

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 88-2018**

RESOLUTION AUTHORIZING REFUND OF PROERTY TAXES

WHEREAS, appeal of the 2017 real property tax assessment on the following property was filed in the Tax Court of New Jersey; and

WHEREAS, the Tax Court of New Jersey issued judgments decreasing the assessed value of the property for 2017; and

WHEREAS, the decrease creates an overpayment of the 2017 tax accounts, as well as a decrease in the Total Tax Levy for 2017 in the following amounts:

<u>BLOCK/LOT</u>	<u>PROPERTY LOCATION</u>	<u>OVERPAYMENT/ LEVY DECREASE</u>
1501 / 13	29 E Main St	\$ 16,372.50

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey, that the Treasurer will refund the 2017 overpayment as stated above to the parties listed below; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey, acknowledge that the individual tax accounts will be decreased as stated above and that the Total Tax Levy for 2017 will be decreased by \$16,372.50 respectively.

Bruce J. Stavitsky, Esq. \$ 16,372.50
for the benefit of 29 E. Main Realty LLC

Stavitsky & Associates LLC
350 Passaic Avenue
Fairfaield, NJ 07004

I hereby certify that the above amount is correct.

Karen L. Ferrone, Tax Collector

DATE: May 3, 2018

Neil J. Henry, Mayor

ATTEST:

Mimi M. Marlor, RMC
Borough Clerk

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 89-2018**

RESOLUTION OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, APPOINTING ROBERT ROSENBERG AS INTERIM CONSTRUCTION OFFICIAL/PLANS EXAMINER AND BUILDING SUBCODE OFFICIAL/INSPECTOR, AND APPOINTING RUSSELL HEINEY TO ASSIST MR. ROSENBERG FOR A LIMITED TRANSITION PERIOD

WHEREAS, the Borough of Mendham has a need to appoint an Interim Construction Official/Plans Examiner and Interim Building Subcode Official/Inspector for the period from April 30, 2018 through June 20, 2018, after which time the position will be filled with a regular yearly appointment as provided by statute; and

WHEREAS, the Borough Administrator has selected and recommends to the Mayor and Borough Council that Robert Rosendale fill the interim position during the designated period, at a rate of \$47.00 per hour, not to exceed a total of 15 hours per week; and

WHEREAS, the Borough Administrator further recommends that the Borough's former Construction Official, Russell Heiney, be appointed on a temporary basis to assist Mr. Rosendale during his transition period, at a rate of \$45 per hour, not to exceed a total of 15 hours.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey, as follows:

1. Robert Rosendale is hereby appointed as the Borough of Mendham's Interim Construction Official/Plans Examiner and Building Subcode Official/Inspector, for the period from April 30, 2018 through June 30, 2018, at a rate of \$47.00 per hour, not to exceed a total of 15 hours per week.
2. Russell Heiney is hereby appointed on a temporary basis to assist Mr. Rosendale during his transition period, at a rate of \$45 per hour, not to exceed a total of 15 hours.
3. This Resolution shall take effect immediately.

I, MARIE M. MARLOR, Municipal Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 3rd day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 90-2018**

**RESOLUTION OF THE BOROUGH OF MENDHAM, COUNTY OF
MORRIS, AND STATE OF NEW JERSEY, APPOINTING RUSSELL
HEINEY AS INTERIM FIRE SUBCODE OFFICIAL/INSPECTOR**

WHEREAS, the Borough of Mendham has a need to appoint an Interim Fire Sub-Code Official/Inspector until such time as the position is filled with a regular yearly appointment as provided by statute; and

WHEREAS, the Borough Administrator has selected and recommends to the Mayor and Borough Council that Russell Heiney fill the interim position on an as needed basis until a replacement is found.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey, as follows:

1. Russell Heiney is hereby appointed as the Borough of Mendham's Interim Fire Subcode Official/ Inspector on an as needed basis, at a rate of \$45.00 per hour, until such time as the position is filled with a regular yearly appointment as provided by statute.
2. This Resolution shall take effect immediately.

I, MARIE M. MARLOR, Municipal Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 3rd day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 91-2018**

**A RESOLUTION PROVIDING FOR AN EXECUTIVE SESSION NOT OPEN TO THE
PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN
PUBLIC MEETINGS ACT N.J.S.A. 10:4-12b**

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into a closed session during a public meeting to discuss certain matters as follows:

(1) *Matters required by law to be confidential*: Any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) Any matter in which the release of information would impair the right to receive federal funding.

(3) *Matters involving individual privacy*: Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations or other personal material of any education, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned.

(4) *Matters pertaining to a collective bargaining agreement*: Any matter involving a collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) *Matters relating to the purchase, lease, acquisition of real property or investment of public funds*: Any matter involving the lease, purchase or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) *Matters of public protection*: Any tactic and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.

(7) *Matters relating to litigation, negotiations and attorney-client privilege*: Any matter of pending or anticipated litigation or contract negotiation other than in (4) above in which the Borough is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise ethical duties as a lawyer.

(8) *Matters relating to the employment relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of , promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all of the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed in public.

(9) *Deliberations after public hearing*. Deliberations by the Borough occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party; and

WHEREAS, the Mayor and Council has determined that it is necessary to go into a closed session to discuss certain matters relating to items as permitted by N.J.S.A. 10:4-12b.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Mendham that it will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the open public session:

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 91-2018**

1. *Matters of public protection* – N.J.S.A 10:4-12b(6)

BE IT FURTHER RESOLVED that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 3rd day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE #4-2018**

**ORDINANCE PROVIDING FOR VARIOUS
IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN
IN AND BY THE BOROUGH OF MENDHAM, IN THE
COUNTY OF MORRIS, NEW JERSEY, AND
APPROPRIATING \$453,000 THEREFOR FROM THE
CAPITAL IMPROVEMENT FUND OF THE BOROUGH.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:**

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by The Borough of Mendham, New Jersey, and there is hereby appropriated therefor the sum of \$453,000, from moneys available in the Capital Improvement Fund of the Borough.

Section 2. The improvements hereby authorized and the several purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance are as follows: (a) the acquisition by purchase of one (1) dump truck and one (1) mason body for use by the Department of Public Works of the Borough (\$113,000), one (1) stretcher and lift for use by the First Aid Squad of the Borough (\$45,000), and self-contained breathing apparatus for use by the Fire Department of the Borough (\$35,000); (b) the improvement of various roads, including Kerby Lane, Heather Hill Way and Muirfield Lane in and by the Borough by the paving thereof (\$210,000); and (c) the upgrade of the municipal tennis courts (\$50,000), together with for all the aforesaid all equipment, site work, structures, appurtenances, work, materials and other expenses necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

Section 3. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 4. This ordinance shall take effect after publication after final passage as provided by law.

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE #4-2018**

ATTEST:

BOROUGH OF MENDHAM

Mimi M. Marlor, RMC, Borough Clerk

Neil J. Henry, Mayor

CERTIFICATION

The foregoing ordinance was introduced at a regular meeting of the Borough of Mendham Mayor and Council held on the 3rd day of May 2018 and will be considered for final passage and adoption at a meeting to be held on the 17th day of May, 2018 at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, NJ at which time any person interested therein will be given an opportunity to be heard.

Mimi M. Marlor, RMC, Borough Clerk