

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
AUGUST 19, 2014**

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

ROLL CALL:

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, 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 30, 2014. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

RECOGNIZE NEW FIREFIGHTERS

Drew Gizzi – New Senior Firefighter
Brian Wlazlowski – Junior becoming Senior Firefighter

Captain Peter Staples introduced Mr. Wlazlowski and gave a brief background on Mr. Gizzi who could not be present at the meeting.

RECAP ON POST EXECUTIVE SESSION ACTIONS – Mayor Thomas

After the July 29, 2014 executive session a resolution was adopted extending the contract for Whitewater, Inc.

APPROVAL OF MINUTES

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

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

DISCUSSION

None.

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COMMITTEE REPORTS

As the school liaison Mr. Strobel reported on last night's school board meeting. He addressed a letter the Committee received last year from Mr. Button challenging a letter distributed by Superintendent Mackey Pendergrast. Mr. Pendergrast explained in the letter that the IB Program will now be included in NJ Monthly rankings, which he predicted will have a positive effect on future rankings.

Mr. Buttons letter expressed concern that Mr. Pendergrast's letter was misleading. His continued attacks on the superintendent include voting against a contract extension and merit pay, and voting against district reorganization. Mr. Strobel noted that Mr. Button failed to attend 9 out of 10 meetings in 2013.

Mr. Strobel stated that during a recent presentation Mr. Pendergrast revealed that 70% of students were accepted to competitive colleges. After the presentation Mr. Button called for a communications policy that would require the Board to preapprove communications to the general public by the superintendent in order to stop "inaccurate and misleading communications".

Mr. Strobel stated that Mendham is now ranked fourth in the NJ Monthly rankings due to inclusion of the IB program. He congratulated Mr. Pendergrast, as well as the staff and teachers. Mr. Strobel added that it is time to stop the destructive myth that the school is failing. Mr. Tolley recommended sending a letter to Mr. Pendergrast congratulating him on the school's success.

Mr. Merkt stated that the Pitney Finance Subcommittee is working diligently to understand the financial investment. After examining the rental units the subcommittee concluded that, due to necessary, costly improvements, steps should be taken to properly discontinue renting. The subcommittee has not yet reached a recommendation regarding long-term use of the property.

Mr. Strobel noted that the Pitney Committee is currently examining funding and funding sources.

Mayor Thomas stated that she met with DPW and reviewed infrastructure changes. For example, in 1989 there were 70 miles of road versus the current 96 miles. There were also no parks to maintain and today there are 10 parks. There will be a DPW presentation in the fall. There was discussion on acquisition of open space.

HEARING PERSONS PRESENT

Michael Merritt, Mountainside Road

Mr. Merritt reiterated the need for Mendham TV volunteers. It is important for people to have access to the process, and to the issues and presentations being presented. Taping also creates a permanent and objective record.

ANNOUNCEMENTS

The Clam Bake is scheduled for September 6, 2014.

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OLD BUSINESS

Ordinance Public Hearing

ORDINANCE 9-2014

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

Mayor Thomas called for a motion to adopt the ordinance. Mr. Merkt so moved. Mr. Strobel seconded. The meeting was open to the public. There being no comments public hearing was closed. All members voted to approve.

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 called for a motion to adopt the ordinance. Mr. Strobel so moved. Mr. Merkt seconded. The meeting was open to the public. A brief summary of the ordinance was presented for Mr. Merritt. Public comment was closed. All members voted to approve.

NEW BUSINESS

Resolutions

RESOLUTION 2014-129

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 2014-130

AUTHORIZING REFUND OF TAX OVERPAYMENTS

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 2014-131

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. Merkt seconded. All members voted to approve.

RESOLUTION 2014-132

APPROVING 2013 LOSAP ELIGIBILITY LIST

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

RESOLUTION 2014-133

ESTABLISHING ADDITIONAL SALARY
BROOKSIDE BEACH STAFF FOR 2014

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

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RESOLUTION 2014-134

AUTHORIZING THE EXECUTION OR ACKNOWLEDGMENT AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION WITH THE MORRIS COUNTY IMPROVEMENT AUTHORITY'S 2014 COUNTY GUARANTEED LEASING PROGRAM

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

RESOLUTION 2014-135

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

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 2014-136

ESTABLISH COOPERATION AGREEMENT BETWEEN THE TOWNSHIP OF MENDHAM AND THE MORRIS COUNTY DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE FISCAL YEARS 2015, 2016 AND 2017

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

RESOLUTION 2014-137

LETTER OF AGREEMENT FOR MENDHAM MUNICIPAL ALLIANCE FOR THE GRANT PARTICIPATION AND COUNTY SUPPLEMENTAL FUNDING

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 2014-138

ESTABLISHING DATES FOR HUNTING FROM TREE STANDS ON TOWNSHIP OWNED NATURAL AREAS

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

RESOLUTION 2014-139

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

Discussion re: return of personal property and potential litigation
Contract for Acquisition
Potential Litigation

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

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RESOLUTION 2014-140

AUTHORIZING DISPOSAL OF SURPLUS PROPERTY
THROUGH GOVDEALS ONLINE AUCTION

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

RESOLUTION 2014-141

APPROVING ISSUANCE OF SOCIAL AFFAIR PERMIT
MENDHAM TOWNSHIP & BOROUGH 1ST RESPONDERS FUNDRAISER

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

DISCUSSION

None

OPEN ITEMS

Status of Financial Records

Tim Day, CFO, stated that all recs are completed through July. He reviewed the new spreadsheet being utilized by the department and reviewed the department's progress in completing the audit recommendations.

Main Street Bridge Conduits

The County still needs to meet with the residents. Mrs. Upchurch will be contacting Verizon to fix the looped cables on Main Street.

The Route 24 Bridge near Sammy's will be complete after the installation of an end buffer. The speed limit signs have been removed. Installation of the post office parking lot posts is pending approval by the property owner.

HEARING PERSONS PRESENT

Diana Brown, Ironia Road

Ms. Brown reinforced the need for volunteers. Several committees have vacancies and expiring terms. She stated that the tenants in India Brook should be notified of the hunting dates, adding that signs should be posted at all access trails.

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

EXECUTIVE SESSION

Upon motion duly made and seconded the Committee entered executive session at 9:00 p.m.

The Committee returned from executive session at 9:50 p.m.

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RESOLUTION 2014-142

APPOINTING THE LAW FIRM OF IACIOFANO & PERRONE TO CONDUCT
AN INVESTIGATION REGARDING ALLEGATIONS OF HARASSMENT

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

ADJOURN

Upon a motion made and seconded the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk