

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
MAY 12, 2014**

Mayor Thomas called the meeting to order at 6:15 p.m., Township Hall, Brookside, New Jersey.

<b>ROLL CALL:</b>	Mr. Baumann	Present
	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 and May 8, 2014. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

**RESOLUTION 2014-79**

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC  
Matters pertaining to:  
Personnel - Administration

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

**EXECUTIVE SESSION**

The Committee entered executive session at 6:20 p.m.

The Committee returned from executive session at 7:15 p.m.

**RECAP ON POST EXECUTIVE SESSION ACTIONS – Mayor Thomas**

There was no action post executive session.

**APPROVAL OF MINUTES**

Mayor Thomas called for a motion to move the regular meeting minutes from April 29, 2014. Mr. Merkt so moved and Mr. Tolley seconded. All members voted to approve.

Mayor Thomas called for a motion to move the executive session meeting minutes from April 29, 2014. Mr. Strobel so moved and Mr. Baumann seconded. All members voted to approve.

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**PITNEY FARM PUBLIC PURPOSE STUDY COMMITTEE (PFPPST) PRESENTATION**

Peter Dumovic stated that the report recommends a use that preserves the historic character and establishes the property as a gathering place for the Township. Mr. Dumovic reviewed the history of the property and Pitney family.

Chair Omie Ryan reviewed the Committee's charge to examine the feasibility of locating a core municipal function on Pitney Farm. Ms. Ryan presented an assessment of the five acres containing the buildings, as well as the seven-acre open space.

The PFPPST met with various Township committees, boards and groups to obtain an update of the status of existing facilities, and the adequacy of these facilities in meeting future needs. Ms. Ryan presented the recommendations as follows:

- There is both a need for additional municipal facilities and the capacity at Pitney Farm to meet the need
- The Pitney Farm Center would be "A Gathering Place for Mendham" with:
  - o Municipal and Community functions – meeting rooms, association library
  - o Town park – passive non-organized recreation, community gardens
  - o Historic preservation and display of artifacts of the Mendhams
- Adaptive re-use of existing buildings and construction of a new structure designed to complement the historic farmhouse. Two conceptual plans were reviewed.

Doug Kris reviewed funding strategies. He emphasized that all monies for the center will come from outside funds, not municipal funds. The capital campaign would encompass two elements; renovation and construction, and endowment. Mr. Kris proposed to raise 75% of the funds before any new construction or renovation is started. He reviewed similar projects that were successful and unsuccessful.

A time table for action was presented. The group hoped for public comment through June and a decision regarding future use by the end of June.

Mr. Merkt noted that, while the Township Committee understands the importance of a quick, they also want receive public input and study the information. He questioned the costs of renovations or new construction. Ms. Ryan stated that the group was reluctant to delve too deeply into costs since they varied widely. Resources are available to run budgets on various scenarios. Mr. Kris added that current estimates would be extremely preliminary and not useful. He added that people are drawn to the project because of the various uses it presents, which will enable the proper funding. There was discussion of the risk management issues that must be addressed.

There was discussion of the Pitney family history. Mr. Strobel asked if the trees blocking the property could be removed. Ms. Ryan stated that tree removal is a land design and maintenance issue, adding that the property should be protected from invasive sights. There was a brief discussion regarding the different groups that provided input.

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Mr. Strobel questioned the estimate of additional space needed. It was noted that the new structure presented has a 9,000 square-foot footprint, which was determined after an in-depth library board proposal. It was verified that the capital funds will not be used to pay the debt. The location of the successful example projects was reviewed.

The Committee asked for more specific details regarding possible donations. Ms. Ryan noted that it is difficult to have serious conversations about potential fundraising and interest without a clear statement of purpose.

It was estimated that raising the funds would take between three and six years. Mr. Baumann questioned if the Pitney family had interest in investing in their legacy and Mr. Sletteland stated that the family has been involved since the beginning and are interested in remaining invested.

There was discussion regarding the formula for recommendations. It was noted that indoor space for programming was needed since many library and recreation programs are limited due to inadequate space. The outdoor space is most suitable for passive recreation. The deferred maintenance costs were not examined; however, a study regarding costs was completed by the previous Pitney Committee. Mr. Tolley inquired if there was discussion regarding selling a portion of the property, and Mr. Ryan stated that the idea was not studied, adding that such a study was completed in 2008, but did not take the open space into account.

There was discussion regarding the newly proposed structure and it was noted that the library is not suitable for adaptive use. The group believed a new structure could be built while also keeping the historic structures. A full assessment of historic buildings must eventually be completed.

Mayor Thomas questioned the use of funds if fundraising could not be maintained. Mr. Mills stated that the funds would be "returned by dissolution to like kind entities". After a brief discussion regarding the parking spaces, Mayor Thomas noted the need for an extensive stormwater management plan. Lighting should also be an important consideration.

The meeting was opened to the public.

Brian Hays, 23 West Main Street

As the Chair of the Tree Committee, Mr. Hayes noted that the trees on Coldhill Road could be removed if they are in the right of way; however, he encourages the preservation of historic trees. He added that the border between properties should also be maintained and noted that a border between Ballentine Road and the Pitney property should be established.

Anastasio Konidaris, 6 Ballentine Road

Mr. Konidaris was concerned about the impact of a large building and increased traffic on the neighbors.

Linda Grant, Board Member of Morris County Arts Workshop

There was discussion regarding possible space available at the elementary school.

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Russell Buchanan, 27 Hilltop Road, Mendham Borough

Mr. Buchanan encouraged the Committee to move forward with the recommendations immediately so fundraising can begin. It was noted that a mission statement and budget is needed before funds can be collected.

Diana Brown, Ironia Road

The successful example properties were reviewed and Ms. Brown noted that the projects succeeded before the financial crisis. It may be more difficult to raise funds now.

Bob Wowk, 12 Cooper Road

Mr. Wowk stated that the ongoing costs to taxpayers must be understood.

Rick Blood, 32 Tingley/ Pitney Committee

Mr. Blood stated that the Committee's strategy is to have an historical assessment to determine if the structures are significant, and then address those structures separately from the non-historic buildings. He recommended registering the property to be an historic site in order to receive available funding.

**DISCUSSION**

Fence Request – 6 Olmsted Lane

Mr. Mills reviewed the deed and drainage easement language, concluding that the Committee could grant permission for the fence since it does not interfere with the purpose of the easement. According to the engineer, trees are not beneficial to the easement and should be relocated.

Mr. Strobel stated that he approved the fence, but had concerns about the long term effects of the trees. Mr. Marcello stated that there were already about eight spruce trees planted in the easement when he purchased the home. The recent planting replaced trees that had died or fallen in the storms. He added that the Township assured him did not need permission to plant the trees. Mr. Merkt agreed that Mr. Marcello should be allowed to proceed with the fence.

Mr. Tolley suggested adding language stating that the homeowners will incur the cost of removing the tree if access to the pipes is needed. It was clarified that the fence is a standard aluminum pool fence and not solid. The Committee authorized installation of the fence. Mr. Upchurch will work with the engineer to complete approval of the lot grading plan.

Underground Utilities

Ms. Upchurch stated that JCP&L will examine placing the wires in a conduit under the Main Street bridge. Mr. Mills suggested obtaining a letter and plan confirming the installation of the conduit.

Bridges

The Route 24 Bridge is now open both ways; however, the speed limit is still 25 miles per hour.

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Post Office Parking Lot

Chief Crawford supported utilizing a breakaway sign, which will cause no damage if struck. He noted that the department is working to regulate speed on Main Street.

**COMMITTEE REPORTS**

None

**HEARING PERSONS PRESENT**

Cecelia Donato, Ironia Road

Ms. Donato announced that the Fourth of July Parade theme is "Life's a Beach". They are looking for volunteers and support.

Pat Zimmerman, Main Street

Ms. Zimmerman thanked the Committee for listening to her request to place the wires underground. She encouraged the Committee to pursue the issue. She requested that the breakaway sign be a less intrusive color.

**ANNOUNCEMENTS**

None

**OLD BUSINESS**

**Public Hearing**

**ORDINANCE 6-2014**

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

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

**ORDINANCE 7-2014**

AN ORDINANCE OF THE TOWNSHIP OF MENDHAM AMENDING CHAPTER 21, SECTION 4.5, SUBCHAPTER F "TELECOMMUNICATIONS TOWERS AND ANTENNAS"

Mayor Thomas called for a motion to table the ordinance to May 27, 2014 since it is under planning board review. Mr. Merkt so moved. Mt. Tolley seconded. All members voted to approve except Mr. Tolley abstained.

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**NEW BUSINESS**

**Resolutions**

**RESOLUTION 2014-80**

AUTHORIZING PAYMENT OF BILLS

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

**RESOLUTION 2014-81**

AUTHORIZING STATE TAX APPEAL REFUND

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

**RESOLUTION 2014-82**

ADOPTING PERSONNEL POLICIES AND PROCEDURES

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

**RESOLUTION 2014-83**

AFFIRMING THE TOWNSHIP OF MENDHAM'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS

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

**RESOLUTION 2014-84**

AUTHORIZING MASER CONSULTING, P.A. TO COMPLETE A LAND SURVEY OF BLOCK 147, LOTS 16-24 AND BLOCK 149, LOT 3

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

**RESOLUTION 2014-85**

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Personnel

Contracts – Mosle Preserve

Pitney

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

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**RESOLUTION 2014-86**

AUTHORIZING THE INSTALLATION OF PUBWORKS SOFTWARE  
FOR THE DEPARTMENT OF PUBLIC WORKS

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

**DISCUSSION**

There was no further discussion.

**HEARING PERSONS PRESENT**

Bob Wowk, 12 Cooper Rad

It was noted for Mr. Wowk that the PubWorks software will improved controls and time management.

**EXECUTIVE SESSION**

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

The Committee returned from executive session at 11:00 p.m.

**ADJOURN**

Upon a motion made and seconded the meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk