

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 165-2018**

**RESOLUTION OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS,
AND STATE OF NEW JERSEY, APPOINTING PHILLIP J. TOBAYGO AS
INTERIM PLUMBING SUBCODE OFFICIAL/INSPECTOR**

WHEREAS, the Borough of Mendham has a need to appoint an interim Plumbing Subcode Official/Inspector as provided by statute; and

WHEREAS, the Borough Administrator and Construction Official have selected and recommends to the Mayor and Borough Council that Phillip J. Tobaygo fill the position retroactive to August 15, 2018; and

WHEREAS, the position is established at the rate of \$40.00 per hour for a minimum of 4 hours per week.

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. Phillip J. Tobaygo is hereby appointed as the Borough of Mendham's Interim Plumbing Subcode Official/Inspector at a rate of \$40.00 per hour for a minimum of 4 hours per week.
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 adopted at the Regular Meeting of the Borough of Mendham, held this 4th day of October, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 166-2018**

**RESOLUTION TO AUTHORIZE AN ON PREMISE 50/50 RAFFLE FOR THE
HICKORY TREE CHORUS**

WHEREAS, application for an on premise 50/50 Raffle License has been filed on behalf of the Hickory Tree Chorus requesting a raffle license for a drawing to be held on November 17, 2018 at West Morris Mendham High School, 65 East Main Street, Mendham, NJ 07945; 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 Hickory Tree Chorus 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 4th day of October, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 167-2018**

RESOLUTION AUTHORIZING THE RETURN OF A CASH BOND

WHEREAS, a cash bond in the amount of \$1,000.00 was posted by Bayer General Contracting, LLC in connection with a road opening permit to tie a sump pump and leader drains into a storm drain at property owned by Maureen Triolo and located at 33 Mountain Avenue, Block 703, Lot 28; and

WHEREAS, the Borough Engineer has inspected this project and recommends that the cash bond be returned to the applicant.

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 Treasurer is hereby authorized and directed to release the \$1,000.00 cash bond, together with accrued interest, to Bayer General Contracting, LLC, 35 Mountain Avenue, Mendham, NJ 07945.

This Resolution shall take effect immediately.

I, MARIE 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 4th day of October, 2018.

Marie M. Marlor, RMC, Borough Clerk

ATTEST: _____
Marie M. Marlor, RMC

Neil J. Henry, Jr., Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 168-2018**

**RESOLUTION TO HIRE A CLASS III OFFICER WITH THE MENDHAM
BOROUGH POLICE DEPARTMENT**

WHEREAS, the need exists to fill a Class III Officer position in the Mendham Borough Police Department; and

WHEREAS, having first interviewed and been satisfied that the applicant has the necessary qualifications required for the position of a Class III Officer, Chief Camoia recommends with concurrence by Administrator Bushman that Michael Boll, be extended an offer at a rate of 30.00 per hour with a start date of October 5, 2018 in accordance with the BOE Interlocal Agreements for the school 2018-2019.

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

CLASS III OFFICER:

Michael Boll
Mendham Borough Police Department \$30.00/per hour

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 4th day of October, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 169-2018**

**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 169-2018**

1. *Matters relating to attorney-client privilege – litigation – affordable housing* N.J.S.A 10:4-12b(7)

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 4th day of October, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE # 08-2018**

**ORDINANCE OF THE BOROUGH OF MENDHAM,
COUNTY OF MORRIS, AND STATE OF NEW JERSEY,
AMENDING SECTION 206-58, SCHEDULE XVI: SPEED
LIMITS, OF THE BOROUGH CODE TO LOWER THE
SPEED LIMIT ON CERTAIN ROADS**

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

SECTION 1. Chapter 206, Vehicles and Traffic, Article XIV Schedules, § 206-58, Schedule XVI: Speed Limits, is hereby amended to make only the following modifications:

Name of Street	Speed Limit (mph)	Location
Cold Hill Road	35	From Route 24 to the center of Mountainside Road
Hardscrabble Road	35	Entire length

SECTION 2. All ordinances of the Borough of Mendham that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

CERTIFICATION

The foregoing ordinance was introduced at a regular meeting of the Borough of Mendham Mayor and Council held on the 20th day of September 2018 and will be considered for final passage and adoption at a meeting to be held on the 4th day of October, 2018 at 7:00 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

ATTEST:

BOROUGH OF MENDHAM

Mimi M. Marlor, RMC, Borough Clerk

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE 09-2018**

ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND CHAPTER 4 OF THE BOROUGH CODE ENTITLED ADMINISTRATIVE ORGANIZATION, ARTICLE II COUNCIL, BY ESTABLISHING SECTION 4-13 ENTITLED “SELECTION OF LABOR DAY PARADE GRAND MARSHALL”

WHEREAS, the annual Labor Day parade and carnival festivities are a tradition which exemplifies the community spirit of the Borough; and

WHEREAS, as part of the Labor Day parade and festivities, a Grand Marshall is selected and honored to lead in the parade; and

WHEREAS, the Mayor and Council desire to establish a procedure to memorialize the long standing practice of selecting a Grand Marshall; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, State of New Jersey, that Chapter 4 Section 13 is established entitled “Selection of Labor Day Parade Grand Marshall.”

1. Qualifications:

Consideration shall be given based upon the individual (or small group of individuals):

- a) Length of Service to the Borough.
- b) Diversity of contributions.
- c) Positive impact to the Borough and its residents.
- d) Length of time a resident of the Borough.
- e) Volunteer employees of the Borough and such contributions.

2. Nomination Timetable:

Nominations may be made to any member of the community to the Mayor, Council, and Recreation Committee. All nominees shall be accompanied by a written summary highlighting the person’s contribution to the Borough. All nominations must be submitted to the Borough Clerk no later than February 1st of each year.

3. Selection:

The Borough Council must select from the nominees a Grand Marshall no later than February 28th of each year. If the Council vote is a tie, the Mayor shall cast the deciding vote.

In the event that the Council does not select a Grand Marshall in a given year, the Grand Marshall selection shall be made by the Mayor.

CERTIFICATION

The foregoing ordinance was introduced at a regular meeting of the Borough of Mendham Mayor and Council held on the 4th day of October 2018 and will be considered for final passage and adoption at a meeting to be held on the 18th day of October, 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

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE 09-2018**

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

ATTEST:

Mimi Marlor, Borough Clerk

By: _____
Neil J. Henry, Jr., Mayor