



**TOWNSHIP COMMITTEE  
TOWNSHIP OF MENDHAM  
May 14, 2018  
Regular Session 7:30 PM**

**1. ROLL CALL:**

Mr. Cioppettini	Present
Ms. Duarte	Present
Mr. Gisser	Present (Deputy Mayor Gisser presiding)
Ms. Neibart	Present
Mayor Diegnan	Absent

Also Present:  
Deborah Bonanno, Administrator  
Beth Foley, Land Use Secretary

**2. STATEMENT OF 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 Observer Tribune and Daily Record on January 4, 2018. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

**3. SALUTE TO THE FLAG**

**4. SWEARING IN OF POLICE OFFICER GIBSON**

**2018-79** Resolution of the Township Committee of the Township of Mendham Appointing Christopher Gibson to the Position of Probationary Patrolman in Mendham Township.

Chief Johnson gave a brief introduction of Officer Gibson.

Mr. Gisser entertained a motion to adopt. Ms. Neibart moved. Mr. Cioppettini seconded. Roll call vote: All members present voted to approve.

Mr. Mills administered the oath of office to Officer Gibson.

## **RECOGNIZING NEW FIREFIGHTER**

Mr. Sean M. Rice has applied for the position of Senior Member at Brookside Engine Company #1. Mr. Gisser reported that Mr. Rice was attending training and was unable to attend the meeting.

## **5. PROCLAMATION – Mental Health Awareness**

Mr. Gisser read the proclamation that named May as Mental Health Awareness Month in Mendham Township calling on all residents to participate in understanding and increasing awareness of mental health. Mr. Gisser introduced Ms. Rebecca Tripp, Substance Abuse Navigator at Daytop, who discussed the issue of stigma for those who face substance abuse and mental health problems.

## **6. ANNOUNCEMENTS**

Monthly Report from Mendham Township Police Department filed with Committee Monthly Report from Construction Department filed with Committee.

Brush collection is complete. Mr. Gisser thanked the Department of Public Works staff. The next project for the DPW is paving and pothole repair, and the tennis court at the DPW facility is scheduled to be resurfaced later this month.

Radon kits are available in Town Hall free of charge to Mendham Township residents.

The 10<sup>th</sup> annual Patriots Race will be held on Saturday, June 16<sup>th</sup>. Mr. Gisser thanked Ms. Duarte and all of the volunteers for their efforts with this event. Sponsorship forms are available in Town Hall or online.

Registration continues for Summer Teen Adventures Program. Smart Sitter class is scheduled for Saturday May 19<sup>th</sup>.

The Public Health Nurse is available in the library on Tuesday, May 15<sup>th</sup> for blood pressure screening.

Ms. Duarte announced that the 9<sup>th</sup> Annual Environmental Film Festival will take place on Saturday, June 2<sup>nd</sup> at 6:30 p.m. sponsored by the Schiff Nature Preserve.

Mr. Cioppettini reported that the West Morris Regional High School Mock Trial Team competed in the National Championship in Reno, Nevada and came in 10<sup>th</sup> place.

Chief Johnson reported that the Fishing Derby this past weekend was a success. He also announced that Cops, Kids, and Cones will take place on May 24<sup>th</sup>, from 5:30 to 8 p.m. in the Borough Park. If this event is a success, the next one will take place in Mendham Township.

Mr. Gisser explained that due to a time constraint for one of the Committee members, Ordinances would be discussed earlier than what the original agenda indicated.

## **7. OPEN TO THE PUBLIC ON AGENDA ITEMS**

Mr. Gisser entertained a motion. Ms. Duarte moved. Mr. Cioppettini seconded.  
Roll call vote: All members present voted to approve.

Mr. Bob Wowk, 12 Cooper Road - Mr. Wowk questioned how the Master Plan effort fit into the context of housing, tax laws, higher interest rates, and changing demographics. Mr. Gisser replied that the Master Plan is definitely influenced by those topics. Mr. Cioppettini commented that he has not seen the work of the Master Plan Committee but that if it is a constrained plan, it would be difficult for growth in the Township. The Planning Board has the obligation and authority to appoint the Master Plan Committee, and the plan is scheduled to be presented on June 1st. Mr. Cioppettini further explained that the Planning Board does not report to the Township Committee. Mr. Wowk questioned how the Planning Board would gain feedback from the community, and Ms. Duarte responded that she also planned on exploring the process and would like to learn how the community can gain input. Ms. Neibart added that she also wanted to be informed of the feedback process. Mr. Gisser closed the conversation by commenting that the Committee is actively looking at some of the items that Mr. Wowk mentioned.

Mr. Gisser entertained a motion to close. Mr. Cioppettini moved. Ms. Neibart seconded.  
Roll call vote: All members present voted to approve.

## **8. APPROVAL OF MINUTES**

April 24, 2018, Regular Session

Approval of minutes was tabled pending review of the recording by Ms. Neibart.

April 24, 2018, Executive Session

Mr. Gisser motioned to adopt. Ms. Duarte moved. Mr. Cioppettini seconded.

Roll call vote: All members present voted to approve.

## **9. ORDINANCES INTRODUCTION**

### **9-2018**

An Ordinance of the Township of Mendham Providing for the Union Schoolhouse Resurfacing Project and Appropriating \$350,000 Therefore, \$247,000 from New Jersey Department of Transportation and \$83,000 from Capital Fund Balance and \$20,000 from Capital Improvement Fund.

Mr. Gisser noted that this is a first reading and that the second reading will be on June 11th.

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve.

**10. ORDINANCES FOR SECOND READING**

**5-2018**

An Ordinance of the Township of Mendham Providing for Various Capital Improvements and Appropriating \$372,000 therefore, from the Capital Improvement Fund

Mr. Gisser entertained a motion to open for public comment. Mr. Cioppettini moved. Ms. Neibart seconded.

**OPEN TO THE PUBLIC – For Discussion on 5-2018 only**

No public comment made. Mr. Gisser closed public comment.

Ms. Duarte suggested that since donations have been received for improvements to the Mosle property that the community should start utilizing these funds. Mr. Gisser and Mr. Mills agreed.

Roll call vote: All members present voted to approve.

**6-2018**

An Ordinance of the Township of Mendham in the County of Morris and State of New Jersey amending various chapters and subsections of the township code pertaining to : Fees for Permits and Penalties

Mr. Gisser entertained a motion to adopt. Ms. Duarte moved. Mr. Cioppettini seconded. Mr. Gisser mentioned, as a reminder, that this is an adjustment for two areas: \$10 per yard to be charged for mulch rather than a flat \$35 fee and that the Brookside Beach use fees to be established by the Administrator based on input from the Township Committee and Recreation Director.

Roll call vote: All members voted to approve.

**7-2018**

Bond Ordinance providing for various capital improvements in and by the Township of Mendham, in the County of Morris, New Jersey, appropriating \$1,060,000 therefore, including \$28,000 available from the Ralston Playground Trust, \$38,000 available from the Reserve for Building Repairs and \$70,000 expected to be received from the Junior Women’s Group, and Authorizing the issuance of \$840,000 bonds or notes of the Township to Finance part of the cost thereof.

Mr. Gisser entertained a motion to adopt. Mr. Cioppettini moved. Ms. Neibart seconded.

**OPEN TO THE PUBLIC - For Discussion on Bond Ordinance 7-2018 only**

Ms. Diana Orban Brown, Ironia Road - Ms. Orban Brown asked that in general the agenda should include the date that an ordinance was introduced and that new introductions specify the date of the second reading. Ms. Orban Brown questioned the dollar amounts as noted in the ordinance stating that it appears that the goal for borrowing is increased by \$300,000. She expressed concern that going forward other obligations may arise, specifically Ralston Fire House and Police Department upgrades. Mr. Gisser responded that aggregate numbers have not changed and that the Committee continues to make practical decisions with the goal of paying down the debt. Mr. Cioppettini added that the Committee is sensitive to Ms. Orban Brown's concerns and will continue to work on a plan to borrow only what is necessary. Ms. Duarte commented that she agreed with Mr. Gisser and Mr. Cioppettini's comments and that the challenge is to balance debt and investment in public safety.

Roll call vote: All members present voted to approve.

## **11. RECREATION PRESENTATION – Steve Eisenstein, Recreation Director**

Mr. Eisenstein announced that the Ralston Playground will come to fruition this summer and that as soon as the purchase order is available, the work will move forward. Once the equipment is ordered and a delivery date is established, the installation date can be scheduled. There will be a temporary closure of the playground, which will be kept to a minimum. Mr. Eisenstein elaborated on the items outlined for Phase 1 and Phase 2 plans, which are outlined in the attached hand-out.

Ms. Duarte questioned whether page 3 of the hand out, 'Overall Concept' represented the completed Phase 1 and Phase 2 to which Mr. Eisenstein explained that it does represent the completed project and that Phase 1 on the Overall Concept page is represented by the two larger pieces illustrated on the bottom of the drawing. She also asked if there was a date for a grand opening to which Mr. Eisenstein replied that he was hoping for early July depending on constraints that are out of his control. Ms. Duarte questioned how major donors would be recognized, and Mr. Eisenstein responded that recognition would be based on tier levels.

Mr. Gisser initiated a conversation about the Brookside Beach. He explained that Mr. Eisenstein developed a plan whereby financing of the beach would be dependent on camps using the facility Monday through Friday in the summer, and therefore residents would have the opportunity to use the beach for free while out-of-towners would be charged \$5.00/person. Residents on the weekend would be charged \$5.00 and non-residents \$10.00. Mr. Eisenstein emphasized that weekend participation will determine what the continued resident use would be.

Mr. Gisser requested that the Committee decide by the next meeting whether this plan should be supported. Ms. Duarte asked whether there are camps already committed, and Mr. Eisenstein replied that there were camps committed. Additionally, she questioned whether further revenue

could be pursued via family membership or donation. Mr. Eisenstein opined that he was not opposed to presenting this option to the Advisory Committee, and he agreed with Ms. Duarte's suggestion that advertisement start as soon as possible. Ms. Neibart questioned how this process will move forward and after some discussion, the Committee decided to move forward with this the plan discussed.

Mr. Mills commented that the motion will require a roll call vote since funds were involved for Mr. Eisenstein to enter into contracts.

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve. Ms. Neibart was not in attendance at this point in the meeting since she had to leave for a trip. There were three affirmative votes.

**Ms. Neibart re-joined the meeting by conference call at 8:36 pm.**

## **12. RESOLUTIONS**

**2018-73** Resolution Amending Salary of an Employee of the Township for the year 2018

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve.

Ms. Bonanno pointed out that this resolution was required due to a previous miscalculation.

**2018-74** Resolution Supporting the 2018 UDRIVE. UTEXT UPAY.

Mr. Gisser entertained a motion. Ms. Duarte moved. Mr. Cioppettini seconded.

Roll call vote: All members present voted to approve.

**2018-75** Resolution Amending 2018 Budget – Insertion of Special Item of Revenue For “State of New Jersey – 2018 Distracted Driving Crackdown Grant”

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve.

**2018-76** Cancellation of Unexpended Improvement Authorization and Capital Receivables

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Mr. Gisser clarified that the amounts presented do not represent amounts raised through taxes previously. DOT grants and use of the Township's own DPW labor allowed for monies not spent be used to support road improvements.

Roll call vote: All members present voted to approve.

**2018-77** A Resolution Authorizing Refund of Overpayment of 2018 Taxes Blk. 146 Lot 3

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve.

Mr. Gisser pointed out that this refund was due to the mortgage company's error.

**2018-78** A Resolution Authorizing Refund of Overpayment of 2018 Taxes Blk. 122 Lot 2

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Roll call vote: All members present voted to approve.

Mr. Gisser pointed out that this refund was due to the mortgage company's error.

**2018-80** A Resolution Appointing Humane Law Enforcement Officer

Mr. Gisser entertained a motion. Ms. Duarte moved. Ms. Neibart seconded.

Mr. Gisser explained that the SPCA was abolished. Chief Johnson reported that Officer Sean Ulversoy will be taking training at the county level.

Roll call vote: All members present voted to approve.

**2018-81** Resolution of the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, Authorizing Sale to the Public of Certain Property.

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Mr. Gisser explained that the CAT front loader will be auctioned starting at \$12,500.

Roll call vote: All members present voted to approve.

**2018-82** Resolution of the Township Committee of the Township of Mendham Accepting the Sum of \$70,000 from West Morris Junior Women's Club.

Mr. Gisser entertained a motion. Ms. Duarte moved. Ms. Neibart seconded.

Mr. Gisser thanked Mr. and Mrs. Finlay for their \$25,000 donation, Mr. and Mrs. Lonergan for their \$15,000 donation, the Junior Women' club in aggregate for running the brick campaign and all the efforts of the Recreation Commission.

Mr. Cioppettini added his thanks to all and noted that this opens the door to the completion of the park. Ms. Duarte added her appreciation to the former Recreation Commission, especially to Ms. Diane Tolley. Ms. Neibart expressed her excitement for this project.

Roll call vote: All members present voted to approve.

**2018-83** Resolution Authorizing Payment of Bills

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Neibart seconded.

Roll call vote: All members present voted to approve.

### **13. DISCUSSION**

Ms. Duarte reported that the Ad Hoc Communications Committee received almost 600 responses to the survey that was distributed to the community. She commented that the website can be re-designed for less than \$500 - generally, \$10,000 - \$20,000 is the usual fee. This savings is due to the fact that the Township's web provider, Cit-e-Net, is upgrading their service to make it more mobile user friendly.

Ms. Duarte added that she is still working to fill volunteer committee vacancies and that she is moving forward with the Stigma Free Initiative across communities. As Mendham TV liaison, Ms. Duarte reported that volunteers are needed for filming or editing projects, fundraising, and general support.

Ms. Neibart reported that she is working on how the Township actively recruits volunteers for the

Ralston and Brookside Fire Companies. Additionally, she commented that the Township should educate residents, especially those who are new to the Township, as to how they can volunteer in the community. Her suggestion is to send a letter to residents when tax bills are sent out. The Shared Services Ad Hoc Committee she is a part of is having their first meeting at the end of June and volunteers are welcome with current commitments from Mendham Township, Chester Township, Chester Borough, Peapack Gladstone and Bernardsville. Mendham Borough has expressed interest but has not yet made a commitment at this time. Ms. Neibart would like to have Mr. Brian Hays of the Tree Protection Committee speak to the Township Committee about trees that are a liability on the trails.

Mr. Cioppettini reported that he is waiting for the Master Plan Committee and one attorney to finish their work so he can follow up and move on his open items.

Mr. Gisser commented that at the last meeting he handed out a memo regarding various fees and that two small changes have been made to the fee ordinance. He requested that all the members review it so that the Committee can discuss this at the next meeting.

Ms. Duarte added to Ms. Neibart's idea to add a letter to the tax bills; however, she suggested that the Township Committee craft a letter focusing on more than one area. Ms. Neibart added that she would like to have information included to educate residents regarding their property taxes. Ms. Duarte questioned whether the Shared Services Committee accepted volunteers or whether it was comprised only of elected officials. Ms. Neibart responded that currently the committee is comprised of elected officials but that she is open to the idea of welcoming volunteers.

#### **14. OPEN TO THE PUBLIC**

Mr. Gisser entertained a motion. Mr. Cioppettini moved. Ms. Duarte seconded.

Former Mayor and Hunterdon County Freeholder Rob Walton, JCP&L 52 Chatham Rd, Summit – Mr. Waldron introduced himself as the Township's new area manager for JCP&L. Mr. Cioppettini commented that Mr. Walton was very responsive during the last storm. Mr. Gisser expressed that the Township looks forward to working with Mr. Walton.

Ms. Susan Browse, 13 Cooper Road - Ms. Browse introduced herself as a Trustee of the Friends of Pitney Farm and gave a brief explanation of how the Farm is an asset to the Township and why it should be protected rather than be demolished and the property auctioned off. Alternatively, she proposed that the Friends of Pitney Farm would work collaboratively with a local developer to restore and re-purpose the historical structures. The prior seven residential units could be offered for rental while the Friends of Pitney Farm would be left with a portion of the main house to support the preservation of historical artifacts.

Mr. Cioppettini asked if Ms. Browse was seeking a proposal. Ms. Browse explained that the Friends were hoping for an opportunity to present a detailed proposal to the Committee.

Ms. Duarte commented that she would like to see Pitney be a viable historic site and feels that it is worth discussing and engaging neighbors.

Mr. Gisser commented that he would like to continue this conversation with the presence of Mayor Diegnan since he has had a proactive role on this subject.

Mr. Adam Dubeck, 307 Mendham Rd West - With respect to the beach, Mr. Dubeck wanted to ensure that the Committee takes into consideration that not all recreation programs have to be profitable. In addition, he felt that more education is needed about the beach, and to Ms. Neibart's point about sending a letter in the tax bill, the Committee should be aware that those residents with a mortgage may not receive a tax bill. Mr. Gisser explained that every resident does receive a statement twice a year and agreed that everything does not have to be profitable; however, the Township needs to be sure that the asset continues to be used successfully before investing in it.

Ms. Brenda Grant, 7 Buddy Lane – Ms. Grant questioned Ordinance 2018-7 and asked that the Committee confirm whether the \$42,000 going towards the playground is part of a bond or note and that the money being used for the Ralston Playground is being borrowed for this purpose. Mr. Gisser confirmed that this was correct.

Mr. Gisser called for a motion to close. Ms. Duarte moved. Mr. Cioppettini seconded.

**15. ADJOURN**

Mr. Gisser called for a motion. Ms. Duarte moved. Mr. Cioppettini seconded. The meeting was adjourned at 9:20 pm.

Respectfully submitted,  
Denise Bobinski  
Mendham Township