



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
September 22, 2015 - 7:30 p.m.**

1. ROLL CALL:

Mr. Cioppettini
Mrs. Orban Brown
Mrs. Thomas
Mr. Tolley
Mayor Baumann

2. SALUTE TO THE FLAG:

3. 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 Daily Record, Observer Tribune and the Star Ledger on January 6, 2015. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk. Official action may be taken.

4. RECAP ON POST EXECUTIVE SESSION-Mayor Baumann

5. COMMITTEE REPORTS

6. ANNOUNCEMENTS

- The Brookside Bridge project is expected to begin on or around November 1st. The good news is, the road will be closed for no more than three weeks.
- Shredder Day-September 26th 8:30-12 noon in the Town Hall Parking lot
- Brush pick up is scheduled for October 5th, please see our website for details
- Passing of Elizabeth Tomkins
- October 13th meeting is not the usual night due to Columbus Day

7. HEARING PERSONS PRESENT

8. ORDINANCES FOR SECOND READING

Ordinance 2015-10 was introduced and passed on first reading on September 8th

ORDINANCE 2015-10

AN ORDINANCE TO PROVIDE FOR A MID-BLOCK CROSSWALK
ON COREY LANE, IN THE TOWNSHIP OF MENDHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY

Second & public hearing, discussion, roll call vote

9. NEW BUSINESS

**Ordinance for First reading
ORDINANCE 2015-11**

AN ORDINANCE GRANTING MUNICIPAL CONSENT TO NEW JERSEY AMERICAN WATER COMPANY, INC. TO PERMIT THE CONSTRUCTION, EXPANSION AND MAINTENANCE OF WATER FACILITIES ON PUBLIC PROPERTY IN THE TOWNSHIP OF MENDHAM IN ORDER TO FURNISH WATER SERVICE WITHIN THE BOUNDARIES OF THE TOWNSHIP TO PROPERTY IDENTIFIED AS SISTERS OF ST. JOHN THE BAPTIST ON MOSLE ROAD (Block 5 Lot 6)

AND

APPROVING THE ASSIGNMENT TO NEW JERSEY AMERICAN WATER COMPANY OF THE FRANCHISE HERETOFORE ISSUED TO ROXITICUS WATER COMPANY

SUMMARY

Motion to adopt, second public hearing, discussion, roll call vote

The Second reading, Public hearing and final adoption will take place on October 13th

Resolutions

RESOLUTION 2015-126

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

Motion to adopt, second, discussion, roll call vote

RESOLUTION 2015-127

RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND

Motion to adopt, second, discussion, roll call vote

RESOLUTION 2015-128

Hazard Mitigation Plan

Motion to adopt, second, discussion, roll call vote

RESOLUTION 2014-129

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE COLD HILL IMPROVEMENT PROJECT

Motion to adopt, second, discussion, roll call vote

RESOLUTION 2015-130

AUTHORIZING PAYMENT OF BILLS

Motion to adopt, second, discussion, roll call vote

10. DISCUSSION

Access to Pitney property
CFO search
Mendham Sewer East
Videotaping budget

11. OPEN ITEMS

LOSAP review
Municipal Court
Recreation Update:

- Study of fees charged by neighboring towns
- Recreation Trust Fund financial status YTD

Pitney farm- next steps

12. HEARING PERSONS PRESENT

13. RESOLUTION 2015-131

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Motion to adopt, second, discussion, roll call vote

14. EXECUTIVE SESSION

Contract

15. ADJOURNMENT

**TOWNSHIP OF MENDHAM
MORRIS COUNTY – NEW JERSEY
ORDINANCE 2015-10**

**AN ORDINANCE TO PROVIDE FOR A MID-BLOCK
CROSSWALK
ON COREY LANE, IN THE TOWNSHIP OF MENDHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY**

Be it Ordained by the Township Committee of the Township of Mendham, County of Morris, State of New Jersey, as follows:

Section I - That a mid block cross walk across **Corey Lane** be hereby established at **approximately 794 feet south of the southerly edge of pavement of the intersection with Green Hills Road.**

Section II - That the crosswalk markings shall be installed in accordance with the Manual on Uniform Traffic Control Devices.

Section III - That signs shall be erected and maintained to effect the above designated crosswalk in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways and the guidelines set forth by the Commissioner of the Department of Transportation.

Section IV - This Ordinance shall take effect pursuant to N.J.S.A 39:4-86 (3) and N.J.S.A 40:49-2.

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF MENDHAM

Mary Beth Zichelli
Municipal Clerk

Chris Baumann, Mayor

**TOWNSHIP OF MENDHAM
MORRIS COUNTY – NEW JERSEY
ORDINANCE 2015-11**

AN ORDINANCE GRANTING MUNICIPAL CONSENT TO NEW JERSEY AMERICAN WATER COMPANY, INC. TO PERMIT THE CONSTRUCTION, EXPANSION AND MAINTENANCE OF WATER FACILITIES ON PUBLIC PROPERTY IN THE TOWNSHIP OF MENDHAM IN ORDER TO FURNISH WATER SERVICE WITHIN THE BOUNDARIES OF THE TOWNSHIP TO PROPERTY IDENTIFIED AS SISTERS OF ST. JOHN THE BAPTIST ON MOSLE ROAD (Block 5 Lot 6)

AND

**APPROVING THE ASSIGNMENT TO NEW JERSEY AMERICAN WATER COMPANY OF THE FRANCHISE HERETOFORE ISSUED TO ROXITICUS WATER COMPANY
SUMMARY**

An ordinance granting municipal consent to New Jersey American Water Company, Inc. to extend water service and its facilities in the Township of Mendham in order to provide water and sewer services to a site on Mosle Road within the municipal boundaries of the Township of Mendham

WHEREAS, the Township of Mendham ("Township"), Morris County, New Jersey desires and permits New Jersey American Water Company, Inc. ("Company") to provide water services to a site within the municipality Block 5 Lot 6 not currently within New Jersey American Water's existing franchise (see ordinances 16-92, 3-94, 15-97, 8-2000; and

WHEREAS, New Jersey American Water Company, Inc. ("Company") is a regulated public utility corporation of the State of New Jersey presently seeking the municipal consent of the Township to permit said Company to extend water service and its facilities in the Township; and

WHEREAS, the Company has requested the consent of the Township as required by N.J.S.A. 48:13-10, 48:13-11, 48:19-17 and 48:19-20, as amended, to lay its pipes beneath and restore such public roads, streets and places as it may deem necessary for its corporate purposes, free from all charges to be made for said privilege (except fees for road opening permits shall be paid), provided that said pipes shall be laid at least three feet (3') below the surface and shall not in any way unnecessarily damage such public places, drains, catch basins, sanitary sewers or like municipal improvements, and should damage occur the Company shall forthwith repair the damage and restore the public places and any municipal facilities to the condition the same enjoyed prior to such damage. The Company shall not unreasonably or unnecessarily obstruct or interfere with the public travel or cause or permit other than temporary damage to public or private property, the Company shall further comply with all ordinances of the Township of Mendham, and

WHEREAS, it is deemed to be in the best interest of the citizens of the Township with regard to the entire municipality to provide this consent;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MENDHAM IN THE COUNTY OF MORRIS, NEW JERSEY

SECTION I - That the Township hereby grant to the Company, its successors and assigns, the franchise, "the extended franchise area" and municipal consent required under the provisions of N.J.S.A. 48:13-10, 48:13-11, 48:19-17 and 48:19-20, as amended without charge therefore, (except fees for road opening permits shall be paid) as the same may be required in order to permit the said Company to add to, extend, operate and maintain said water facilities on public property in order to provide water service within municipal boundaries to a certain property on Mosle Road (Block 5 Lot 6), known as the "extended franchise area". The privilege granted herein shall include the construction, installation and maintenance of hydrants on and along the Township roads, streets and places at locations as the Township shall designate from time to time. Township hereby agrees to pay to the Company the filed tariff rates for public fire protection service rendered through said hydrants where the same are located on public property.

SECTION II - That a certified copy of this Ordinance, upon final passage, shall be sent to the Company, the New Jersey Department of Environmental Protection and the Board of Public Utilities of the State of New Jersey.

SECTION III - That the consent granted herein shall be subject to the Company complying with the applicable Township ordinances, State of New Jersey statutes and any New Jersey administrative agency's rules and regulations which apply to the subject matter of this Ordinance; and, that the Mayor and the Clerk of the Township be authorized to execute the documents and agreements necessary to effectuate the municipal consent and to protect the rights of the public involved.

SECTION IV- Be it further ordained that the franchise issued by this municipality to Roxiticus Water Company which is proposed to be assigned to and assumed by New Jersey American Water Company be and the same is hereby extended to New Jersey American Water Company.

SECTION V — If a section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION VI This municipal consent supersedes all franchise agreements agreed to by and between the Company and the Township

SECTION VII- This ordinance shall take effect upon publication and as provided by law.

Effective Date: September 22, 2015

Mary Beth Zichelli, Township/ Clerk

RESOLUTION 2015-126
APPOINTING ROCCO DIGREGORIO TO THE POSITION OF PATROLMAN
IN THE MENDHAM TOWNSHIP POLICE DEPARTMENT

WHEREAS, Rocco DiGregorio has served as a Probationary Officer in the Mendham Township Police Department since September 9, 2014; and

WHEREAS, the Chief of Police has recommended the appointment of Rocco DiGregorio as a permanent member of the Mendham Township Police Department; and

WHEREAS, the Township Committee finds and determines that Rocco DiGregorio rendered satisfactory service as a Probationary Officer, meets all of the requirements for appointment as a permanent member of the Mendham Township Police Department and possesses all of the qualifications for such appointment.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, as follows:

1. Rocco DiGregorio is hereby appointed a permanent member of the Mendham Township Police Department with the rank of Patrolman. This appointment shall take effect September 9, 2015.
2. Commencing September 9, 2015, Patrolman DiGregorio shall be compensated at the rate of \$46,068.75.00 per year in accordance with the provisions of the current Agreement between the Township of Mendham and the Mendham Township Police Bargaining Unit.
3. Certified copies of this Resolution shall be forwarded by the Township Clerk to the Chief of Police, Patrolman DiGregorio and to the Township Chief Financial Officer.

Adopted: September 22, 2015

ATTEST:

TOWNSHIP OF MENDHAM, IN THE
COUNTY OF MORRIS

Mary Beth Zichelli, RMC, CMR
Township Clerk

Chris Baumann
Mayor

RESOLUTION 2015-127
RESOLUTION FOR RENEWAL OF MEMBERSHIP
IN THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, Mendham Township is a member of the Morris County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2015 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. Mendham Township agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

Adopted: September 22, 2015

ATTEST:

TOWNSHIP OF MENDHAM,
COUNTY OF MORRIS

Mary Beth Zichelli
Township Clerk

Christopher Baumann
Mayor

**RESOLUTION 2015-128
HAZARD MITIGATION PLAN**

WHEREAS the **Township of Mendham**, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

WHEREAS the *Morris County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update*, dated July 2015, includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the **Township Committee** of the **Township of Mendham**:

1. The *Morris County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency in July 2015 by the Morris County Office of Emergency Management is hereby adopted as an official plan of the **Township of Mendham**; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The **Township of Mendham** departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **Township of Mendham**, and this resolution shall not be interpreted so as to mandate any such appropriations.

4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Morris County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

PASSED by the **Township Committee** of the **Township of Mendham**, this 22ND day of September, 2015.

Attest:

Mary Beth Zichelli, Clerk

RESOLUTION 2015-129
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
THE COLD HILL IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as 00041 application ID from NJDOT SAGE to the New Jersey Department of Transportation on behalf of the Township of Mendham; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Mendham and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: September 22, 2015

ATTEST:

TOWNSHIP OF MENDHAM,
COUNTY OF MORRIS

Mary Beth Zichelli
Township Clerk

Christopher Baumann
Mayor

**RESOLUTION 2015-130
RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MENDHAM AUTHORIZING
THE PAYMENT OF BILLS**

BE IT RESOLVED, by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, that the Chief Financial Officer be and hereby is authorized to pay current bills as attached hereto and made a part hereof, contingent upon the approval of the Finance Committee.

Adopted: September 22, 2015

ATTEST:

TOWNSHIP OF MENDHAM,
COUNTY OF MORRIS

Mary Beth Zichelli
Township Clerk

Christopher Baumann
Mayor

RESOLUTION 2015-131

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF MENDHAM
AUTHORIZING DISCUSSION WITHOUT
THE PRESENCE OF THE PUBLIC**

WHEREAS, it is deemed appropriate that the Township Committee discuss the matters hereafter mentioned without the presence of the public, in accordance with the provisions of R.S. 10:412b, being section 7b of the Open Public Meetings Act;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mendham, in the County of Morris, New Jersey, as follows:

Contracts

Shall be discussed by the Township Committee without the presence of the public. It is anticipated that these matters can be disclosed to the public when further action is taken in connection with the discussion.

Attest:: September 22, 2015

TOWNSHIP OF MENDHAM,
COUNTY OF MORRIS

Mary Beth Zichelli, RMC, CMR
Township Clerk

Christopher Baumann
Mayor