

**BOROUGH OF MENDHAM
HISTORIC PRESERVATION COMMISSION**

**MINUTES OF THE REORGANIZATION & REGULAR MEETING
February 26, 2018 at 7:30PM**

Phoenix House, 2 West Main Street, Mendham, NJ

CALL TO ORDER

The regular meeting of the Historic Preservation Commission was called to order by Chair Zedalis, at 7:30PM at the Phoenix House, 2 West Main Street, Mendham, NJ.

CHAIR'S OPENING STATEMENT

Notice of this meeting was published in the *Observer Tribune* and *Daily Record* on January 25, 2018 in accordance with the Open Public Meetings Act and posted on the bulletin board of the Phoenix House on the same date.

ATTENDANCE

Ms. Berkinsky – Present
Mr. Encin – Present
Mr. M. Zedalis – Present

Mr. Scott Callahan – Present
Mr. Van Arsdale – Present

Alternate: Ms. Reilly - Absent
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2018 REORGANIZATION

Election of Chair: Mr. VanArsdale nominated Mr. Zedalis as Chair, which was seconded by Mr. Callahan. There being no additional nominations, the nominations were closed.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In favor: Berkinsky, Callahan, Encin, VanArsdale, Zedalis
Opposed: None
Abstentions: None

Mr. Zedalis was elected Chair and assumed leadership of the Commission.

Election of Vice-Chair: Mr. Zedalis nominated Mr. Callahan as Vice Chair, which was seconded by Mr. VanArsdale. There being no additional nominations, the nominations were closed.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In favor: Berkinsky, Callahan, Encin, VanArsdale, Zedalis
Opposed: None
Abstentions: None

Mr. Callahan was elected Vice-Chair.

Appointment of Board Secretary: Mr. Zedalis made a motion to nominate Ms. Mazzucco as Commission Secretary, which was seconded by Mr. Callahan. On a voice vote the motion carried and Ms. Mazzucco was appointed Commission Secretary.

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RESOLUTIONS

Historic Preservation Commission Meeting Dates: Mr. Zedalis presented the following resolution that was included in the pre-meeting packet:

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

HISTORIC PRESERVATION COMMISSION

RESOLUTION

BE IT RESOLVED that the Historic Preservation Commission of the Borough of Mendham will meet to discuss or act upon public business at 7:30PM prevailing time on each of the dates in 2016 set forth below, at the Phoenix House, 2 West Main Street, Mendham, NJ.

- March 19
- April 16
- May 21
- June 18
- July 16
- August 20
- September 17
- October 15
- November 19
- December 17
- January 28, 2019

The regular and reorganization meeting of the Commission will be held on January 28, 2019.

BE IT FURTHER RESOLVED that notice of any additions to the above schedule or change in the time, date or place of any scheduled meeting will be posted on the bulletin board in the Phoenix House and delivered to the official newspapers in advance as required by law.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In favor: Berkinsky, Callahan, Encin, VanArsdale, Zedalis
 Opposed: None
 Abstentions: None

The motion carried. Ms. Mazzucco will make the appropriate public notification.

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Official Newspapers: Mr. Zedalis presented the following resolution that was included in the pre-meeting packet:

**BOROUGH OF MENDHAM
 MORRIS COUNTY, NEW JERSEY
 HISTORIC PRESERVATION COMMISSION
 RESOLUTION**

BE IT RESOLVED by the Historic Preservation Commission of the Borough of Mendham, Morris County, New Jersey as follows:

The Historic Preservation Commission of the Borough of Mendham hereby makes the following designations:

1. The *Observer Tribune* and/or the *Daily Record* are hereby designated as the two newspapers to receive notice of meetings required by any and all sections of the Open Public Meetings Act, it appearing that said newspapers are most likely to inform the local public of such meetings. Notices required by the New Jersey Municipal Land Use Law or the Borough’s Land Use Regulations may be placed, as required by law, in either of the designated newspapers.
2. The location for posting of notices of meetings shall be the bulletin board in the Phoenix House, 2 West Main Street, Mendham, NJ, where notices of this kind are normally posted.

3. The sum of \$12.00 per year is hereby fixed as the amount to be paid by any person requesting individual notice of meetings as provided in Section 14 of the Open Public Meetings Act.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In favor: Berkinsky, Callahan, Encin, VanArsdale, Zedalis
Opposed: None
Abstentions: None

The motion carried. Ms. Mazzucco will make the appropriate public notification.

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Appointment of Attorney: Mr. Zedalis presented the following resolution that was included in the pre-meeting packet:

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

HISTORIC PRESERVATION COMMISSION

RESOLUTION

WHEREAS, the Historic Preservation Commission of the Borough of Mendham has a need to acquire professional legal services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and,

WHEREAS, the business administrator has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, Peter E. Henry, Esq. of the firm McElroy, Deutsch, Mulvaney & Carpenter, LLP has submitted a proposal indicating that they may provide legal services for 2018 in an amount projected to exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Peter E. Henry, Esq. of the firm McElroy, Deutsch, Mulvaney & Carpenter, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee of the Borough Council in the Borough of Mendham in the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, this resolution is subject to the Chief Financial Officer certifying to the availability of funds; and

WHEREAS, the Historic Preservation Commission of the Borough of Mendham wishes to retain Peter E. Henry, Esq. of the firm McElroy, Deutsch, Mulvaney & Carpenter, LLP and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection.

NOW THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the Borough of Mendham as follows:

1. That the Historic Preservation Commission of the Borough of Mendham retain Peter E. Henry, Esq. of the firm McElroy, Deutsch, Mulvaney & Carpenter, LLP. to serve as Commission Attorney for the year 2017, at a total cost not to exceed [\$2,000], such sum as may be duly appropriated for the purposes in the duly adopted municipal budget for 2018; and
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification and the Determination of Value shall be placed on file with this resolution.
4. That a notice of this action shall be published once in the official newspapers of the Historic Preservation Commission of the Borough of Mendham, as required by N.J.S.A. 40A:11-5(1)(a).
5. This Resolution shall take effect as provided herein.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In favor: Berkinsky, Callahan, Encin, VanArsdale, Zedalis
 Opposed: None
 Abstentions: None

The motion carried and the resolution was approved. Mr. Henry, Esq. was appointed Board Attorney. Ms. Mazzucco will make the appropriate public notification.

MINUTES

There were no minutes to approve as last month's meeting was cancelled.

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PUBLIC COMMENT

Mr. Zedalis opened the meeting to comments by the public on anything that was not on the agenda. There being none, the public session was closed.

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APPLICATIONS

**HPC #1-18 Mr. and Mrs. Ervey
49 West Main Street**

Block 301 Lot 73
2nd Floor Addition; Kitchen Expansion and Deck; Second Story
Addition to Garage

Present: Mary and Gary Ervey
Thomas Robinson, Architect

Mrs. Ervey explained that they would like to add a second floor addition to the rear of the house for a master bath and bedroom as well as a second floor addition to the garage for storage. They presented the plans prepared by Mr. Robinson and explained that the whole house would be re-sided with wood clapboard type siding. The roof would be replaced with an asphalt shingle roof and the windows on the dormer addition would match the existing windows. Upon reviewing the plans, Mr. Encin offered comments to the applicant that he felt would enhance the house’s character and blend well with the surrounding homes in the area. The Commission discussed the impact of minor improvements like shutters with hardware and crown moldings with the applicant.

After discussion amongst the applicant and Commission, Mr. Zedalis suggested that the applicant submit revised drawings to the HPC electronically. Contingent upon Mr. Encin’s review and comments, Mr. Zedalis made a motion to approve the application and Mr. Callahan seconded.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In favor: Berkinsky, Callahan, Encin, VanArsdale, Zedalis
Opposed: None
Abstentions: None

The motion carried.

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ADJOURNMENT

There being no additional business to come before the Commission, Mr. Zedalis made a motion for adjournment. On a voice vote, all were in favor the meeting was adjourned at 8:30PM. The next regular meeting of the Historic Preservation Commission will be held on Monday, March 19, 2018 at 7:30PM at the Phoenix House, 2 West Main St., Mendham, NJ.

Respectfully Submitted,

Carolyn Mazzucco

Commission Secretary