

**BOROUGH OF MENDHAM
HISTORIC PRESERVATION COMMISSION
MINUTES OF THE JANUARY 17, 2022
REORGANIZATION/REGULAR MEETING**

CALL TO ORDER/FLAG SALUTE

The reorganizational/regular meeting of the Historic Preservation Commission was called to order at 7:30PM and the open public meeting statement was read into the record via Zoom.

OATHS OF OFFICE

Mr. Germinario, Commission Attorney, administered the oaths of office to the following members:

- a) Dan Encin – Regular Class A Member expiring 12/31/25.
- b) Nancy Rodrigues – Regular Class C Member expiring 12/31/25.
- c) Mark Tosso– Alternate Member expiring 12/31/23.
- d) Ryan Mullany– Alternate Member expiring 12/31/23.

REORGANIZATION

ELECTIONS

CHAIR:

Mr. Encin nominated Mr. Van Arsdale as Chair, which was seconded by Mr. Maresca. There being no additional nominations, Ms. Rodrigues made a motion to close the nominations, Mr. Maresca seconded. Nominations were closed. There being no other nominations a single ballot can be cast, and Mr. Van Arsdale was elected Chair.

Roll Call: The result of the roll call was 6 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: Mr. Van Arsdale

Mr. Van Arsdale was elected Chair and assumed leadership of the Commission.

VICE CHAIR:

Mr. Maresca nominated Ms. Shafran as Vice Chairman, which was seconded by Mr. Van Arsdale. There being no additional nominations, Ms. Rodrigues made a motion to close the nominations, Mr. Encin seconded. Nominations were closed. There being no other nominations a single ballot can be cast, and Ms. Shafran was elected Vice Chair.

Roll Call: The result of the roll call was 6 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Mr. Van Arsdale, Ms. Rodrigues, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: Ms. Shafran,

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RESOLUTIONS**COMMISSION SECRETARY:**

Motion by Ms. Shafran, seconded by Mr. Encin and unanimously carried by voice vote to appoint Lisa J. Smith as Commission Secretary.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: None

**BOROUGH OF MENDHAM
HISTORIC PRESERVATION COMMISSION
MORRIS COUNTY, NEW JERSEY
RESOLUTION
RESOLUTION APPOINTING OF COMMISSION SECRETARY
FOR CALENDAR YEAR 2022**

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, 2022.

*I certify that this is a true and exact
copy of a resolution adopted by the
Borough of Mendham Historic
Preservation Commission on January 17, 2022.*

Land Use Coordinator

Chairman, Historic Preservation Commission

MEETING DATES:

Motion by Ms. Shafran, seconded by Ms. Rodrigues and unanimously carried by voice vote to adopt a resolution (as outlined herein) setting forth the meeting dates for 2022 and the first meeting of 2023.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: None

**BOROUGH OF MENDHAM
HISTORIC PRESERVATION COMMISSION
MORRIS COUNTY, NEW JERSEY
RESOLUTION
RESOLUTION SETTING THE ANNUAL MEETING SCHEDULE
FOR THE HISTORIC PRESERVATION COMMISSION
OF THE BOROUGH OF MENDHAM**

CALENDAR YEAR 2022

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 2022 set forth below, at the Garabrant Center, 4 Wilson St., Mendham, NJ. During a declared state of emergency when meetings of the Historic Preservation Commission are held remotely, the public may attend remotely by Zoom. Instructions on how to attend a meeting via Zoom will be posted on the meetings schedule webpage on the Borough's website in advance of the meeting and in accordance with the Open Public Meetings Act.

Monday, January 17, 2022 (Previously Advertised)
Tuesday, February 22
Monday, March 21
Monday, April 18
Monday, May 16
Monday, June 20
Monday, July 18
Monday, August 15
Monday, September 19
Monday, October 17
Monday, November 21
Monday, December 19
Monday, January 16, 2023 (Regular and Reorganization)

The regular and reorganization meeting for 2023 will be held on January 16, 2023.

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 and maintained in the Phoenix House, 2 West Main St., Mendham, NJ for purposes of public inspection, and will be filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act and delivered to the official newspapers in advance as required by law.

Dated: January 17, 2022

Chairman, Historic Preservation Commission

ATTEST:

Land Use Coordinator

OFFICIAL NEWSPAPERS:

Motion by Mr. Maresca, 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 2022.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: None

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

**RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS
FOR CALENDAR YEAR 2022**

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. *Notice of this meeting of the Historic Preservation Commission of the Borough of Mendham shall be posted and maintained in the Phoenix House, 2 West Main Street, Mendham, NJ for purposes of public inspection, and will be filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act*
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 17, 2022

Chairman, Historic Preservation Commission

ATTEST:

Land Use Coordinator

COMMISSION ATTORNEY:

Motion by Ms. Shafran, seconded by Mr. Van Arsdale and unanimously carried by voice vote to adopt a resolution (as outlined herein) authorizing entry into an agreement with Thomas J. Germinario, Esq for legal services.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
 Opposed: None
 Abstentions: None

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

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 THOMAS J. GERMINARIO, ESQ. FOR 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, Thomas J. Germinario, Esq. has submitted a proposal indicating that he will provide Board Attorney services in an amount projected not to exceed \$6,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds); and

WHEREAS, Thomas J. Germinario, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Thomas J. Germinario, 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 Thomas J. Germinario, 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 Thomas J. Germinario, 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 Thomas J. Germinario, Esq. to serve as Commission Attorney for the year 2022 in an amount projected not to exceed \$6,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds).
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 17th day of January 2022.

Lisa J. Smith, Land Use Coordinator

ATTEST: _____
Lisa J. Smith
Land Use Coordinator

Chairman, Historic Preservation Commission

COMMISSION PLANNER:

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 J. Caldwell & Associates, LLC for planner services.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: None

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

RESOLUTION OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO J. CALDWELL & ASSOCIATES, LLC FOR COMMISSION PLANNER SERVICES

WHEREAS, the Historic Preservation Commission of the Borough of Mendham has a need to acquire professional Commission Planner 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, J. Caldwell & Associates, LLC has submitted a proposal indicating that J. Caldwell & Associates, LLC will provide Commission Planner services in an amount projected to not exceed \$4,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds); and

WHEREAS, J. Caldwell & Associates, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that J. Caldwell & Associates, LLC 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 J. Caldwell & Associates, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Historic Preservation Commission of the Borough of Mendham desire to award the contract to J. Caldwell & Associates, LLC; 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:

1. *The Historic Preservation Commission of the Borough of Mendham hereby authorizes execution of a professional services agreement with J. Caldwell & Associates, LLC, to serve as Commission Planner for the year 2022, in an amount projected not to exceed \$4,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds).*
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 of the Borough of Mendham, 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 17th day of January 2022.

Lisa J. Smith, Land Use Coordinator

ATTEST: _____
Lisa J. Smith
Land Use Coordinator

Chairman, Historic Preservation Commission

At 7:42 pm a motion was made by Ms. Shafran, seconded by Ms. Rodrigues, and unanimously carried by voice vote to adjourn the reorganization portion of the meeting and open the regular meeting.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
 Opposed: None
 Abstentions: None

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REGULAR MEETING**ROLL CALL:**

Mr. Encin – Present
Mr. Maresca – Present
Ms. Shafran – Present
Ms. Rodrigues - Present

Mr. Van Arsdale – Present
Mr. Tosso - Alternate #1:– Present
Mr. Mullany - Alternate #2: Present

Also Present: Mr. Thomas Germinario, Esq., Commission Attorney

PUBLIC COMMENT:

Chairman Van Arsdale 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.

MINUTES:

Motion by Ms. Shafran, seconded by Mr. Maresca and unanimously carried by voice vote to adopt the Minutes of November 15, 2021 meeting as written.

Roll Call: The result of the roll call was 4 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, and Mr. Van Arsdale
Opposed: None
Abstentions: Ms. Rodrigues, Mr. Tosso, and Mr. Mullany

APPLICATIONS:

a) **HPC #25-21**
Jon Alperin- MBFAS
24 East Main St
Block 601 Lot 11
Present : Mr. Alperin - Applicant

Mr. Alperin summarized his application for a sign to be placed parallel to Route 24 at the end of the driveway in front of the First Aid Squad. Mr. Alperin explained that the old Fire Department sign used to have the First Aid Squad on it, but the current one does not.

Motion was made by Mr. Encin, seconded by Ms. Shafran to approve the application as submitted.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany

Opposed: None
Abstentions: None

The motion carried.

b) **HPC #26-21**
Mendham Design
27 East Main St
Block 1501 Lot 12
Present : Mr. Encin - Applicant

Mr. Encin recused himself

Mr. Encin summarized his application for a sign to be placed in front of 27 East Main Street.

Motion was made by Ms. Shafran, seconded by Mr. Maresca to approve the application as submitted.

Roll Call: The result of the roll call was 6 to 0 as follows:

In favor: Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: Mr. Encin

The motion carried.

c) **HPC #27-21**
Mendham Methodist Church
10 East Main St
Block 601 Lot 5
Present : Ms. Warren – President of the Board of Trustees

Mr. Germinario gave a background of what was brought to the Joint Land Use Board regarding this application to subdivide the parsonage from the church property and that the JLUB approval had the condition that the applicant must receive the Historic Preservation Commission approval as well. Ms. Warren stated that there is a minister and his family living in the parsonage. Mr. Van Arsdale asked if the Commission was approving the division of the property. Mr. Germinario explained that the Commission would have to determine if the division of the property would compromise the historic integrity. Ms. Shafran asked if there were any changes to the structures, there would have to be an application made to the Commission. Mr. Germinario stated that they would have to return to the Commission if changes were made. Mr. Maresca asked if there were any plans to sell the parsonage in the near future. Ms. Warren stated that there are no plans at this time. Ms. Rodrigues asked what was prompting the subdivision. Ms. Warren stated that if in the future the parsonage is no longer needed, the Church could sell the property. Mr. Encin noted that the two pieces of property are separate and distinct from each other. Mayor Glassner explained the history behind the Church subdivision and the portion that the Borough was purchasing. Ms. Shafran agreed with Mr. Encin's comment that the buildings are not linked on the two properties.

Motion was made by Ms. Shafran, seconded by Ms. Rodrigues to approve the application as submitted.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: None

The motion carried.

d) HPC #01-22

Paul Angelastro
13 Mountain Ave
Block 601 Lot 25
Present : Mr. Angelastro - Applicant

Mr. Angelastro summarized his application to install a dual zone, central air conditioning system on the side of the property. Mr. Van Arsdale stated that while looking at the survey felt that the units were positioned in the best place.

Motion was made by Ms. Shafran, seconded by Mr. Van Arsdale to approve the application as submitted.

Roll Call: The result of the roll call was 7 to 0 as follows:

In favor: Mr. Encin, Mr. Maresca, Ms. Shafran, Ms. Rodrigues, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
Opposed: None
Abstentions: None

The motion carried.

DISCUSSION/MISCELLANEOUS:

Mayor Glassner thanked the members for their time and help with the Historic Preservation Commission.

Ms. Rodrigues questioned the house on Main Street that has windows without the simulated divided light. Ms. Smith explained that windows do not trigger permits and if a permit is not needed, the Construction or Zoning Department aren't notified. It is these Departments that send the applications to the HPC for approval prior to receiving a permit. Mr. Encin recalls that this property did in fact have an application with the HPC and were supposed to put in the simulated divided light windows. Ms. Smith asked Mr. Encin to send the address and she would look up the minutes. Mr. Van Arsdale would like to discuss what the follow up would be to make sure that the applicants follow through with what is approved. Ms. Smith stated that ordinarily a permit is not issued until there is an approval letter sent to the Construction and Zoning Departments. Mr. Mullany suggested having the applicant return after the project is completed. Mr. Germinario stated that there is no enforcement authority in the Ordinance and that the Commission is advisory.

ADJOURNMENT:

There being no additional business, Ms. Shafran made a motion to adjourn, and Mr. Maresca seconded. On a voice vote, all were in favor. Mr. Van Arsdale adjourned the meeting at 9:10 PM.

The next meeting of the Historic Preservation Commission will be held on Tuesday, February 22, 2022 at 7:30PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully Submitted,

Lisa J. Smith

Lisa J. Smith

Land Use Coordinator