

**TOWNSHIP COMMITTEE - TOWNSHIP OF MENDHAM
REGULAR MEETING
SEPTEMBER 8, 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 7, 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

After the August 19, 2014 executive session a resolution was adopted appointing Iacofano & Perrone to conduct investigative services for the Township.

APPROVAL OF MINUTES

Mayor Thomas called for a motion to move the regular meeting minutes from August 19, 2014. Mr. Tolley so moved and Mr. Merkt seconded. All members voted to approve.

Mayor Thomas called for a motion to move the executive session meeting minutes from August 19, 2014. Mr. Merkt so moved and Mr. Strobel seconded. All members voted to approve.

Mayor Thomas called for a motion to move the regular meeting minutes from August 26, 2014. Mr. Merkt so moved and Mr. Strobel seconded. All members voted to approve.

DISCUSSION

Pitney Farm - Financial Update

Mr. Merkt stated that the Pitney financial subcommittee has focused their attention on rental property analysis. He reviewed the subcommittee's progress to date and estimated that their complete analysis will be completed in one month.

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Mr. Merkt reviewed the expenses and income of continuing the four rentals, continuing only one rental, and eliminating rentals completely. There is a loss of \$41,104.00 when all rentals are maintained, a loss of \$1,006.00 when one rental is maintained and a loss of \$20,196.00 with no rentals. The subcommittee recommended exiting the rental business entirely giving due consideration to existing tenants. They also did not recommend renting one property due to the potential cash loss and non-quantified risks. Mr. Merkt reviewed the next steps of the process, which included winterizing the house, and finalizing an estimate on the land value and tax implications under various use scenarios.

Mr. Tolley stated that there are benefits to renting the two story house, such as adding value to the land if sold or benefiting the town in future use. He suggested increasing the rent to cover some of the loss. Mr. Mills verified that one unit could be retained. The other units require six months written notice and would be retired permanently from renting. Mr. Tolley recommended beginning the process with the other units and reconsidering the two story house. Mr. Merkt emphasized that any decision regarding the rental units will not affect the long-term plan of the property.

Mr. Tolley made a motion to implement an exit strategy to vacate the rentals except for the two story house, and direct the attorney to issue notices to the three tenants. Mr. Merkt seconded.

Mr. Strobel voiced concern for the families and children in the rentals units. Mr. Merkt stated that adjustments can be made for individuals facing hardship. Mr. Baumann requested that Mrs. Upchurch reach out to the family to discuss the situation.

All members voted to approve.

Pitney Farm - Parking

Mrs. Upchurch stated that the County was notified that the open space at Pitney is being utilized for farmer's market parking. Permitted uses for open space are not clear and she is waiting to speak to the County. Mr. Tolley noted that the original parking plan called for parking on non-open space; however, the plans changed upon recommendation from the neighbors.

Mendham TV

Mayor Thomas reminded residents that Mendham TV needs volunteers.

Food Pantry

Although the County is not hosting the food drive competition the Township is still collecting donations for the Chester Food Pantry. Donations can be delivered to town hall or the post office.

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High School Study

Mr. Strobel stated that the feasibility study of potentially dissolving the regional high school district to form a new district with just the Chesters and Mendhams is underway. He reviewed the purpose of the study and noted that representatives from all four towns met with the consultant. The consultant is currently on schedule to produce the final report in late January or early February.

COMMITTEE REPORTS

The budget process will begin shortly. Shredder Day is scheduled for September 20th. Brookside Beach had a very positive summer. Recreation is considering charging extra for use of the fields in order to pay for proper maintenance. There was discussion regarding the new software system at the DPW. The Clam Bake on September 6th was a big success.

ANNOUNCEMENTS

Mrs. Upchurch announced that the auction on GovDeals made \$33,949.00.

HEARING PERSONS PRESENT

Jamie Button, Glenbrook Drive

Mr. Button reported that Mendham High School ranked number four in NJ Monthly Magazine, as well as 87th in the country. He reviewed how the rankings are calculated. Mr. Button noted that there is still room for improvement, such as on standardized tests. He stated that he will continue to press for greater allocation of funds between the two high schools. There was discussion regarding the IB program. Mr. Button suggested that the IB program needs to be examined to determine the value.

Mr. Tolley stated that the IB program should not be targeted to certain students, but used as an educational philosophy as originally intended. Mr. Button stated that the program is open to all students.

David Bailin, 10 Washington Valley Road

Mr. Bailin complimented the DPW for efficiently milling and paving the road, and for building a berm to aid with water runoff.

Pat Zimmerman, West Main Street

Mrs. Zimmerman asked that the Committee consider the upkeep of the municipal building lawns when discussing DPW jobs.

Rick Blood, 21 Tingley Road

Mr. Blood stated that the Pitney Farm Public Purpose Committee met with the County regarding the open space. The County representatives indicated that as long as the land is being used for a public purpose then the open space can be used to compensate the public purpose. There can be modification to the open space to allow accessibility for future use of the

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property. There also weren't any restrictions regarding overflow from municipal use onto the open space.

It was verified that the rent for the rental units reflected current market value. Mr. Blood recommended examining the cost of the alarm monitoring.

Russ McCabe, 16 Carriage Hill

As a member of the Pitney Finance Subcommittee Mr. McCabe stated that the two-story rental must be inspected for safety and liability. The residents will be given 48 hour notice.

Eric Mauriello, 6 Woodlawn Terrace

Mr. Mauriello wished to gain access from Shores Road to have a natural gas line installed. An easement is needed to pass through Dismal Harmony and into his property. The tax map indicates that it is Township owned.

Mr. Mills stated that the tax map is not a reliable indicator of ownership and a title search is needed. He added that passing through Dismal Harmony may involve Green Acres restrictions.

Louis Mari, 334 Mendham Road West

Mr. Mari requested that the Township grant an easement on the Cider Mill property in order to have access to his property for a gas line. Mr. Mills recommender that Mr. Mari contact the Township engineer and noted that a title search will have to be completed.

There being no further comments hearing persons present was closed.

NEW BUSINESS

Resolutions

RESOLUTION 2014-146

AUTHORIZING PAYMENT OF BILLS

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 2014-147

GRANTING PERMISSION FOR DISPLAY OF FIREWORKS

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

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RESOLUTION 2014-148

ENDORISING THE ACQUISITION OF DEVELOPMENT RIGHTS
ESTATE OF DAVID R. ARESTY

Mayor Thomas read the resolution by title and called for a motion. Mr. Baumann so moved. Mr. Merkt seconded. There was a brief discussion regarding the location of the property. Mr. Strobel made a motion to table the resolution and Mr. Merkt seconded. All members voted to approve.

RESOLUTION 2014-149

AUTHORIZING REDUCTION OF CASH BOND
GREEN VIEW ESTATES
BLOCK 123, LOTS 24, 25, 33, 34, AND 36

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 2014-150

AUTHORIZING A CONTRACT BETWEEN THE TOWNSHIP AND MENDHAM
TOWNSHIP POLICE BARGAINING UNIT - P.B.A. LOCAL 139
TO GOVERN SALARIES AND TERMS AND CONDITIONS OF EMPLOYMENT
FOR THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2016

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 2014-151

CANCELLATION OF OUTSTANDING CHECKS

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 2014-152

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Matters pertaining to:

- Personnel – Discussion of Salary
- Contract Negotiations
- 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.

RESOLUTION 2014-153

APPOINTING TEMPORARY CODE INSPECTOR

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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Mr. Baumann congratulated Superintendent Mackey Pendergrast for the outstanding results at the high school.

OPEN ITEMS

The post office property owners have granted permission to install the white posts in the parking lot. The September 23, 2014 meeting will be held at Brookrace

HEARING PERSONS PRESENT

Sam Fairchild, 7 Cherry Lane

Mr. Fairchild stated that the high school has shown excellent results in the past, but they were not revealed. There was discussion regarding the curriculum and teacher/ student ratios.

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

EXECUTIVE SESSION

Upon motion duly made and seconded the Committee entered executive session at 9:30 p.m.

The Committee returned from executive session at 10:30 p.m.

RESOLUTION 2014-154

ESTABLISHING SALARIES FOR OFFICERS AND EMPLOYEES
OF THE TOWNSHIP FOR THE YEAR 2014

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 2014-155

APPOINTING ROCCO DIGREGORIO TO THE POSITION OF PROBATIONARY PATROLMAN
WITH THE POLICE DEPARTMENT OF THE TOWNSHIP OF MENDHAM

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

ADJOURN

Upon a motion made and seconded the meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Kathleen Potter, Township Clerk