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**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM**

July 26, 2016

**7:00 p.m. Regular session Minutes
BROOKRACE PAVILION**

ROLL CALL:

Mr. Baumann	Present (Absent for executive)
Mrs. Orban Brown	Present
Mrs. Thomas	Present
Mr. Tolley	Present
Mayor Cioppettini	Present

Also Present: John M. Mills, III, Esq., Township Attorney
Debbie Bonanno, Township 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 Daily Record and the Observer Tribune on July 21, 2016. Notice was posted on the Bulletin Board in the Township Offices and Notice was filed with the Township Clerk.

RESOLUTION 2016-100

AUTHORIZING DISCUSSION WITHOUT THE PRESENCE OF THE PUBLIC

Mayor Cioppettini called for a motion. Mrs. Thomas moved. Mrs. Orban Brown seconded. All members present voted to approve.

APPROVAL OF MINUTES

July 11, 2016, regular

Mayor Cioppettini called for a motion to approve the minutes. Mrs. Thomas moved. Mrs. Orban Brown seconded. Mrs. Thomas and Mayor Cioppettini abstained. All other members present voted to approve.

HEARING PERSONS PRESENT

Seeing there were no members of the public wishing to speak, the Mayor continued with the Ordinances for second reading.

ORDINANCES

ORDINANCES FOR SECOND READING

ORDINANCE 2016-11

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$400,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$380,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

This ordinance 2016-11 was introduced and passed on First Reading at the Township Committee meeting on June 28, 2016. Mrs. Orban Brown moved to adopt the Ordinance on second reading, seconded by Mrs. Thomas. The Mayor opened the floor for public hearing. Seeing there were no residents wishing to speak, he opened the floor to the Committee.

Mr. Tolley stated he was not voting for the ordinance because the increases were only for rounding purposes and the security system was not discussed adequately.

Mrs. Thomas stated she was reluctant to vote for an ordinance that has a lot of gray areas and items which she called a slush fund.

Mr. Mills explained that paving roads were included in the ordinance and they would not be able to be completed if the ordinance was voted down.

Mrs. Orban Brown recalled questions by Mr. Tolley at the April 5th meeting regarding the municipal building improvements which were answered by the CFO and Bond Counsel.

Mr. Tolley said he would vote for a simple amendment of reducing the ordinance by \$5000 and removing the security system.

Mayor Cioppettini stated the cameras would be a benefit to employees.

Mr. Baumann asked if the Committee was worried about the expense of security cameras or that it should be done for best practices.

Mr. Tolley explained that the budget process should have details of expenditures.

Mrs. Orban Brown said she was also opposed to a slush fund, but did not believe the municipal building items were considered that.

Mr. Tolley noted that all departments usually pitched their budget, and this was not done this year which is why he stated he will not approve and stand for this budget process.

Mr. Mills explained the vote/amendment process.

Mrs. Orban Brown agreed a reduction of \$5000 was agreeable, but she is concerned with voting no to the security system.

Mr. Baumann, remarked that he finds it appalling that the Township does not have security cameras.

Mr. Tolley motioned with a second by Mrs. Thomas to make an amendment to the Bond Ordinance. A roll call vote was taken. Mayor Cioppettini and Mrs. Orban Brown voted no and all others present voted yes.

John Mulhearn, 3 Mill Stone Road, asked for clarification of the Bond Ordinance. The Mayor read the ordinance figures.

Mrs. Orban Brown commented that she still wanted the security cameras but did not want to stand in the way of the other projects.

After much discussion a roll call vote was taken. All members voted to approve the amended ordinance.

ORDINANCE 2016-13

ORDINANCE AMENDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS AND NOTES OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, FOR UPGRADES TO THE MENDHAM SEWER EAST TREATMENT PLANT, FINALLY ADOPTED MAY 24, 2016

This ordinance was introduced at the June 28th meeting and tabled at the July 11th meeting due to lack of Committee members present.

Mayor Cioppettini read the Ordinance by title and called for a motion to introduce. Mr. Tolley moved. Mrs. Thomas seconded. The Mayor opened it up for discussion and public hearing.

Joe McCann, 53 Walsingham Road, inquired about the progress of the treatment plant and Ms. Bonanno stated they were waiting on the State.

Jim McLoughlin, 45 Devonshire Lane, asked about the work being done and Ms. Bonanno explained the process of a treatment plant with the State and Onsite Engineering.

Michael Merritt, 73 Mountainside Road, asked the Committee to be more careful with future ordinances, so an amendment was not necessary.

Mr. Baumann abstained. All others voted to approve.

ORDINANCE 2016-14

AMENDING ORDINANCE 1977-17

AN ORDINANCE AMENDING THE APPOINTMENT OF A QUALIFIED PURCHASING AGENT (QPA)

This ordinance was introduced at the July 11th meeting.

Mayor Cioppettini read the Ordinance by title and called for a motion to introduce. Mrs. Thomas moved. Mrs. Orban Brown seconded. The Mayor opened it up for discussion and public hearing. All members present voted to approve.

PRESENTATION

Kathi Mantell- Audit report(Auditor's notes attached)- Kathi Mantell and Man Lee presented the Township audit for 2015. Ms. Mantell stated the Township ended the 2015 year well with financials very strong and were able to retain the bond rating. She also stated that Drakewick and Brookrace were operating on a brake even system and must be evaluated.

The Mayor stated that the financial books were not in place last year and with new people in place, it is working well and will be even better next year.

RESOLUTIONS

RESOLUTION 2016-101

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM FOR CERTIFICATION OF ANNUAL AUDIT

Mayor Cioppettini called for a motion. Mrs. Orban Brown moved. Mr. Tolley seconded. All members present voted to approve.

RESOLUTION 2016-102

AUTHORIZING THE RELEASE OF FRIENDS OF MENDHAM TELEVISION ESCROW ACCOUNT

Mayor Cioppettini called for a motion. Mrs. Thomas moved. Mrs. Orban Brown seconded. All members present voted to approve.

RESOLUTION 2016-103

AUTHORIZING AN INCREASE IN THE BID THRESHOLD

Mayor Cioppettini called for a motion. Mr. Bauman moved. Mrs. Orban Brown seconded. All members present voted to approve.

RESOLUTION 2016-104 EXTENDING THE CONTRACT BETWEEN WHITEWATER, INC. AND THE TOWNSHIP OF MENDHAM FOR THE OPERATION OF MENDHAM EAST AND WEST WASTEWATER TREATMENT FACILITIES FOR A ONE YEAR PERIOD

Mayor Cioppettini called for a motion. Mr. Tolley moved. Mrs. Thomas seconded. Mr. Baumann abstained. All other members present voted to approve.

RESOLUTION 2016-105

AUTHORIZING PAYMENT OF BILLS

Mayor Cioppettini called for a motion. Mr. Baumann moved. Mr. Tolley seconded. All members present voted to approve.

RESOLUTION 2016-106

AUTHORIZING ACCEPTANCE OF THE SUM OF \$ 1,550,000 (PITNEY FIRE LOSS) AND EXECUTION OF RELEASE IN FAVOR OF ZURICH AMERICAN INSURANCE COMPANY

Mayor Cioppettini called for a motion. Mr. Tolley moved. Mrs. Orban Brown seconded. The Mayor stated the Township received \$1,550,000 from the insurance company and the consultant received \$75,000 as his 5% fee. Mr. Baumann abstained. All other members present voted to approve.

RESOLUTION 2016-107

AWARDING THE CONTRACT BETWEEN R. MADDALUNA LANDSCAPE CONTRACTORS AND THE TOWNSHIP OF MENDHAM FOR THE ADOPT A SPOT PROGRAM

Mayor Cioppettini called for a motion. Mrs. Orban Brown moved. Mrs. Thomas seconded. Mr. Baumann abstained. All members present voted to approve.

RESOLUTION 2016-108

ESTABLISHING SALARIES FOR CERTAIN EMPLOYEES OF THE TOWNSHIP FOR 2016

Mayor Cioppettini called for a motion. Mrs. Orban Brown moved. Mrs. Thomas seconded. Mr. Baumann abstained. All members present voted to approve.

DISCUSSION

Mendham Sewer West

Phil Unger, 9 Logan Court wanted to clarify that this rate increase has nothing to do with Sewer East.

Tara Skirzenski, 4 Byram Court asked if there was a baseline for cost and also questioned the cost increases. She also asked if a private company would be interested in buying the system. She was told it could be sold to a private company, but there are pros and cons and can be discussed with the residents.

Helen Paranicas, 5 White Oak Ridge Road asked if the rate would go down if there was a surplus to which the Mayor said yes.

Jane Ikeda, 6 Byram Court, understands there was a deficit the last two years, but was the overage for years before put in an account for Sewer West.

Mrs. Orban Brown stated that Mrs. Mantell has a spreadsheet available explaining the figures for the past 14 years.

Kathi Mantell stated she would send the cost analysis for Sewer West from 2001 to be put on the website.

Tara Skirzenski, 4 Byram Court, said she knows there is not an operating fund, but is there a capital fund. She also requested a Town Hall Meeting to discuss Sewer West.

Ross Haber report

Mayor Cioppettini updated the residents on the status of this report. He stated Mendham Borough and Chester Township have passed resolutions authorizing Option 1 of the Ross Haber Study be sent to a referendum. It creates two separate high schools; the Mendham's and Chester's together and Washington Township, a second.

The Mayor told the residents that he has asked the Board of Education to attend a Committee meeting to discuss the options discussed in the study. Mrs. Orban Brown asked as well and they told her they would not attend a meeting. He also explained the Township pays a lot of money to the schools and there would be a significant savings if the high schools were be split. It was decided to have the resolution on for the August 8th meeting.

REPORTS

Mayor Cioppettini tabled the reports until August 8th.

HEARING PERSONS PRESENT

Michael Merritt, 73 Mountainside Road, read a letter representing the Brookside Engine Co. concerning the purchase of a new truck (attached)

Patricia Zimmerman, 3 west Main Street, suggested the Township purchase a podium for the meeting room.

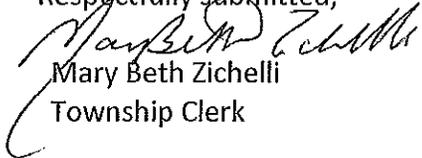
Taso Konidaris, 6 Ballantine Road, complimented the Committee on their work regarding Mendham Sewer East and West.

Mr. Baumann inquired about the two vehicles owned by Ralston and Brookside Engine Companies; are they included in the overall strategy of what the engine companies need, even if they are not owned by the Township. The inventory of both engine companies will be discussed at a future meeting.

ADJOURNMENT

The Township Committee motioned to adjourn at 9 PM.

Respectfully submitted,


Mary Beth Zichelli

Township Clerk

Mary Beth Zichelli

From: Michael Merritt <michael@mischu.me>
Sent: Wednesday, July 27, 2016 11:30 AM
To: Mary Beth Zichelli
Subject: July 26 statement by Michael Merritt

Mr Mayor, and especially Members of the Township Committee,

As you know, I have been asked as President of Brookside Engine Company No. 1 to be a spokesperson in advocating for a replacement engine for the one taken out of service in January. I want to take a few minutes to refresh your memories and invite you to engage in a cooperative and respectful, but meaningful discussion of this important acquisition.

You will recall that the Multi Serve truck we encouraged you to purchase last year, replacing Utility 5, will enable us to respond flexibly and safely to emergency calls that do not require a fire engine...this \$120,000 investment was motivated in large part to help us avoid the unnecessary wear and risk of using large, expensive fire suppression vehicles for carbon monoxide calls or basement pump outs. We made that recommendation on the basis of an explicit, documented commitment by this committee, as constituted today, to finance a new replacement fire engine this year. It wouldn't have made sense for us to advocate a purchase to avoid putting mileage on an engine that wouldn't exist. If we had been asked, we would clearly have prioritized a replacement engine over the purchase of this truck. The cost of that truck is more than half of the cost of an adequate used engine.

During the hurried and secretive budget process this year, the long-term capital plan that had been in place for many years, endorsed by this committee and filed with the state, was effectively zeroed out, without any review by department heads or meaningful meetings. The public was assured that after the operating budget was finalized, a comprehensive, public review of the capital budget would take place. As part of that process, I was asked by the Mayor to arrange meeting with members of the Ralston and Brookside Engine Companies to review our needs. Finally, following the budget approval vote, a representative of Phoenix Consulting Group who crafted our budget at great expense to the community, assured me there would be money available to purchase an engine.

However, instead of the measured, public process and promised meeting, I received a call from the Mayor informing me that this body had decided in executive session that there would be no expenditure for a replacement engine in 2016.

The Mayor has repeatedly represented that there is no available capital, despite his approval of a very different capital plan last year. He has explicitly promised an open, thoughtful review on capital expenditures. During his private call to me, he denied responsibility, saying that the decision were being made by the consulting group that we are paying \$40,000 of our money...another big chunk of a fire engine.

It is past time for this body to inform and engage the public with a detailed view of the capital situation, the change in perception (no facts have changed) from last year, and the process being followed to make decisions this year.

In particular, our organization deserves the promised meeting.

Why do we deserve the promised meeting? As an example, let me focus on myself and my standing in the department and the community. In addition to being a home owner and taxpayer, I am active in many volunteer service organizations. As a member of the fire department for the past 10 and a half years, I have responded to over 1700 emergency fire calls, one almost every other day. I have served as truck captain, secretary, treasurer, and now president. I spent 15 hours on scene fighting the fire at the Pitney estate. During extreme weather events I have slept for days at the fire house and worked full time to help my neighbors. I was up both Monday and Tuesday mornings this week at 3 am responding to emergency calls. And I am only one of the dedicated volunteers who get out of their bed in literally any weather to respond to our neighbors in need, and have done so for over 100 years. My contributions and those of my fellow firefighters warrant a respectful and open-minded exchange, and a public and transparent process.

Thank you.

Michael Merritt