

**BOROUGH OF MENDHAM
HISTORIC PRESERVATION COMMISSION
MINUTES OF THE JANUARY 20, 2020
REORGANIZATION/REGULAR MEETING**

CALL TO ORDER

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

OPENING STATEMENT

Notice of this meeting was published in the Star Ledger and Daily Record in accordance with the Open Public Meetings Act and was posted on the bulletin board of the Phoenix House and furnished to all those who have requested individual notice and have paid the required fee.

OATHS OF OFFICE

Anthony Maresca – Alt. Member #1 expiring 12/31/21

REORGANIZATION

ELECTIONS

CHAIR: Ms. Shafran nominated Mr. Zedalis as Chair, which was seconded by Mr. Encin. There being no additional nominations, Ms. Shafran made a motion to close the nominations, Mr. VanArsdale seconded. Nominations were closed. There being no other nominations a single ballot can be cast, and Mr. Zedalis was elected Chair.

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

VICE CHAIR: Motion by Mr. Maresca, seconded by Ms. Shafran and unanimously carried by voice vote to nominate Mr. VanArsdale as Vice Chairman.

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RESOLUTIONS

BOARD SECRETARY:

Motion by Mr. Zedalis, seconded by Mr. Encin and unanimously carried by voice vote to appoint Lisa Smith as Board Secretary.

Roll Call: The result of the roll call was 5 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Mr. Van Arsdale, Mr. Zedalis
Opposed: None
Abstentions: None

*BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
HISTORIC PRESERVATION COMMISSION
RESOLUTION (APPOINTMENT OF COMMISSION SECRETARY)*

BE IT RESOLVED by the Historic Preservation Commission of the Borough of Mendham that Lisa J. Smith has been appointed to the position of Secretary to the Historic Preservation Commission effective January 1, 2020

MEETING DATES:

Motion by Ms. Shafran, seconded by Mr. Encin and unanimously carried by voice vote to adopt a resolution (as outlined herein) setting forth the meeting dates for 2020 and the first meeting of 2021.

Roll Call: The result of the roll call was 5 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Mr. Van Arsdale, Mr. Zedalis
Opposed: None
Abstentions: None

*BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
HISTORIC PRESERVATION COMMISSION
RESOLUTION (2020 MEETING DATES)*

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 2020 set forth below, at the Garabrant Center, 4 Wilson St., Mendham, NJ.

Monday, January 20, 2020 (Previously Advertised)

Tuesday, February 18

Monday, March 16

Monday, April 20

Monday, May 18

Monday, June 15

Monday, July 20

Monday, August 17

Monday, September 21

Monday, October 19

Monday, November 16

Monday, December 21

Monday, January 18, 2021

The Reorganization Meeting of the Commission will be held on January 18, 2021.

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.

Dated: January 20, 2020

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OFFICIAL NEWSPAPERS:

Motion by Mr. VanArsdale, seconded by Ms. Shafran and unanimously carried by voice vote to adopt a resolution (as outlined herein) recognizing the Star Ledger and The Daily Record as the official newspapers of the Board for 2020.

Roll Call: The result of the roll call was 5 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Mr. Van Arsdale, Mr. Zedalis
Opposed: None
Abstentions: None

*BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
HISTORIC PRESERVATION COMMISSION
RESOLUTION (OFFICIAL NEWSPAPERS)*

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 Star Ledger 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.

Dated: January 20, 2020

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BOARD ATTORNEY:

Motion by Ms. Shafran, seconded by Mr. Maresca and unanimously carried by voice vote to adopt a resolution (as outlined herein) authorizing entry into an agreement with Peter E. Henry, Esq. of the firm McElroy, Deutsch, Mulvaney & Carpenter, LLP for legal services.

Roll Call: The result of the roll call was 5 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Mr. Van Arsdale, Mr. Zedalis
 Opposed: None
 Abstentions: None

RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PETER E. HENRY, ESQ., of the firm MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP COMMISSION ATTORNEY SERVICES

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

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

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

WHEREAS, Peter E. Henry, Esq. of the firm McElroy, Deutsch, Mulvaney & Carpenter, LLP has submitted a proposal indicating that he will provide Commission Attorney services in an amount projected to exceed \$17,500; 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 Peter E. Henry, Esq. has not made any reportable contributions to a political or candidate committee in the Borough of Mendham in the previous one year, and that the contract will prohibit Peter E. Henry, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Historic Preservation Commission of the Borough of Mendham desires to award the contract to Peter E. Henry, Esq.; 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. The Historic Preservation Commission of the Borough of Mendham hereby authorizes execution of a professional services agreement with Peter E. Henry, Esq. to serve as Commission Attorney for the year 2020.*
- 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 Disclosure Entity 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.*
- 6. A Notice of this action shall be published once in the official newspaper as required by law.*

I, Lisa J. Smith, Land Use Coordinator, do hereby certify that the foregoing Resolution was duly adopted at the Reorganization Meeting of the Historic Preservation Commission of the Borough of Mendham, held this 20th day of January 2020.

PUBLIC COMMENT:

Chairman Zedalis opened the meeting to the public for questions and comments on items not included on the agenda. There being none, the public session was closed.

REGULAR MEETING

ROLL CALL:

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|--------------------------|-------------------------------------|
| Mr. M. Zedalis – Present | Mr. Van Arsdale – Present |
| Mr. Encin – Present | Alternate #1: Mr. Maresca – Present |
| Ms. Reilly – Absent | Alternate #2: Ms. Shafran – Present |

Also Present: Mr. Peter Henry, Esq., Board Attorney

MINUTES:

Motion by Mr. Maresca, seconded by Mr. Van Arsdale and unanimously carried by voice vote to adopt the Minutes of November 19, 2019, with revision to show Ms. Shafran was absent at the November 19, 2019 Meeting.

Roll Call: The result of the roll call was 5 to 0 as follows:

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| In favor: | Mr. Encin, Mr. Maresca, Ms. Shafran, Mr. Van Arsdale, Mr. Zedalis |
| Opposed: | None |
| Abstentions: | None |

APPLICATIONS:**App. #01-20 (Fence)****Milo & Lauren Shofe (39 West Main St.)****Block 301, Lot 78**

Present: Lauren Shofe

Ms. Shofe gave an overview of the application for the fence replacement. Ms. Shofe proposed a chain link along the back with plantings and vinyl privacy fencing along the sides. After discussion the Commission asked for samples of the fencing and Ms. Shofe agreed to supply other types of fencing samples and to do more research. The application was tabled.

App. #02-20 (Garage)**Milo & Lauren Shofe (39 West Main St.)****Block 301, Lot 78**

Present: Lauren Shofe

Ms. Shofe gave an overview of the application to install an attached garage with a style to mimic the house. Mr. Encin noted that on the plans the materials were listed as wood and not the hardy plank. Ms. Shofe stated that they were going to use AZEK. There was discussion about the garage doors and the Commission suggested a carriage style door with AZEK overlay. After discussion the Commission asked for a new listing of materials to be used, design of the garage door, the grill in the window, lighting, and the revised plans. Ms. Shofe said that they were getting a revised set of plans and would supply copies to the Commission. The application was tabled.

DISCUSSION:

Mr. Henry stated that the Rules and Regulations need to be amended to state that the meetings are being held at the Garabrant Center and not the Phoenix House. Mr. Zedalis made a motion to change the Rules and Regulations from having meetings at the Phoenix House to having the meetings at the Garabrant Center, seconded by Mr. Encin and unanimously carried by voice vote to adopt the amendment to the Rules and Regulations.

ADJOURNMENT:

There being no additional business, Mr. Van Arsdale made a motion to adjourn and Ms. Shafran seconded. On a voice vote, all were in favor. Mr. Zedalis adjourned the meeting at 8:30PM.

The next meeting of the Historic Preservation Commission will be held on Tuesday, February 18, 2020 at 7:30PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully Submitted,

Lisa J. Smith

Lisa J. Smith

Land Use Coordinator