

**BOROUGH OF MENDHAM  
MEETING OF THE MAYOR AND COUNCIL**

**Monday, August 26, 2019  
8:00 PM**

**AGENDA**

**1. Call to Order**

**2. Invocation and Flag Salute**

**3. Mayor's Opening Statement**

Notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the Daily Record and Star Ledger and was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

**4. Roll Call**

Mayor Christine Serrano-Glassner  
Councilman Steven Andrew  
Councilman John Andrews  
Councilman Brad Badal  
Councilman James Kelly  
Councilman Brennan Reilly  
Council President David Sharkey

**5. Proclamation**

**RECOGNIZING NATIONAL OVARIAN CANCER AWARENESS MONTH IN THE BOROUGH OF MENDHAM AND SUPPORTING THE TURN THE TOWNS TEAL<sup>®</sup> CAMPAIGN, A NATIONAL CAMPAIGN PROMOTING AWARENESS OF OVARIAN CANCER AND ITS SYMPTOMS**

Proclamation presented to Debra Buchanan, Volunteer Liaison, Turn the Towns Teal Awareness Campaign for Ovarian Cancer

**6. Presentation**

**Administrative Intern Program** – Sara Hafemeister and Aubrey Egerter, Administrative Interns

**7. Consent Agenda Items**

Items on the Consent Agenda are considered routine and will be acted upon by the Borough Council by a single vote unless a member of the Governing Body or public request that an item be removed and considered separately.

1. Approval of Minutes: July 22, 2019 Regular Meeting  
July 22, 2019 Executive Session Meeting
2. Banner Display Request: Mendham Borough First Responders Golf Outing  
September 9<sup>th</sup> through September 20<sup>th</sup>, 2019
3. Banner Display Request: Harvest Hustle 5K Run, Mendham Borough HAS  
September 20<sup>th</sup> through October 4<sup>th</sup>, 2019
4. Raffle License: Minuteman Sports Club, 65 E. Main Street  
Off-Premise Merchandise Raffle  
December 20, 2019, 8:00 PM

- 5. Raffle License: P.G. Chambers School, Roxiticus Golf Club  
On-Premise Merchandise Raffle  
September 9, 2019, 11:00 AM - 7:00 PM
- 6. Road Closure Request: Cheryl Brown, Forest Drive Block Party  
September 7, 2019 [Rain date September 8<sup>th</sup>]  
12:00 PM - 11:45 PM
- 7. Road Closure Request: Elizabeth Kraft, Florie Farm Road Block Party  
September 21, 2019 [No rain date]  
5:00 PM – 11:00 PM
- 8. Road Closure Request: Michele McCarthy, Phoenix Drive Block Party  
October 2, 2019 [Rain date October 9<sup>th</sup>]  
5:00 PM – 11:00 PM
- 9. Special Event Permit: National Multiple Sclerosis Society, Bike MS County Challenge  
September 14, 2019, 9:00 AM – 12:00 PM  
September 15, 2019, 10:30 AM – 2:00 PM
- 10. Special Event Permit: Mendham Borough HSA Portraits in the Park Fundraiser  
Mountain Valley Park  
September 28, 2019, 8:00 AM – 4:20 PM [Rain date TBD]  
September 29, 2019, 8:00 AM – 4:20 PM [Rain date TBD]

8. Discussion Item(s)

- 1. Vehicle Towing Fees – Police Chief John Camoia

9. Ordinance for Introduction

**#10-2019 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW VEHICLE BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$48,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$45,600 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

**[Supplemental Debt Statement required]**

Public Hearing Scheduled for September 11, 2019

10. Ordinance for Public Hearing/Adoption

**#09-2019 ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A NEW VEHICLE FOR USE BY THE SEWER UTILITY OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$47,000 THEREFOR FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH.**

A legal notice was published indicating that Ordinance #09-2019 was introduced and passed on first reading at the July 22, 2019 meeting and further indicated that the second reading and public hearing would be held on August 26, 2019 at 8:00 p.m. for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Serrano-Glassner opens the public hearing at which time any interested person will be given an opportunity to be heard on said Ordinance. After the public hearing is closed, Ordinance #09-2019 will be considered for final passage and adoption by the Borough Council.

**11. Resolutions**

- #121-2019 RESOLUTION AUTHORIZING THE PURCHASE OF A 2019 FORD F-350 PICKUP TRUCK FOR THE WATER RECLAMATION DEPARTMENT THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL**
- #122-2019 RESOLUTION AUTHORIZING THE APPROVAL OF A SHARED SERVICES AGREEMENT FOR THE ESTABLISHMENT OF A SHARED MUNICIPAL COURT BETWEEN THE BOROUGH OF MENDHAM AND THE TOWNSHIP OF WASHINGTON**
- #123-2019 RESOLUTION OF THE BOROUGH OF MENDHAM AUTHORIZING THE SETTLEMENT OF THE TAX APPEALS FOR 30 KERBY LANE [BLOCK 2201, LOT 10.06] FOR THE TAX YEARS 2018 AND 2019**
- #124-2019 RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF JASON LODATO AS A FULL-TIME EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS**
- #125-2019 RESOLUTION APPROVING MAXIMILLIAN (MAX) SHEPARD'S APPOINTMENT AS A REGULAR MEMBER TO THE MENDHAM BOROUGH FIRE DEPARTMENT**
- #126-2019 RESOLUTION TO AMEND THE 2019 CAPITAL BUDGET OF THE BOROUGH OF MENDHAM [2/3 affirmative vote of full Council membership required]**

**12. Administrator's Report**

**13. Council Reports**

**14. Attorney's Items**

**15. Mayor's Items**

**16. Public Comment – Audience Participation**

Please stand, approach the microphone and state your name and address for the record. Comments should be briefly stated to the Mayor and Borough Council.

**17. Approval of Vouchers**

Bills List prepared by the Chief Financial Officer dated August 26, 2019

**18. Executive Session**

**#127-2019 A RESOLUTION PROVIDING FOR A CLOSED SESSION NOT OPEN TO THE PUBLIC PURSUANT TO THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A. 10:4-12b**

The Mayor and Council of the Borough of Mendham will adjourn into closed session to discuss the following subject matter without the presence of the public in accordance with the Open Public Meetings Act exemptions, N.J.S.A. 10:4-12b:

- 1. Contract Matter: PBA Collective Bargaining Negotiations

**18. Adjournment**

The next scheduled meeting of the Mayor and Council of the Borough of Mendham will convene on September 11, 2019 at 8:00 PM in the Garabrant Center, 4 Wilson Street, Mendham.

## **BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

### **PROCLAMATION**

#### **RECOGNIZING NATIONAL OVARIAN CANCER AWARENESS MONTH IN THE BOROUGH OF MENDHAM AND SUPPORTING THE TURN THE TOWNS TEAL® CAMPAIGN, A NATIONAL CAMPAIGN PROMOTING AWARENESS OF OVARIAN CANCER AND ITS SYMPTOMS**

**WHEREAS**, September is National Ovarian Cancer Awareness Month; and

**WHEREAS**, ovarian cancer is called the “silent disease” because its symptoms are often vague or subtle;

**WHEREAS**, ovarian cancer is the fifth leading cause of cancer-related death among women in the United States and, because there is no early detection test for ovarian cancer, women and men alike need to be aware of the known and often subtle symptoms and risk factors; and

**WHEREAS**, if detected in its early stages, the survival rate for ovarian cancer is 90-95 percent, which is why awareness is so critical; and

**WHEREAS**, Turn The Towns Teal® is a national campaign dedicated to raising awareness of ovarian cancer and its subtle symptoms and risk factors; and

**WHEREAS**, in the month of September for National Ovarian Cancer Awareness Month, Turn The Towns Teal® volunteers call attention to this disease by tying teal ribbons in various locations around their towns and neighborhoods; and

**WHEREAS**, the Turn The Towns Teal® campaign began in Chatham, New Jersey 13 years ago with about 20 volunteers and has since grown to include all 50 states, as well as in Canada and Bermuda.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Mendham that they hereby recognize the Month of September as National Ovarian Cancer Awareness Month in Mendham Borough and support the Turn The Towns Teal® campaign, a national campaign dedicated to raising awareness of ovarian cancer and its symptoms, and grant permission for its volunteers to tie teal ribbons along East and West Main Street in the Borough during the month of September; and

**BE IT FURTHER RESOLVED**, that the placement of teal ribbons must be reviewed and approved in advance of their posting along East and West Main Street in the Borough by the Borough’s Zoning Officer and that all ribbons shall be removed on or before September 30, 2019.

Dated: August 26, 2019

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

**RESOLUTION #121-2019**

**RESOLUTION AUTHORIZING THE PURCHASE OF A 2019 FORD F-350 PICKUP TRUCK  
FOR THE WATER RECLAMATION DEPARTMENT THROUGH  
THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL**

**WHEREAS**, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase of goods or services is made through a cooperative purchasing program; and

**WHEREAS**, the Borough realizes cost savings by purchasing services, equipment and materials through the Morris County Cooperative Pricing Council; and

**WHEREAS**, the Superintendent for the Mendham Borough Water Reclamation Department has a need to purchase a 2019 Ford F-350 Pickup Truck fitted with additional truck equipment and accessories and has obtained a pricing quote from DFFLM, LLC t/a Ditschman/Flemington Ford in Flemington, NJ in the amount not to exceed \$45,448.25, through the Morris County Cooperative Pricing Council, Contract #15-C, Item #12; and

**WHEREAS**, the Chief Financial Officer has certified that funds are currently available for the purchase of the vehicle fitted with the additional truck equipment and accessories.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Mendham that the Superintendent of the Borough's Water Reclamation Department is hereby authorized to purchase a 2019 Ford F-350 Pickup Truck fitted with additional truck equipment and accessories as provided in the pricing quote from DFFLM, LLC t/a Ditschman/Flemington Ford in Flemington, NJ, in the amount not to exceed \$45,448.25, through the Morris County Cooperative Pricing Council; and

**BE IT FURTHER RESOLVED**, all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Dated: August 26, 2019

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

**RESOLUTION #122-2019**

**RESOLUTION AUTHORIZING APPROVAL OF A SHARED SERVICES AGREEMENT FOR  
THE ESTABLISHMENT OF A SHARED MUNICIPAL COURT  
BETWEEN THE BOROUGH OF MENDHAM AND THE TOWNSHIP OF WASHINGTON**

**WHEREAS**, currently the Township of Washington (“Washington”) maintains its own municipal court, and the Borough of Mendham (“Mendham”) has a shared municipal court with Chester Borough; and

**WHEREAS**, Mendham has expressed a desire to withdraw from its current shared municipal court; and

**WHEREAS**, both Washington and Mendham have indicated a willingness to form a shared municipal court; and

**WHEREAS**, N.J.S.A. 2B:12-1(c) authorizes two (2) or more municipalities to share in its courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court provided that an agreement is entered into by all of the participating municipalities and provided that such agreement is filed with the Administrative Director of Courts; and

**WHEREAS**, Washington and Mendham desire to enter into such an agreement for the provision for a shared municipal court; and

**WHEREAS**, the governing body of the Borough of Mendham finds that it is in the best interest of the Borough to enter into the proposed Shared Services Agreement with Washington.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Mendham, that Mayor Serrano-Glassner is hereby authorized to execute a Shared Services Agreement between the Township of Washington and Borough of Mendham to create a shared municipal court; and

**BE IT FURTHER RESOLVED** that the Borough Administrator is authorized to take necessary action to terminate the current Shared Court Agreement with the Township of Mendham; and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby authorize the termination of the agreement with the Borough of Chester as it relates to the shared municipal court with Chester Borough effective September 30, 2019; and

**BE IT FURTHER RESOLVED** that the separation and the entering into a new agreement with Washington Township are subject to the review and approval of the Assignment Judge of the Morris County Superior Court vicinage.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

Dated: August 26, 2019

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

**RESOLUTION #123-2019**

**RESOLUTION OF THE BOROUGH OF MENDHAM AUTHORIZING THE SETTLEMENT OF THE TAX APPEALS FOR 30 KERBY LANE [BLOCK 2201, LOT 10.06] FOR THE TAX YEARS 2018 AND 2019**

**WHEREAS**, an appeal of the 2018 and 2019 real property tax assessment of the following property has been filed in the Tax Court of New Jersey as a Correction of Errors:

<b>PROPERTY OWNER</b>	<b>BLOCK</b>	<b>LOT</b>	<b>ADDRESS</b>
Jakimowicz, John/Krystyna	2201	10.06	30 Kerby Lane

And,

**WHEREAS**, the Tax Assessor is of the opinion that it is in the best interest of the Borough to settle these appeals.

**BE IT RESOLVED**, by the Council of the Borough of Mendham, in the County of Morris, and State of New Jersey, that the settlement of the following tax appeals filed at the Tax Court of New Jersey is hereby authorized as follows:

<b>PROPERTY OWNER</b>	<b>YEAR</b>	<b>ORIGINAL ASSESSMENT</b>	<b>PROPOSED SETTLEMENT</b>
Jakimowicz, John/Krystyna	2018	\$1,500,000	\$1,350,000
Jakimowicz, John/Krystyna	2019	\$1,500,000	\$1,350,000

And,

**BE IT FURTHER RESOLVED** that the Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this resolution; and

**BE IT FURTHER RESOLVED**, that all Borough officials and employees are hereby authorized to take all action necessary and appropriate to effectuate the terms of this Resolution, and

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

Dated: August 26, 2019

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

**RESOLUTION #124-2019**

**RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF JASON LODATO  
AS A FULL-TIME EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Department of Public Works has a need to hire a full-time employee for a Laborer/Driver/Operator position; and

**WHEREAS**, after considering all interested and qualified candidates, the Director of Public Works has recommended that Jason Lodato should be hired as a full-time Laborer/Driver/Operator in the Department of Public Works at the annual salary of \$36,000.00 and with an effective starting date of September 3, 2019.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Mendham that Jason Lodato is hereby appointed to the full-time position of Laborer/Driver/Operator in the Department of Public Works effective September 3, 2019 and shall be compensated at an annual salary of \$36,000 to be prorated for calendar year 2019, and shall be eligible for those benefits afforded to all regular full-time employees as set forth in the Borough's Personnel Policy and Procedure Manual; and

Dated: August 26, 2019



**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**RESOLUTION #125-2019**

**RESOLUTION APPROVING MAXIMILLIAN (MAX) SHEPARD'S APPOINTMENT  
AS A REGULAR MEMBER TO THE MENDHAM BOROUGH FIRE DEPARTMENT**

**WHEREAS**, the Mayor and Council of the Borough of Mendham recognize the valuable contributions volunteer firefighters make to our community every day of every year; and

**WHEREAS**, the Officers and Members of the Mendham Independent Hook and Ladder Company have recommended a change in the membership status of Maximillian (Max) Shepard from a Junior member to a Probationary member in the Mendham Hose Company; and

**WHEREAS**, Maximillian (Max) Shepard is now 18 years of age and has completed Firefighter I training as a Junior member; and

**WHEREAS**, upon the completion of serving a six month probationary period, and if acceptable to the Fire Chief and his officers, Maximillian (Max) Shepard will gain the status of a Regular Member.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Mendham that they hereby approve Maximillian (Max) Shepard's appointment as a Regular Member in the Mendham Hose Company for the Mendham Borough Fire Department, contingent upon the acceptance of the Fire Chief and his officers upon his satisfactory completion of the six month probationary period; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution, executed by the Mayor and attested to by the Borough Clerk, shall be presented to the Secretary of the Mendham Independent Hook and Ladder Company.

Dated: August 26, 2019

**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**RESOLUTION #126-2019**

**RESOLUTION TO AMEND THE 2019 CAPITAL BUDGET OF THE BOROUGH OF MENDHAM**

**WHEREAS**, the Council of the Borough of Mendham adopted the 2019 Capital Budget on April 22, 2019; and

**WHEREAS**, the Governing Body deems it necessary and desirable to provide for capital projects that were not previously reflected in the 2019 Capital Budget; and

**WHEREAS**, N.J.A.C. 5:30-4.4B provides that the Capital Budget must be amended to reflect any provisions, changes or inconsistencies with such Capital Budget.

**THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Mendham that the 2019 Capital Budget shall be amended to reflect the addition of:

- (i) Ordinance #09-2019 – Acquisition by purchase of a new pickup truck for use by the Sewer Utility , and
- (ii) Ordinance #10-2019, Acquisition by purchase of a new police vehicle and vehicle equipment for use by the Police Chief, and
- (iii) Additional funding necessary for the Sewer Utility capital equipment and improvements not previously provided for in the 2019 Capital Budget.

And,

**BE IT FURTHER RESOLVED** that the attached forms, as promulgated by the Local Finance Board, shall represent the Amended Capital Budget for the calendar year 2019; and

**BE IT FURTHER RESOLVED** that two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services as provided by law; and

**BE IT FURTHER RESOLVED**, all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

[Attachment: Amended 2019 Capital Budget Sheets 40B &40c]

Dated: August 26, 2019

BOROUGH OF MENDHAM  
COUNTY OF MORRIS

CAPITAL BUDGET AMENDMENT

**CAPITAL BUDGET (Current Year Action)**

1 PROJECT TITLE	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2019					6 TO BE FUNDED IN FUTURE YEARS
			5a 2019 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Acquisition of Truck	47,000			47,000				
Acquisition of Vehicle	48,000			2,400			45,600	
Sewer Cap Equipment & Improvements	71,000						71,000	
<b>TOTALS - ALL PROJECTS</b>	<b>\$5,730,500</b>			<b>\$389,900</b>		<b>\$90,000</b>	<b>\$5,250,600</b>	

**3 YEAR CAPITAL PROGRAM - 2019 - 2021**  
**Anticipated Project Schedule and Funding Requirements**

PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR					
				5a 2019	5b 2020	5c 2021	5d 2022	5e 2023	5f 2024
Acquisition of Truck	10	47,000	1 Year	47,000					
Acquisition of Vehicle		48,000	1 Year	48,000					
<b>TOTALS - ALL PROJECTS</b>		5,730,500		2,077,400	2,717,900	864,200			

**3 YEAR CAPITAL PROGRAM - 2019 - 2021**  
**SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

Project Title	Estimated Total Cost	BUDGET APPROPRIATIONS		Capital Improvement Fund	Capital Surplus	Grants-in-Aid and Other Funds	BONDS AND NOTES			
		Current Year 2019	Future Years				General	Self Liquidating	Assessment	School
Acquisition of Truck	47,000			47,000						
Acquisition of Vehicle										
<b>TOTALS - ALL PROJECTS</b>	5,611,500			387,500		90,000	130,000	5,004,000		

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

**RESOLUTION #127-2019**

**A RESOLUTION PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC  
PURSUANT TO 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 an Executive (Closed) Session during a public meeting to discuss certain matters such as:

- (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 have determined that it is necessary to go into an Executive 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 Council of the Borough of Mendham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

1. Contract Matter: PBA Collective Bargaining Negotiations

**BE IT FURTHER RESOLVED**, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Mendham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege.

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

**ORDINANCE #09-2019**

**ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW VEHICLE FOR USE BY THE SEWER UTILITY OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$47,000 THEREFOR FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH.**

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

**Section 1.** The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Mendham, New Jersey, and there is hereby appropriated therefor the sum of \$47,000 from moneys available in the Sewer Capital Improvement Fund of the Borough.

**Section 2.** The improvement hereby authorized and the purpose for which said appropriation is made is the acquisition by purchase of a new pickup truck for use by the Sewer Utility of the Borough, together with all equipment, appurtenances, and attachments necessary therefor or incidental thereto, all as shown on and in accordance with the 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.

\* \* \* \* \*

Introduced: July 22, 2019  
Public Hearing: August 26, 2019

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

**ORDINANCE #10-2019**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW VEHICLE BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$48,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$45,600 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Mendham, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$48,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$2,400 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$48,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$45,600 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$45,600 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the acquisition by purchase of new and additional vehicular equipment for use by the Police Department of the Borough, together with all equipment, apparatus and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$45,600.

(c) The estimated cost of said purpose is \$48,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$2,400 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is five (5) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$45,600, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$4,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.



Section 7. 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 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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Introduced: August 26, 2019  
Public Hearing: September 11, 2019