

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM  
REGULAR MEETING  
AUGUST 13, 2012**

Mayor Tolley called the meeting to order at 7:00 p.m. Township Hall, Brookside, New Jersey.

ROLL CALL:	Mr. Cioppettini	Present
	Mr. Merkt	Present
	Mr. Strobel	Present
	Mrs. Thomas	Absent
	Mayor Tolley	Present

Also Present: John M. Mills, III, Esq., Township Attorney  
Stephen Mountain, Township Administrator  
Kathleen Potter, Township Clerk

Mayor Tolley led the Pledge of Allegiance and 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 January 5, 2012 and August 9, 2012; Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

**EXECUTIVE SESSION**

**RESOLUTION 2012-133**

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Contemplated engagement of counsel

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

The Committee entered into executive session at 7:25 p.m.

The Committee returned from executive session at 7:50 p.m.

**PRESENTATION** - Buttermilk Preserve/ Meadow Wood Park Report

Pat Zimmerman outlined the purpose and goals of the Facilities Committee. It was decided to only present the Buttermilk Falls and India Natural Area report.

Jerry Marcus provided a history of the parks. Mr. Marcus reviewed the various natural assets, including a swimming hole, hiking trails, limited hunting, three main ponds and three parking areas. The only man-made asset is a bridge which is modern and well built. Mr. Marcus stated that while there is no revenue to the park, there are also limited operating expenses. Expenses include maintenance of the trails and parking lots.

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Mr. Marcus stated that the Committee felt the area was utilized appropriately and made the following recommendations:

- Bulletin boards and signage should include language that historical sites should be left undisturbed
- Trails need to be reorganized and reblazed while keeping in mind protecting the historic sites
- Continue guided hikes

**DISCUSSION** – School Feasibility Study w/ Board President Andrew Christmann  
Mayor Tolley stated that Mr. Christmann was invited to the meeting in order to gain understanding of the school board’s prospective.

Mr. Christmann noted that the Board of Education was focused on the educational aspect of the study. He stated that a lot of attention has been geared toward the failings of the regional district, therefore, he highlighted some of the school’s accomplishments, including West Morris Mendham being rated the third highest overall in the District I Group. Mr. Christmann stated that the school board did not find any study option detrimental.

The meeting was opened to hearing persons present. There being no comment, hearing persons present was closed.

**APPROVAL OF MINUTES**

Mayor Tolley called for a motion to approve the regular meeting minutes from July 24, 2012. Mr. Strobel so moved. Mr. Merkt seconded. All members present voted to approve.

Mayor Tolley called for a motion to approve the regular meeting minutes from July 24, 2012. Mr. Merkt so moved. Mr. Cioppettini seconded. All members present voted to approve.

**COMMITTEE REPORTS**

Mr. Mountain stated that the Finance Committee met to discuss long term financing and examine the pros and cons of bond ordinances versus note financing. A formal presentation will be made to the Township Committee at a future meeting, which will outline the Finance Committees recommendations.

Mayor Tolley moved the Proclamation Honoring Michael Robinson up in the agenda since Anthony Robinson was present to accept the award on his brother’s behalf.

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

**HEARING PERSONS PRESENT**

The meeting was opened to hearing person present.

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Erika Kantor, 7 Thackery Lane

Ms. Kantor noted that the pending zoning violations for a Thackery Lane residence are continuously postponed. She stated that dog barking continues and questioned if the Township Committee is planning to reintroduce a dog ordinance.

Mayor Tolley stated that the Committee is currently considering a revised Ordinance. He asked for the number of dogs on the property to be looked into.

Ms. Kantor asked for an update regarding the zoning violations. Mr. Mills provided an update, noting that he believed the one violation will go before the Board of Adjustment in October.

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

**ANNOUNCEMENTS**

Mayor Tolley noted an invitation to Mendham Borough's Labor Day Parade.

**NEW BUSINESS**

**Ordinance Introduction**

**ORDINANCE 2012-07**

AN ORINANCE OF THE TOWNSHIP OF MENDHAM CREATING A NEW CHAPTER:  
65 PROPERTY MAINTENANCE REQUIREMENTS

Mayor Tolley read the ordinance by title and called for a motion. Mr. Merkt so moved. Mr. Strobel seconded. Mr. Mills noted that the ordinance is scheduled for public hearing and second reading on August 28, 2012. All members present voted to approve.

**Proclamations**

PROCLAMATION RECOGNIZING PATRICK RUVANE

Mayor Tolley read the proclamation and called for a motion. Mr. Strobel so moved. Mr. Cioppettini seconded. All members present voted to approve.

**Resolutions**

**RESOLUTION 2012-134**

AUTHORIZING PAYMENT OF BILLS

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

**RESOLUTION 2012-135**

AUTHORIZING REFUND OF TAX OVERPAYMENTS

Mayor Tolley 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 2012-136**

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Contract – Sewer Utility Operation

Litigation – Thackery Lane

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

**DISCUSSION**

Mr. Mountain stated that the Open Space Committee met with the Morris County Park Commission to review the proposed trail at Mosle Preserve. The County indicated a number of positive recommendations verbally. Upon receipt of the recommendations via letter trail construction will be finalized and any remaining concerns will be addressed.

**OPEN ITEMS**

Review of Banking Proposals – August 28<sup>th</sup>

Mosle Parking Lot – September

Sign/ Land Use Ordinance Planning Board Recommendations – September

Presentation of Performance Measurement Software Proposal – September 10<sup>th</sup>

**HEARING PERSONS PRESENT**

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

**EXECUTIVE SESSION**

Upon motion duly made the Committee entered executive session at 8:45 p.m.

The Committee returned from executive session at 9:20 p.m.

**ADJOURN**

Upon a motion made and seconded the meeting was adjourned at 9:22 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk