

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
JULY 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	Present
	Mr. Merkt	Absent
	Mr. Strobel	Present
	Mr. Tolley	Present
	Mayor Thomas	Present

Also Present: John M. Mills, III, Esq., Township Attorney  
Amey Upchurch, Township Administrator

**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 June 18, 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 – Mayor Thomas**  
There was no executive session after the June 24, 2014 meeting.

**PRESENTATIONS**

Eagle Scout Recognition

John Kemp was presented with a certificate of recognition for restoring the rose beds at Pitney. Mr. Kemp thanked the Committee for the opportunity to contribute to a worthwhile improvement to the farm.

MASH

MASH representatives could not be present. Ms. Upchurch provided background on MASH. While the federal government provides a large percentage of funding, those funds can only be used for housing. Transportation funding is derived primarily from donations from the Mendhams. The Township's contribution has remained level for the past five years. Mayor Thomas stated that a letter was distributed to the area seniors claiming that transportation services were cut because Mendham Township reduced funding. Since the Township's contribution has remained stable, Mayor Thomas was seeking clarification regarding the letter, as well as a solution to increase services. The matter will be discussed further at the next meeting when MASH representatives are present.

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**PITNEY PUBLIC HEARING**

Upon motion duly made and seconded the meeting was open to public hearing.

Stephanie Cotton, 16 Millbrook Road in New Vernon/ Township Librarian  
Ms. Cotton discussed the challenges faced in managing the day to day operations in the current library facility. She stated that the library acts as a true community center and hosts over 400 programs a year; however, size limitations prevent hosting the programs at the library, and they have outgrown the space for both children's programs and book collections. It is also difficult for people to study or read quietly when programs are taking place. A larger facility would not only alleviate problems, but also open the door for expanded services.

Bonnie Mangold, Pitney Drive

As a Library Board of Trustee member, Ms. Mangold supported the proposal for a new library at Pitney. The library is in line with the strategic vision to be the cornerstone of community enrichment. A recent survey revealed that the staff and programs offered were library strengths while the lack of dedicated space for the programs was the strongest weakness. The size of the proposed library was based on the size of highly ranked neighboring libraries, such as the Bernardsville Library. Mr. Mangold also supported the library as a resident, and utilized the current library as a family and as a retiree.

Joseph Miranda, 4 Shelton Road

Mr. Miranda stated that he was not opposed to a new library, but disagreed with the location. Parking, maintenance, traffic and lighting are problematic for the surrounding residential neighborhoods. He recommended using funding for improvements to the current library and utilizing surrounding libraries for space. While the property has many positive attributes a commercial use should not be placed in a residential neighborhood. Mr. Miranda recommended selling the property at a profit and collecting taxes from the developed homes.

David Bailin, 10 Washington Valley Road

Mr. Bailin stated that he lives in privacy and quiet despite the middle school behind his house. He noted that it is unique to have a farmers market on an actual farm with local vendors. He supported the farm market and the library.

Jane Mac Neil, East Main Street

Ms. Mac Neil supported development of part of the property in order to restore and preserve the main house. She recommended expanding the existing driveway to allow two- way traffic and relieve the burden on the side roads.

Michael Hu, 6 Shelton Road

Mr. Hu stated that the Committee needs to disallow the farmers market based on the letters and comments from neighboring residents.

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Ray Plodkowski, 2 Briarwood Lane

Mr. Plodkowski referenced the high school library to demonstrate that large libraries are no longer needed. The high school library reduced the number of librarians and printed books by moving to tablets. He stated that the Township library needs to evolve with technology and minimize books.

Matt Martini, 2A Shelton Road

Mr. Martini stated that the market should not be permitted without an alternate egress. He suggested restoring the main house for low impact activities and selling the remainder of the property.

Bruce Harris, 8 Brockden Drive

Mr. Harris stated that the history of the property should be preserved, adding that the traffic should be diverted onto the main road. He noted that his family uses the library's book collection often.

Tom Morris, 1 Mahlon Court

Since the property was purchased without a purpose Mr. Morris suggested selling the property to put it back on the tax roll. He stated that there was no fresh produce available at the farmers market, but instead had yoga and tai chi demonstrations. He felt that the organizers were trying too hard to find a purpose. He urged for a quick decision to either find a meaningful purpose or sell the property.

Emily Hennelly, 2 Robert Road

Ms. Hennelly stated that it is not the season for corn or tomatoes; however, cucumbers, kale and lettuce were readily available at the market.

Peter Dumovic, 3 Shelton Road

Mr. Dumovic stated that the PFPPSC presented a conceptual proposal based on space, needs, and character of the property. The property can accommodate a wide variety of adaptive uses to meet community needs and the concept was a long-term vision on what the farm might be.

Mr. Dumovic noted that the entire project does not have to be completed at once. He suggested moving forward with a phased approach to planning and fundraising by setting specific objectives and milestones. The project should start with preservation limited to the most historically significant structure of the main farm house. Mr. Dumovic encouraged involvement from the neighboring residents. He concluded that the property affords an opportunity to create something special and unique that will last for generations. He urged the Committee to find a creative way to preserve history and establish the property as a gathering place for the community.

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Anastasio Konidaris, 6 Ballantine Road

Mr. Konidaris stated that the report does not suggest that the proposal is a concept plan. Instead a time line grants public comment and endorsement by the Committee. He added that the proposal does not represent the true needs of the town and is not economically feasible. He suggested selling all or most of the property to reduce debt and avoid financial commitment.

David Zimmerman, 48 Cold Hill Road

Mr. Zimmerman stated that the PFPPSC committed time to working with Township groups to publish a distillation of objectives and needs of the groups. The report respects the concerns of the neighbors. He discouraged the Committee from selling the property to build homes.

Kristen Miller

Ms. Miller will soon be moving to the Township and recently visited the farm for the first time. She expressed excitement for the possibilities of the space, noting that she has multiple ideas on how to preserve space, educate people on the history of the property and bring different people together.

Bob Wowk, 12 Cooper Road

Mr. Wowk stated that it is impractical to develop the property without the support of Mendham Borough. He encouraged residents to approach the Borough to support a shared library.

Karen Romweber, 14 Ballantine Road

Ms. Romweber was concerned about the effect on the character of the neighborhood. She moved to the neighborhood because it was a safe, residential space. She suggested that neighborhood representatives should meet regularly with the Committee to discuss property uses.

Judy Lee, 6 Shelton Road

Ms. Lee stressed that the infrastructure is not ready to host large events. She noted that recent car burglaries has raised a red flag regarding using the farm for events. She urged the Committee to make a quick decision to cease the farmers market.

Elaine Sawka, 4 Ballantine Road

Mrs. Sawka did not support the farmers market due to the noise pollution cause by the drums. She added that a larger library is not needed because other resources, such as the Morris County Library, can be utilized.

Carlos Garcia, 8 Cooper Road

Mr. Garcia stated that the market has taken away the charm of the neighborhood. The Committee needs to put people first and think about the financial implications.

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Mary Judith Kemp, 39 Hilltop Circle

Ms. Kemp voiced her desire to see Township maintain the property as part of history. She stated that the discussion should not be focused on books but on having adequate public meeting place. There is currently no place to gather as a community and the Committee should consider the many possibilities.

Rick Blood, Tingley Road

Mr. Blood stated that there needs to be balance between the preservation and use of the property and the neighbors around it. He acknowledged that the property requires a large amount of maintenance; however, stressed the historic significance and possible opportunities.

Amey Vaccaro, 1 Stoney Hill Road

Ms. Vaccaro agreed that the library is growing and over capacity for the programs. She stated that it is necessary to create a community gathering space to overcome space issues and meet the needs of the town. She recommended that organizations work with the neighboring residents to develop a proposition that can benefit everyone and still consider the need for privacy.

Mr. Scialla, 16 Woodland Road

Mr. Scialla stated that the property presents a wonderful opportunity and more consideration should be given to the various use. He did not support the sale and development of the property. He said that more study is necessary to determine what is best for the town.

Robert Henelly, 2 Robert Road

Mr. Hennelly stated that he is interested in the history of the property, which had strong involvement in the American Revolution.

Sam Fairchild, 7 Cherry Lane

Mr. Fairchild stressed the importance of preservation. Funding should be the first and most important question. He suggested transferring lower impact activities to Pitney and relocating higher impact activities into the vacated spaces.

There being no further comment public hearing was closed.

Mr. Strobel applauded the audience for holding the discussion in a respectful manner. Mr. Strobel stated that reading the report several times and watching the related video only caused greater ambiguity. The video emphasized restoration and protection, but the report focused on the library. He stated that a better understanding of funding sources and what they are tied to is needed. He asked the PFPPSC to identify the grant sources and what the funding is tied to, and assign a probability of receiving the funding. He recommended contacting Mr. Nadaskay regarding how funds were raised for the mill.

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The Pitney finances were examined by the finance subcommittee. A report completed in 2011 by the initial task team identified a variety of needs and deficiencies with a repair estimate of \$660,000. The top priorities listed on the report are now in dire need of attention. The subcommittee also identified \$52,000 of additional work for tree trimming and recommended site work. Expenditures and rental income was reviewed.

Mr. Day reviewed the annual debt service. Payments will be about \$206,000 annually. There is currently a \$2.2 million balance remaining. Mr. Tolley stated that rental income is not covering expenses due to non-routine expenses and DPW labor costs. There was review of structural concerns and risk mitigation.

The next steps of the finance committee were reviewed. Short-term goals are to estimate the cost of immediate repairs, assess environmental issues, obtain an updated estimate of the property value and determine the potential impact on the tax base and debt service. In the next three months the subcommittee is hoping to obtain an estimate cost of maintaining the property "as-is" and update the 2011 report. Mr. Tolley stated that the property not being on the tax base should also be examined.

Mayor Thomas stated that the cost of structural issues, such as possible asbestos removal, should be examined. She noted that, while two roofs were recently repaired, the repairs were paid for through Township insurance. Since basic maintenance was not done she stated that the Committee should consider suing the estate for lack of maintenance and breach of agreement.

Mr. Tolley stated that the opposition to the farmers market demonstrates that the residents will not accepting regular use. There will be substantial cost to maintain and fix the property, and the Committee needs to look for guidance from the public. While preservation of the property would be difficult from a financial standpoint, it must be done if supported by the public. There was a brief discussion regarding the two percent cap and bonding.

There was discussion regarding fundraising. Mr. Dumovic stated that Mr. Strobel's request for additional information is not unreasonable. Mr. Strobel also requested the cost of a preservation study and grant writing.

Mr. Strobel was unsure if the decision to host the market at Pitney could be reversed mid-season, but felt changes could be made to help the residents, such as removing the band or changing the parking. Mayor Thomas stated that she will reach out to the Farmers Market and ask them to not have music. She noted that the stop sign was a safety measure that can not be removed.

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**APPROVAL OF MINUTES**

Regular meeting minutes – June 24, 2014

Mayor Thomas called for a motion to move the regular meeting minutes from June 9, 2014. Mr. Baumann so moved and Mr. Strobel seconded. There was a correction in a resident's name. All members present voted to approve.

**DISCUSSION**

None

**COMMITTEE REPORTS**

Mayor Thomas noted that Recreation has various activities continuing all summer. She encouraged residents to visit the website to view the activities.

**HEARING PERSONS PRESENT**

There being no comments, hearing persons present was closed.

**ANNOUNCEMENTS**

None

**NEW BUSINESS**

**Ordinance Introduction**

**ORDINANCE 9-2014**

AN ORDINANCE AMENDING CHAPTER 10 SECTION 28 ENTITLED,  
"POLICE DEPARTMENT" SUBSECTIONS A. AND B. THEREOF

Mayor Thomas read the Ordinance by title and called for a motion. Mr. Strobel so moved. Mr. Tolley seconded. There was discussion regarding staffing. Mr. Tolley recommended listing the staffing as it currently exists. Mr. Tolley made a motion to adopt the Ordinance with an amendment to match the current staffing level. Mayor Thomas seconded. Mr. Strobel presented some wording modifications. Mr. Strobel made a motion to adopt with further modifications and Mr. Baumann seconded. All members present voted to approve. Second reading and public hearing is scheduled for August 11, 2014.

**Ordinance 10-2014**

AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES  
OF THE TOWNSHIP OF MENDHAM IN THE COUNTY OF MORRIS, NEW JERSEY

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. Second reading and public hearing scheduled for August 11, 2014

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**Resolutions**

**RESOLUTION 2014-113**

**AUTHORIZING PAYMENT OF BILLS**

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

**RESOLUTION 2014-114**

**RESOLUTION TO APPROVE SETTLEMENT OF REAL PROPERTY TAX APPEAL**

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 2014-115**

**CERTIFICATION OF ANNUAL AUDIT**

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

**RESOLUTION 2014-116**

**APPROVAL OF CORRECTIVE ACTION PLAN**

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 2014-117**

**AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE H-GAC COOPERATIVE PRICING REGIONAL PLANNING COMMISSION TO OBTAIN MEMBERSHIP THEREIN FOR THE PERIOD OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2014**

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

**RESOLUTION 2014-118**

**AUTHORIZING ACQUISITION OF AN EXCAVATOR UNDER THE HOUSTON-GALVESTON AREA COUNCIL NATIONAL COOPERATIVE CONTRACT**

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

**RESOLUTION 2014-119**

**AUTHORIZING EXECUTION OF AN ADMINISTRATIVE SERVICE AGREEMENT TO ESTABLISH A DEFERRED COMPENSATION PLAN TO BE ADMINISTERED BY ICMA RETIREMENT CORPORATION**

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.

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**RESOLUTION 2014-120**

**APPOINTING MEMBER TO TREE COMMITTEE**

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

**RESOLUTION 2014-121**

**ESTABLISHING SALARIES**

**BROOKSIDE BEACH STAFF FOR 2014**

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 2014-122**

**APPOINTING ASHLEY WILSON TO THE PART-TIME**

**POSITION OF FINANCE ACCOUNT CLERK**

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

**RESOLUTION 2014-123**

**AUTHORIZING STATE TAX APPEAL REFUNDS**

Mayor Thomas read the resolution by title and called for a motion. Mr. Strobel so moved. Mr. Tolley seconded. Mr. Tolley asked for an update on tax appeal status, which will be discussed at the next meeting. All members present voted to approve.

**DISCUSSION**

Open items were reviewed. The Pitney home inspection report will be placed on the website.

**HEARING PERSONS PRESENT**

There being no comment hearing persons present was closed.

**ADJOURN**

Upon a motion made and seconded the meeting was adjourned at 10:18 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk