes from March 25, 2014. Mr. Merkt so moved and Mr. Tolley seconded. All members present voted to approve.

Mayor Thomas called for a motion to move the first executive session meeting minutes from March 25, 2014. Mr. Merkt so moved and Mr. Tolley seconded. All members present voted to approve.

Mayor Thomas called for a motion to move the second executive session meeting minutes from March 25, 2014. Mr. Tolley so moved and Mr. Merkt seconded. All members present voted to approve.

**DISCUSSION**

Fence Request – 6 Olmsted Lane

Mr. Marcello reviewed his request, noting that the fence would cross the drainage easement not the conservation easement. There was discussion regarding the current and proposed fence. Effects on the drainage easement and depth of the pipes were questioned. Mr. Mills suggested that the Township Engineer review the request and provide a report by the next meeting.

The meeting was open to hearing persons present.

Ben Weber, 131 Mendham Road

Mr. Weber stated that there are plantings over the drainage easement, adding that the conservation easement has been disturbed. He showed concern for drainage problems affecting his property; however, he was not opposed to the pool or the fence. Mr. Marcello clarified that a

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contractor used the gate without authorization, adding that they restored the area. He stated that he asked permission from the town to plant trees in the drainage easement. At the time the individual stated that plantings were permitted because the easement is not a protected area. The trees would have to be removed at the owner's expense if access is needed.

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

**Board & Committee Review**

This discussion was tabled till the next meeting.

**COMMITTEE REPORTS**

The Brookside Easter Egg Hunt is this Sunday. The information for upcoming recreation events can be found on the Township website.

**HEARING PERSONS PRESENT**

Sam Barsa, 20 Conifer Drive

Mr. Barsa commented on the inclusion of computer purchases in the bond ordinance.

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

**ANNOUNCEMENTS**

The Ralston playground is currently under repair. The DPW Superintendent and the Township Engineer will examine the structures to determine temporary repairs so the park can reopen in a timely manner.

**OLD BUSINESS**

**Public Hearing**

**ORDINANCE 2-2014**

EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
& ESTABLISH A CAP BANK

Mayor Thomas read the ordinance by title and called for a motion to table the ordinance to the May 12, 2014 meeting. Mr. Merkt so moved. Mr. Strobel seconded. All members present voted to approve.

**ORDINANCE 3-2014**

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$837,000 THEREFOR, INCLUDING \$22,000 RECEIVED FROM CONTRIBUTIONS, \$40,000 AS THE DOWN PAYMENT FROM THE CAPITAL IMPROVEMENT FUND AND \$55,000 AVAILABLE FROM THE CAPITAL IMPROVEMENT OUTLAY FUND, AND AUTHORIZING THE ISSUANCE OF \$720,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

**ORDINANCE 4-2014**

AN ORDINANCE OF THE TOWNSHIP OF MENDHAM IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING CHAPTER 160 "FEES"

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

**NEW BUSINESS**

**Ordinance Introduction**

**ORDINANCE 5-2014**

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF EASEMENTS  
BLOCK 127, LOTS 192 AND 192.02 IN THE TOWNSHIP OF MENDHAM

Mayor Thomas read the ordinance by title and called for a motion. Mr. Merkt so moved. Mr. Strobel seconded. All members present voted to approve. Second reading and public hearing is scheduled for May 12, 2014.

**Resolutions**

**RESOLUTION 2014-64**

AUTHORIZING PAYMENT OF BILLS

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

**RESOLUTION 2014-65**

AUTHORIZING STATE TAX APPEAL REFUNDS

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

**RESOLUTION 2014-66**

AUTHORIZING TAX ADJUSTMENT

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

**RESOLUTION 2014-67**

AUTHORIZING LEASE AGREEMENT WITH RANDOLPH TOWNSHIP FOR  
ANIMAL CONTROL AND SHELTERING SERVICES AT INDIA BROOK KENNEL

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

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**RESOLUTION 2014-68**

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Personnel – Police

Boards & Committees

Contracts

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

**RESOLUTION 2014-69**

APPOINTING CAROLYN LYDON AS SEASONAL HELP

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

**DISCUSSION**

None

**HEARING PERSONS PRESENT**

There being no comments, hearing persons present was closed.

**EXECUTIVE SESSION**

The Committee entered executive session at 10:15 p.m.

The Committee returned from executive session at 10:35 p.m.

**ADJOURN**

Upon a motion made and seconded the meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk