



**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
FEBRUARY 12, 2018
Executive Session 6:30 PM
Regular Session 7:30 PM**

ROLL CALL:

Mr. Blood	Present
Mr. Cioppettini	Present
Ms. Duarte	Present
Mr. Gisser	Present
Mayor Diegnan	Present

Also Present: John M. Mills, III, Esq., Township Attorney
Deborah Bonanno, Administrator
Mary Beth Zichelli, Township Clerk

SALUTE TO THE FLAG

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, Observer Tribune and Daily Record on January 4, 2018. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

ANNOUNCEMENTS

Mayor Diegnan had many announcements:

- Lydia Blide, our finance/tax clerk recently passed the Tax Collector's exam. Lydia has been a tremendous asset to our team for almost two years and the Mayor congratulated her on this accomplishment.
- Our Administrator, Deborah Bonanno received her CMFO certification and the Mayor also congratulated her for this accomplishment.
- On a sad note, Mr. Bartlestein, a longtime resident of Mendham Township passed away on January 12th at the age of 100.

- The Mayor praised Tom Shaw, Scout Master for his efforts at the Pinewood Derby. Mayor Diegnan talked about what a nice event the Pinewood derby has always been and was glad to be a part of it.
- Mendham Township Boys and Girls basketball teams were Morris county champs and Mendham Township was the only school to win both boys and girls.
- The girls' basketball team, coached by Mr. Surrella were County Championships and finished the season with a 14-2 record.
- The boys basketball team, coached by Mr. DePugh was the first time the boys won the County Championship since 2014 and after a 3-9 start they ended the season winning 5 out of our last 6 knocking off the number 1 seed Mendham Boro in the semi finals and beating undefeated Pingry in the finals.
- The Mendham High School Cheerleading team finished # 3 in the nation at a recent competition.

CORRESPONDENCE

The Mayor stated that he had received many emails and calls in regards to the Facebook post. Since he could not respond to everyone he read the statement he made to the newspaper which talked about immigration being a national issue that needed to be handled care, compassion and dignity to all and as Mayor, he would strive to do that.

QUESTIONS FROM THE PUBLIC ON AGENDA ITEMS

The Mayor explained to the public that this portion of the agenda was to speak only about agenda items and others will have a chance at the end of the meeting to address other issues.

Michael Merritt, 73 Mountainside Road, asked about the Pitney property items to be sold and also asked about charitable giving and asked the TC to begin exploring the option.

APPROVAL OF MINUTES

January 23, 2018, executive session

Mayor Diegnan called for a motion. Mr. Gisser moved. Mr. Cioppettini seconded. All members voted to approve.

January 23, 2018, regular session

Mayor Diegnan called for a motion. Mr. Cioppettini moved. Mr. Blood seconded. All members voted to approve.

ORDINANCES FOR FIRST READING

ORDINANCE 2018-2

CREATING A NEW CHAPTER 10-46 TO BE KNOWN AS THE HISTORIC PRESERVATION COMMITTEE

The Mayor called for a motion to introduce. Mr. Cioppettini moved. Mr. Gisser seconded. All members voted to approve. This ordinance will be on for second reading and public hearing on February 27, 2018.

ORDINANCE 2018-3

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “ AN ORDINANCE CREATING A NEW "REUSE OF EXISTING BUILDINGS OVERLAY DISTRICT" IN A PORTION OF THE R-10 ZONE, PERMITTING THE REUSE OF EXISTING BUILDINGS FOR MULTIPLE USES AS A CONDITIONAL USE, AMENDING CHAPTER XXI "ZONING REGULATIONS" OF THE LAND USE ORDINANCE OF THE TOWNSHIP OF MENDHAM WHICH WAS ADOPTED AS ORDINANCE NO. 12-2014

The Mayor called for a motion to introduce. Mr. Cioppettini moved. Mr. Gisser seconded. All members voted to approve. This ordinance will be on for second reading and public hearing on February 27, 2018.

RESOLUTIONS

RESOLUTION 2018-27

The mayor announced that this resolution will be tabled until the next meeting when we have more details

AUTHORIZING THE EXECUTION OF THE GREEN ACRES RELEASE AND COMPENSATION AGREEMENT AND DEED OF RESTRICTION IN CONNECTION WITH THE STATE HOUSE COMMISSION APPROVAL OF THE TOWNSHIP OF MENDHAM’S DIVERSION APPLICATION (NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION SHC #1419002)

RESOLUTION 2018-28

AUTHORIZING EXECUTION AND SUBMISSION OF LETTER AGREEMENT ACCEPTING AND APPROVING PARTICIPATION IN THE COUNTY SUPPLEMENTAL FUNDING INITIATIVE FOR MENDHAM MUNICIPAL ALLIANCE FOR THE TERM OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2018

Mayor Diegnan called for a motion. Mr. Blood moved. Mr. Cioppettini seconded. All members voted to approve.

RESOLUTION 2018-29

AUTHORIZING REFUND OF OVERPAYMENT OF TAXES DUE TO NJ STATE TAX COURT JUDGMENT

Mayor Diegnan called for a motion. Mr. Gisser moved. Mr. Blood seconded. All members voted to approve.

RESOLUTION 2018-30

AUTHORIZING REFUND OF OVERPAYMENT OF 2018 TAXES

Mayor Diegnan called for a motion. Mr. Gisser moved. Ms. Duarte seconded. All members voted to approve.

RESOLUTION 2018-31

AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

Mayor Diegnan called for a motion. Mr. Gisser moved. Mr. Blood seconded. The Mayor stated that there are a variety of accessory structures on the Pitney property that no one is interested in, including Friends of Pitney and it is a chance to generate revenue for the town. All members voted to approve.

RESOLUTION 2018-32

ESTABLISHING AN AD HOC COMMUNICATIONS COMMITTEE AND APPOINTING MEMBERS

Mayor Diegnan called for a motion. Mr. Gisser moved. Ms. Duarte seconded. Ms. Duarte noted that a survey will be coming out shortly to see how the township can best communicate with the residents. All members voted to approve.

RESOLUTION 2018-33

AUTHORIZING PAYMENT OF BILLS

Mayor Diegnan called for a motion. Mr. Blood moved. Mr. Gisser seconded. All members voted to approve.

DISCUSSION

Mayor Diegnan noted that he has been in communication with the Friends of Pitney who are working on a strategic plan and they did a tour of the property to evaluate the property.

Mr. Cioppettini reported that the finance committee had met and he was happy to announce the operating budget would see a 1.4% tax increase and they would be working on the capital plan at the February 27th meeting which would be open to the public. He also stated that no department would see a cut in their budget.

Mr. Gisser responded to Mr. Merritt's question regarding charitable giving and although he cannot speak directly to it, the committee is aware of it, but it is too early to know what to do.

Mr. Blood told the committee that he had toured both sewer sites, went over the needs and identified areas to fix. He also attended the BOA meeting and recruited two people for merging the Land Use Boards and will go to the next Planning Board meeting to recruit members from that group. He also reported that the Drakewick treatment plant is almost done and seems to be running well.

Ms. Duarte addressed the Facebook post her colleague, Mr. Blood had posted. Ms. Duarte does not want to be known as a town that does not welcome everyone and has two ideas to help that. The first is to ask Mr. Blood to step down as the Deputy Mayor and the second is to pass a welcoming resolution.

Mr. Blood wanted to clear up what has happened over the last twenty-four hours. He stated that he did not make the immigrant connection and apologizes to those who thought he meant to hurt immigrants and apologizes to his fellow committee members for disrupting the meeting. He also stated that he did not plan on stepping down from the Committee.

Mr. Gisser stated that he wants the residents to trust the Committee and hopes that the people that come up to speak will be respectful of everyone.

Ms. Duarte again asked for Mr. Blood to step down as Deputy Mayor.

Mr. Cioppettini said he did not think the matter should be discussed in the open meeting.

Mayor Diegnan expressed his thoughts regarding the issue and stated that he and the Committee would work towards doing what is best for the Township.

HEARING PERSONS PRESENT

The following people from the public commented/voiced concerned over the Facebook posting by Committeeman Rick Blood: Laurie Pettine, Kimberly Gavagan, Karol Ruiz, Tamara Harris, Virginia Voght, Stacey Craig, Pat Kelly, Adam Dubeck, Liam Scullin, Shelley Morningstar, Rochelle Abraham, Vanessa Brown, Lisa Bhimani, Corey Holquist, Lisa Tafro, Kiam Abraham, Kathleen Hoffman, Fern Wolcon. Peter Staples, Michael Merritt, Anish Bhimani, Emily Hourihan, Megan Sager, Brian Lee, Bob Myer, Pat Zimmerman, Jack Bonnacore, and Peter Dumovic. Some residents also spoke in support of the Welcoming Resolution that Ms. Duarte had asked the TC to put on a future agenda.

Committee woman, Duarte expanded on each person who spoke. The following comments are her words, not that of the Clerk:

Laurie Pettine - of Woodland Road - Called the Facebook post inherently racist that in no way reflects Mendham Township. This is a distraction from the hard work ahead of us. Asked Committeeman Blood to resign.

Kimberly Gavagan - of Kennaday Road - She would support a Welcoming Resolution. You do not bring people together by posting a divisive statement. Said Committeeman Blood defended the Facebook post for hours before taking it down. Asked Committeeman Blood to resign.

Karol Ruiz of Dover, co-president Wind of the Spirit (with Noreen Staples and Jacob Fuger, who live in Mendham). Post was hateful, hurtful, dehumanizing and unbecoming of an appointed government official. The post compared undocumented immigrants to raccoons. Committeeman Blood's Facebook post apology was insufficient to repair the harm done.

Tamara Harris (candidate for Congress) - Instead of owning the communication, Committeeman Blood backed away and walked away. We live in 2018, and we do not have time for this as a country. The post was racist. Asked for Committeeman Blood to resign.

Virginia Vogt of Martins Lane of Mendham - How could anybody have read the post and passed it on? Grew up in an immigrant neighborhood. Asked Committeeman Blood to do the right thing and fully apologize.

Stacy Gregg of Rockaway - Asked Committeeman Blood to read the Facebook post to get it on the record. Asked if the Township Committee members had read the post. Asked Committeeman Blood to resign.

Patrick Kelly of Jane Terrace - Called Committeeman Blood disconnected. Said the post was a "bully move."

Adam Dubcek of Mendham Road West —This Committee is the leadership of this town and with leadership comes judgment. We can't sweep this under the rug. All of this negative

attention was brought to the town by the one member who was not elected. At the very least, asked Committeeman Blood to step down from the deputy mayor position.

Liz Hofman -of Levitan Lane - Do the right thing and step down.

Shelly Morningstar of Budd Lake - You are role models for your children, grand children and neighbors. Asked Committeeman Blood to resign.

Rochelle Abraham -of Roxiticus Road - Has taught her children that when someone says things about other people who don't have a voice, you speak up for them. Your comments comparing illegal immigrants to raccoons were hurtful to her as a first-generation American. Called the post hateful. Asked Committeeman Blood to resign.

Vanessa Brown of Shores Road - I tell college-bound students not to get on social media because it's "out there." Such a posting was not just a mistake. You have lost the public trust.

Cinthia Osirio of Wind of the Spirit - She is an immigrant. The comment were degrading, dehumanizing and broke my heart. Immigrants are human.

Linda Bhimani of Wainwright Road — I want people to think that Mendham Township is where I want to live. I am concerned about our reputation as a town. Asked Committeeman Blood to resign.

Corey Holquist of Hilltop Circle — It doesn't take political courage to do the right thing.

Lisa Tafro of Horizon Drive - Sickened and appalled by the post. Many of my in-laws are from other countries. You do not have the judgment to be serving. Asked for Committeeman Blood to resign.

Dan Abraham of Roxiticus Road - introduced his son, Kiam.

Kiam Abraham of Roxiticus Road - Asked do you know the Golden Rule? Treat others how you want to be treated.

Kathleen Hofman of Days Hills Drive - Supports the proposal to proclaim Mendham a Fair and Welcoming Community. Also suggested diversity training or community dinners as a way to move forward together.

Fern Wolkin of Hanover Township - We are lucky to be born in this country. No one is better than anyone else. Asked for Committeeman Blood to resign.

Peter Staples of Woodland Road - Issue is about treating everyone with basic human dignity. Need a proclamation acknowledging the human dignity of all people as a first step to moving forward.

Michael Merritt of Mountainside Road - The fact that you did not find this post deeply offensive is appalling. If we all leave this room without a change, we are standing for racism.

Anish Bhamini -of Wainwright Road - You have lost the public trust. It was a colossal error in judgment that normalizes hate speech.

Emily Hourihan of Corey Lane - Found it disturbing, especially because she serves with Committeeman Blood on he Recreation Committee. She wondered if Committeeman Blood wouldn't want immigrants on the playground. Her grandparents escaped Poland when the Nazis invaded. Asked for Committeeman Blood to resign.

Megan Sager of Mount Pleasant Road- A lack of action by the Township Committee is complicity.

Brian Lee of Somerset - Talked about fears faced by undocumented immigrants. You need to repair the public trust.

Rob Meyer - of East Ridge Road - Asked the Township Committee to take action to show that Mendham is an inclusive community. Asked for Committeeman Blood to resign

Noreen Staples of Woodland Road - Heart-broken about where we are. We are slowly stripping away rights and norms. I don't see any humility or responsibility for your actions. Silence is complicity.

Patricia Zimmerman of West Main Street - Asked Committeeman Blood to resign.

Jack Buonocore of Yorkshire Drive - Why isn't the Board doing more to reject these comments? Said this issue was symptomatic of other problems in the community, citing the purchase of Pitney, as one example. Asked for Committeeman Blood to resign.

Peter Dumovic of Shelton Road - Asked the Township Committee to reflect on what has been said and make the right decision for the town.

Mayor Diegnan asked for a motion to adjourn the public session, but Ms. Duarte asked to continue the meeting. Ms. Duarte motioned and Mr. Gisser seconded.

COMMITTEE DISCUSSION CONTINUED

Mr. Blood expressed his sorrow and apologized again for his actions. He does not want to step down because he believes he has a lot to offer and has worked hard for this Township, but if it is the wish of the Board to step down, he will do it.

Ms. Duarte suggested there are other ways to volunteer and hopes he chooses to step down, but can also find other ways to volunteer.

Mr. Gisser understands the Committee needs to work together effectively and the decisions to be made will be difficult.

Mr. Cioppettini understands the Committee has a job to do and has to decide how to move forward.

Mayor Diegnan called for a motion to recess to executive session. Ms. Duarte moved and Mr. Gisser seconded it.

The Mayor thanked everyone for coming out and being respectful.

ADJOURNMENT

The Township Committee reconvened to executive session at 10:15 PM and adjourned at 10:20 PM. They came back to the dais, whereby the Mayor announced that Deputy Mayor Blood has resigned from the Township Committee as of midnight, February 12th.

The Township Committee then adjourned at 10:25 PM.

Respectfully submitted,
Mary Beth Zichelli

Township Clerk