

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 55A-2018**

Introduction of the 2018 Budget - SEE HARD COPY

I, Mimi M. Marlor, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Borough Mayor and Council, held this 15th day of March, 2018. It will be taken up for a second reading, public hearing, and final passage at a meeting to be held on the 19th of April, 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, Municipal Clerk

ATTEST:

BOROUGH OF MENDHAM

Mimi M. Marlor, RMC, Borough Clerk

Neil J. Henry Jr., Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 56-2018**

AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND CASH DEPOSIT FOR THE ROXITICUS CLUBHOUSE EXPANSION BLOCK 2601, LOT 3

WHEREAS, the Borough of Mendham did enter into site work with Harrington Construction Co., Inc. for the project known as Roxiticus Clubhouse Expansion; and

WHEREAS, Harrington Construction Co., Inc. has requested their Performance Guarantee be returned; and

WHEREAS, the Borough Engineer has inspected the improvements and has found that all work completed was done in substantial compliance with the requirements of the approved site plan; and

WHEREAS, the Borough Engineer's recommendation is to return the Performance Guarantee in the amount of \$493,192.80, and 10% cash deposit in the amount of \$54,799.20, and

WHEREAS, the Borough Engineer does not require the posting of a Maintenance Bond.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Governing Body of the Borough of Mendham that the Performance Guarantee in the amount of \$493,192.80, and 10% cash deposit in the amount of \$54,799.20 plus accrued interest be refunded to Harrington Construction Company, Inc., 50 Parker Road, Chester, New Jersey 07930.

This Resolution shall take effect immediately.

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 57-2018**

RESOLUTION AUTHORIZING THE READING OF THE BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8, as amended by L.2015, c. 95, § 14, 2015, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, and providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

WHEREAS, these two conditions have been met.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, State of New Jersey, that the 2018 Municipal Budget be read by title only.

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 58-2018**

**RESOLUTION TO AUTHORIZE ON PREMISE 50/50 RAFFLE FOR THE
CHESTER MENDHAM LITTLE LEAGUE**

WHEREAS, application for an on premise 50/50 Raffle License has been filed on behalf of the Chester Mendham Little League requesting a raffle license for a drawing to be held on April 7, 2018 at Double Day Park of Mendham, NJ; and

WHEREAS, the application form has been completed and reviewed by the Municipal Clerk.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris that an on premise 50/50 Raffle License shall be issued to the Chester Mendham Little League for the purpose specified within the application.

IT IS FURTHER RESOLVED that this license is issued with the understanding that applicable State Statutes and Local Ordinances shall be complied with.

This Resolution shall take effect immediately.

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 59-2018**

**A RESOLUTION PROVIDING FOR THE TRANSFER OF APPROPRIATION
RESERVES**

WHEREAS, there appears to be insufficient funds in the following 2017 reserve accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of that year: Police O/E and Fire O/E; and

WHEREAS, there appears to be a surplus in the following accounts (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of the Preceding Year, Reserve for Uncollected Taxes, Down Payments, Capital Improvement Fund, or Interest and Debt Redemption Charges) over and above the demand deemed to be necessary for the balance of 2017: Police S/W and Emergency Management O/E;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, State of New Jersey, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A: 4-58, part of the Surplus in the accounts heretofore mentioned is hereby transferred to the accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as having insufficient funds; and

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized and directed to make the following transfer of appropriation reserves:

<u>FROM:</u>		<u>TO:</u>	
Police S/W	3,000.00	Police O/E	3,000.00
Emergency Mngt. O/E	2,000.00	Fire O/E	2,000.00

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 60-2018**

RESOLUTION TO AMEND THE TEMPORARY BUDGET

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

WHEREAS, an emergent condition has arisen with respect to a delay in the adoption of the official budget for 2018 and no adequate provision has been made in the 2018 temporary appropriations for expenditures for the month of April, and N.J.S. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2018 pursuant to the provision of Chapter 97, P.L. 1951 (N.J.S. 40A: 4-20) including this resolution total \$534,036.00;

NOW THEREFORE BE IT RESOLVED (not less than two-thirds of all the members therefore affirmatively concurring) that in accordance with the provision of N.J.S.A. 40A: 4-20:

1. An emergency appropriation be and the same is hereby made for the 2018 temporary budget in the amount of \$534,036.00.
2. That said emergency temporary appropriations will be provided for in the 2018 budget.
3. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services.

The following are the emergency temporary appropriations by account:

1. Administrative and Executive		
Salaries and Wages		11,000.00
Other Expenses		5,000.00
2. Financial Administration		
Salaries and Wages		7,000.00
Other Expenses		2,000.00
3. Tax Assessor		
Salaries and Wages		4,000.00
Other Expenses		2,000.00
4. Tax Collector		
Salaries and Wages		2,000.00
Other Expenses		1,000.00
5. Buildings and Grounds		
Other Expenses		8,000.00
6. Planning Board		
Other Expenses		1,000.00
6. Engineering		
Other Expenses		3,000.00
8. Board of Adjustment		
Other Expenses		1,000.00
9. Police		
Salaries and Wages		85,000.00

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Other Expenses	7,000.00
10. Monitor Well Testing	
Other Expenses	2,000.00
11. Roads	
Salaries and Wages	45,000.00
Other Expenses	15,000.00
12. Board of Health	
Salaries and Wages	500.00
Other Expenses	2,000.00
13. Parks	
Other Expenses	8,000.00
14. Fire	
Other Expenses	5,000.00
15. Building Inspection	
Salaries and Wages	6,000.00
Other Expenses	2,000.00
16. Recycling	
Salaries and Wages	3,000.00
Other Expenses	22,000.00
17. Environmental	
Other Expenses	500.00
18. Animal Control	
Other Expenses	1,000.00
19. Recreation	
Salaries and Wages	2,000.00
Other Expenses	3,000.00
20. Street Lighting	
Other Expenses	3,000.00
21. Shade Tree	
Other Expenses	2,000.00
22. Legal Expenses	
Other Expenses	4,000.00
23. Library	
Other Expenses	18,000.00
24. Fire Hydrants	
Other Expenses	1,000.00
25. Contingent	
Other Expenses	300.00
26. Hospitalization	
Other Expenses	80,000.00

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27. Workmen's Compensation		
Other Expenses		1,000.00
29. Other Insurance		
Other Expenses		1,000.00
30. Social Security		
Other Expenses		20,000.00
31. Long Term Disability		
Other Expenses		2,000.00
32. Mayor and Council		
Other Expenses		5,000.00
33. Municipal Clerk		
Salaries and Wages		9,000.00
34. Computerized Data Processing		
Other Expenses		5,000.00
35. Historic Preservation		
Other Expenses		500.00
36. Aid to Volunteer Ambulance Co.		
Other Expenses		3,736.00
37. Electricity		
Other Expenses		4,000.00
38. Telephone		
Other Expenses		5,000.00
39. Water		
Other Expenses		1,000.00
40. Natural Gas		
Other Expenses		4,000.00
41. Gasoline		
Other Expenses		20,000.00
42. Emergency Management		
Other Expenses		3,000.00
43. County Radio Contract		
Other Expenses		65,000.00
44. Fire Related Services		
Salaries and Wages		3,000.00
Other Expenses		1,500.00
45. Senior Transportation		
Other Expenses		3,000.00
46. Audit		10,000.00
46. Zoning		
Salaries and Wages		2,000.00
Other Expenses		1,000.00

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Total 534,036.00

PERS Pension 158,883.00
PFRS Pension 337,836.00

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 61-2018**

RESOLUTION TO AMEND THE TEMPORARY SEWER UTILITY BUDGET

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

WHEREAS, an emergent condition has arisen with respect to a delay in the adoption of the official Sewer Utility Budget for 2018 and no adequate provision has been made in the 2018 temporary Sewer Utility appropriations for expenditures for the month of April, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2018 pursuant to the provision of Chapter 97, P.L. 1951 (N.J.S. 40A:4-20) including this resolution totals \$161,152.00,

NOW THEREFORE BE IT RESOLVED (not less than two-thirds of all the members therefore affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency appropriation be and the same is hereby made for the 2018 Temporary Sewer Utility Budget in the amount of \$161,152.00.
2. That said emergency temporary appropriations will be provided for in the 2018 Sewer Utility Budget.
3. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services.

The following are the emergency temporary appropriations by account:

Sewer Utility

Salaries and Wages	55,000.00
Other Expenses	99,152.00
Statutory Expenditures	<u>7,000.00</u>

161,152.00

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 62 -2018**

RESOLUTION APPOINTING A SUBSTITUTE CROSSING GUARD

BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey, that the following appointment is made as follows:

<u>Class 3-PUBLIC SAFETY</u>	<u>SALARY</u>
Crossing Guard (Substitute)	
Sue Eagan-Corona	\$ 19.80/Hr.

BE IT FURTHER RESOLVED that this appointment is made with the understanding that there is a one-year probationary period from the effective date of employment.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 64-2018**

**A RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE
DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A
DEDICATED TRUST BY RIDER FOR SELF-INSURANCE PROGRAM TRUST
FUND PURSUANT TO N.J.S.A. 40A:10-1 et seq.**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimate in advance; and

WHEREAS, N.J.S.A. 40A:10-1 et seq., allows municipalities to appropriate and reserve amounts for costs incurred for a Dedicated Trust by Rider for a Self-Insurance Program Trust Fund; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Borough of Mendham, County of Morris, and State of New Jersey as follows:

1. The governing body of the Borough of Mendham hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for a Dedicated Trust by Rider for Self-Insurance Program Reserve Trust Fund Pursuant to N.J.S.A. 40A:10-1 et seq.
2. The Municipal Clerk of the Borough of Mendham is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 65-2018**

**A RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE
DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A
DEDICATED TRUST BY RIDER FOR ACCUMULATED ABSENCES
LIABILITY TRUST FUND PURSUANT TO N.J.A.C 5:30-15**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimate in advance; and

WHEREAS, N.J.A.C 5:30-15., allows municipalities to appropriate and reserve amounts for costs incurred for a Dedicated Trust by Rider for an Accumulated Absences Liability Trust Fund; and

WHEREAS, N.J.A.C 5:30-15 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

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

1. The governing body of the Borough of Mendham hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for a Dedicated Trust by Rider for Accumulated Absences Liability Reserve Trust Fund Pursuant to N.J.A.C 5:30-15.
2. The Municipal Clerk of the Borough of Mendham is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 66-2018**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH
OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY,
PURSUANT TO N.J.S.A. 40A:11-6 RATIFYING THE AWARD OF AN
EMERGENCY CONTRACT WITHOUT COMPETITIVE BIDDING AS AN
EXCEPTION TO THE BIDDING STATUTES**

WHEREAS, an emergency has arisen at the Mendham Borough Sewer Plant wherein the main force main into the plant has failed and must be repaired immediately; and

WHEREAS, an apparent hydraulic restriction was recently discovered in the main force main at the Borough Sewer Plant which carries all sewage materials into the Sewer Plant; and

WHEREAS, this restriction creates an emergency situation as the main force main as no materials can be processed due to the blockage, creating an actual and imminent danger to public health, safety, welfare and sanitation; and

WHEREAS, the Sewer Plant Engineer has advised the Borough through the Chair of the Public Works/Utilities Committee that, as a matter of public health, safety and welfare, there is an emergent need to repair the main force main; and

WHEREAS, this blockage was not a reasonably foreseeable occurrence; and

WHEREAS, quotations will be sought from companies qualified to perform the emergency repairs to the main force main according to the Sewer Plant Engineer's specifications; and

WHEREAS, the contract will be awarded to the company that provides the most responsive and responsible quote for the immediate repair of the main force main and which meets the State of New Jersey contractual requirements to perform work in the Borough of Mendham; and

WHEREAS, the contract for emergency work shall be in an amount not exceed \$120,000; and

WHEREAS, the Chief Finance Officer has identified an appropriate capital ordinance in which adequate funds are available to certify and encumber the funds for said purchase.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Mendham, County of Morris and State of New Jersey, that the Borough Sewer Plant Engineer and Borough Administrator are authorized to solicit quotations and award a contract without competitive bidding to a qualified company for the emergency repair of the main force main at the Mendham Borough Sewer Plant in an amount not to exceed \$120,000; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon final passage.

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 15th day of March, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY**

ORDINANCE 03-2018

**AN ORDINANCE OF THE BOROUGH OF MENDHAM TO EXCEED THE
MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP
BANK (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Borough of Mendham in the County of Morris finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 1.0% increase in the budget for said year, amounting to \$61,470.54 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Borough of Mendham, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Borough of Mendham shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$215,146.88, and that the CY 2018 municipal budget for the Borough of Mendham be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST:

BOROUGH OF MENDHAM

Mimi M. Marlor, RMC, Borough Clerk

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY**

ORDINANCE 03-2018

CERTIFICATION

The foregoing ordinance was introduced at a regular meeting of the Borough of Mendham Mayor and Council held on the 15th day of March 2018 and will be considered for final passage and adoption at a meeting to be held on the 5th day of April, 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