



**BOROUGH OF MENDHAM
MEETING OF THE MAYOR AND COUNCIL
August 12, 2026 7:00 PM Minutes**

1. CALL TO ORDER

Mayor Kelly called the August 12th, 2026, Regular Meeting of the Mayor and Council to Order at 7:00 pm in the Garabrant Center, Wilson Street, Mendham, New Jersey.

2. MOMENT OF SILENCE AND FLAG SALUTE

Mayor Kelly led a moment of silence and proceeded with the Pledge of Allegiance.

3. MAYOR'S OPENING STATEMENT

Adequate 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 in the Phoenix House. In addition, a copy of this notice is and has been available to the public, is on file in the office of the Municipal Clerk, and is available under Public Notices at www.mendhamnj.org. Official action will be taken at this meeting.

4. ROLL CALL

Present:

Mayor, James Kelly
Council President Marilyn Althoff
Council Member Matthew Bruin
Council Member Alexandra Henry Traut
Council Member Will Russo
Council Member Neil Sullivan

Also, present were:

Jonathan Testa, Dorsey & Semrau, LLC
Lauren McBride, Borough Clerk

Not Present:

Council Member Chris Neff
Joyce Bushman, Administrator

5. CONSENT AGENDA ITEMS *(Items considered routine, Council will act on by a single*

motion and vote unless a member request that an item be removed and considered separately)

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 requests that an item be removed and considered separately.

A. Minutes

1. June 17, 2026
2. July 15, 2026

B. Banner Application

1. Chester Parent Teacher Association, Food Truck and Music Fest, 10/8/26-10/18/26

C. Road Closure Application

1. Garabrant St, From Mountain Ave to Gunther St 8/29/26
2. Forest Rd, From #24 to #12, 9/12/26
3. Franklin Rd, From Budd Road entrance to Franklin Rd Dead End/Drake, 9/12/26
4. Prospect Steet & New Street, From Hilltop and Prospect to New Street @ St. Joe's Entrance, 9/27/2026

D. Special Event Applications

1. Mendham Borough Democratic Committee, Mom's Meet up, 9/10/26 and 9/18
2. Psycho Group Therapy, Women with ADHD, Garabrant Center

Motion: Council Member Bruin

Second: Council Member Russo

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

6. ORDINANCE FOR INTRODUCTION

#10-2026 AN ORDINANCE AMENDING CHAPTER 38 OF THE CODE OF THE BOROUGH OF MENDHAM, ENTITLED "POLICE DEPARTMENT"

Public Hearing: Mayor Kelly opened the public hearing; And stated any interested person will be allowed to be heard on this Ordinance. The Mayor will recognize the individual and ask them to state their name and address for the record clearly.

THE SPEAKER DOES NOT NEED TO PROVIDE THEIR ADDRESS IF THEY HAVE BEEN VERIFIED BY THE OFFICE OF INFORMATION PRIVACY AS A COVERED PERSON IN THE BOROUGH UNDER DANIEL'S LAW.

Motion: Council Member Henry Traut
Second: Council Member Althoff
Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

7. RESOLUTIONS

#137-2026 A RESOLUTION AUTHORIZING THE LEASE AGREEMENT AND PURCHASE OF A 2026 FORD INTERCEPTOR SUV POLICE VEHICLE THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL

Motion: Council Member Henry Traut
Second: Council Member Bruin
Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#138-2026 A RESOLUTION REMOVING CERTAIN MEMBERS FROM THE ROLLS OF THE MENDHAM BOROUGH FIRE DEPARTMENT

Motion: Council Member Althoff
Second: Council Member Russo
Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#139-2026 RESOLUTION APPOINTING A CLASS II SPECIAL LAW ENFORCEMENT OFFICER (SLEO) IN THE MENDHAM BOROUGH POLICE DEPARTMENT

Motion: Council Member Henry Traut
Second: Council Member Althoff
Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#140-2026 RESOLUTION APPOINTING A CLASS III SPECIAL LAW ENFORCEMENT OFFICER (SLEO) IN THE MENDHAM BOROUGH POLICE DEPARTMENT

Motion: Council Member Bruin
Second: Council Member Russo
Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#141-2026 RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MENDHAM AND THE BOARD OF EDUCATION OF THE WEST MORRIS REGIONAL HIGH SCHOOL DISTRICT REGARDING THE HIRING OF A SLEO III FOR WEST MORRIS MENDHAM HIGH SCHOOL FOR THE 2026-2027 SCHOOL YEAR

Motion: Council Member Henry Traut

Second: Council Member Althoff

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#142-2026 RESOLUTION AUTHORIZING THE HIRING OF CLASS 3 PUBLIC SAFETY CROSSING GUARDS IN THE MENDHAM BOROUGH POLICE DEPARTMENT

Motion: Council Member Henry Traut

Second: Council Member Althoff

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#143-2026 RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF PROPERTY TAXES FOR 100% EXEMPT VETERAN LOCATED AT 32 W MAIN STREET, BLOCK 1901, LOT 37

Motion: Council Member Henry Traut

Second: Council Member Althoff

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#144-2026 RESOLUTION AUTHORIZING THE PASTIME CLUB TO CONDUCT A FIREWORKS DISPLAY AT BOROUGH PARK ON LABOR DAY, MONDAY, SEPTEMBER 7, 2026 (RAIN DATE SATURDAY, SEPTEMBER 12, 2026)

Motion: Council Member Bruin

Second: Council Member Russo

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#145-2026 RESOLUTION HIRING A TEMPORARY TAX AND UTILITIES BILLING CLERK AND PAYROLL CLERK

Motion: Council Member Althoff

Second: Council Member Russo

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

#146-2026 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND 2 TO THE

CONTRACT WITH JJJ SOLUTIONS LLC FOR THE POLICE DEPARTMENT ACCESSIBILITY IMPROVEMENTS PROJECT

Motion: Council Member Althoff

Second: Council Member Bruin

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

8. COUNCIL REPORTS

Council Member Althoff, Chair of the Public Safety Committee, reported that the recently installed accessibility doors have been adjusted to a single door, resulting in some operational savings. The Police Department currently has four active solicitor permits issued. Residents should not experience a significant number of door-to-door solicitations. Anyone approached by a solicitor who appears suspicious or who cannot provide proper credentials is encouraged to contact the Police Department. The department is also in the process of hiring an additional Special Law Enforcement Officer (SLEO). Currently, there are two SLEOs assigned to the high school, and filling this position will help maintain appropriate staffing levels and coverage.

Council Member Russo, Chair of the Personnel Committee, reported that, with the start of the school year approaching, preparations are underway throughout the community. He thanked Mayor Kelly, Pete, and Borough staff for their prompt attention to an issue with several water fountains that were not functioning properly. He explained that one of his children, while out around town, noticed that a water fountain was not working and brought it to his attention. After raising the concern, the issue was addressed quickly, which he greatly appreciated.

He also reported that the Personnel Committee met recently to conduct its annual review of the Borough Personnel Manual. The manual is reviewed each year, and the committee is currently evaluating potential updates and revisions, as it has done in prior years. Recommendations will be presented once the review is complete. In addition, Councilmember Russo noted that the Borough Administrator's employment contract is set to expire at the end of the year. He proposed initiating an open recruitment process for the position, suggesting that the Personnel Committee and the Mayor serve as a search committee and that the position be advertised through the New Jersey League of Municipalities. A motion was made and seconded by Council Member Henry Traut to proceed with an open process.

Borough Counsel advised that the matter should not be considered at that time because Rice notice requirements to the affected employee may apply, and any action would likely need to be addressed formally through a resolution placed on a future agenda. Counsel indicated that, while the discussion was not necessarily performance-related, it concerned employment and contract continuation issues that warranted a more formal process. A request was then made by Council Member Henry Traut to place the matter on a future agenda for consideration. Counsel advised that no roll call vote was necessary because the discussion pertained only to a request for future agenda placement. The request was acknowledged, with the understanding that agenda-setting authority ultimately rests with the Mayor.

Council Member Sullivan, Chair of the Finance Committee, reported that the Finance Committee met last month and discussed the details of the Borough's Open Space Trust Fund. The committee also reviewed the future status and funding considerations for the public library as part of planning for the next budget cycle. Additionally, the committee discussed beginning the budget process earlier to allow for more proactive financial planning. Another Finance Committee meeting is planned for this month, and further updates will be provided as discussions continue.

Council Member Henry Traut, Chair of the Land Use Committee, reported that the Joint Land Use Board held a special meeting on August 4 to review the V-Fee application for a lot subdivision and an amended site plan related to an amended accessory use. During the meeting, the applicant's traffic engineer provided extensive testimony, including traffic modeling that incorporated potential improvements identified in the County's Local Safety Program Study. The proposed enhancements focused on the Cold Hill Road/Main Street intersection and the Tempe Wick Road/Main Street intersection. Any implementation of these improvements would require approval from both the Borough and Township governing bodies.

In light of the Administrator's report that County Commissioner Director Stephen Shaw has petitioned the North Jersey Transportation Planning Authority for funding to advance the next phase of design work without the roundabout concept, and considering the cumulative traffic impacts of future development, Councilmember Henry Traut recommended that the Borough Council review the County traffic study and proposed intersection improvements. A request was made to place this topic on a future Council agenda for discussion.

The Joint Land Use Board's next regular meeting is scheduled for August 18 at 7:30 p.m. at Grace Lutheran Church. The hearing for the application at 80-88 West Main Street is expected to begin at that meeting. Regarding Open Space and ECCOST matters, Councilmember Henry Traut reviewed the timeline and ongoing updates associated with the Open Space, Recreation, and Historic Preservation Plan. A suggestion was made to establish an ad hoc working group consisting of representatives from ECCOST, the Joint Land Use Board, and the Historic Preservation Commission to coordinate feedback. After discussion, it was decided that Ms. Caldwell would first collect input from each committee individually, after which a determination will be made as to whether a cross-functional working group is necessary. This work is anticipated to begin next month. Finally, Councilmember Henry Traut reported that the Borough was awarded the 2026 Morris County Municipal Utilities Authority Recycling Enhancement Mini Grant. Additional information regarding the grant program will be provided as it becomes available.

Council Member Bruin, Chair of the Recreation and Parks Committee, reported that Parks and Recreation activities remain busy as the summer season comes to a close.

The final Summer Concert Series event is scheduled for August 23, featuring Old Engine from 5:00 p.m. to 8:00 p.m. The Mendham Day Camp concluded on July 31 following a successful season. He thanked the Police Department, First Aid Squad, Fire Department, DPW, Mendham Library, Pastime Club, and Mendham Creamery for their contributions to camp programming and activities. The first Family Game Night was well attended, with approximately 40 participants, and the second event was being held that evening. The Drive-In Movie Night, rescheduled due to rain, attracted about 75 attendees but was again impacted by inclement weather. Planning for the Labor Day Parade is underway, with invitations sent to local organizations and entertainment being arranged. The Recreation Committee also selected a winning design for the 2026 Labor Day Parade logo, created by local designer Joe Miller, featuring the theme "250 Years of Freedom, 120 Years of Community." The next Recreation Committee meeting will be held on August 20 at 7:00 p.m. at the Garabrant Center. Lastly, Councilmember Bruin noted that the first day of high school classes will be August 26, while Hilltop School and Mountain View School will begin on August 31. He highlighted the significant progress on construction at Mountain View School and noted that school would be back in session before the next Council meeting.

9. MAYOR'S ITEMS

Mayor Kelly reported that he took a ride around town with Pete and identified a few areas that need minor cleanup from debris left by the early July storm. With the recent heavy rains, we have also noticed some significant washout issues. The runoff has been particularly severe, and we plan to consult with the Borough Engineer regarding a potential problem area off Talmadge Road.

10. PUBLIC COMMENTS

Ron Weissman, 15 Tempe Wick Road, asked for clarification regarding the public availability of documents received by the Borough in connection with applications, reports, or correspondence. The resident questioned whether such documents should be available through an OPRA request within the statutory response period or whether disclosure may be delayed until an application or review process is complete. As an example, the resident referenced engineering, stormwater, and environmental reports submitted in connection with a development application and asked when those records become publicly accessible.

The Borough Attorney explained that the answer depends on the specific document at issue and whether it constitutes a government record subject to retention and disclosure requirements. He noted that there are various OPRA exemptions and exceptions that may affect availability. Regarding engineering review reports and similar documents associated with a land use application, the Attorney stated that such records are generally available to the public, provided there are no applicable security concerns or other exemptions. He also noted that the status of the application and whether the records are part of an ongoing deliberative

process may impact disclosure in certain circumstances.

Margaret Burke, 8 Bockoven Rd, asked several questions regarding a recently approved subdivision application. She sought clarification on whether the Joint Land Use Board's approval of the subdivision required any further action by the Borough Council. She also raised concerns about future access to one of the subdivided lots if ownership were to change and questioned how access issues or requests for a new entrance would be addressed. Additionally, Ms. Burke expressed concern that multiple recusals on the Joint Land Use Board resulted in only a few members voting on the application and asked whether alternate members could be utilized more effectively to participate in such decisions.

The Borough Attorney explained that the Joint Land Use Board has the statutory authority to approve subdivision applications and that Council does not review or approve those decisions. In response to concerns about future access between subdivided lots, the Attorney stated that the question involved too many hypothetical scenarios to provide a definitive answer and noted that factors such as easements or future applications could affect the outcome. He further explained that any future requests involving access or site changes would fall under the jurisdiction of the Joint Land Use Board. Regarding board composition, the Attorney noted that alternates are already appointed and may vote when necessary, subject to quorum requirements and other applicable rules.

Councilwoman Henry Traut explained that alternate members are encouraged to attend Land Use Board meetings and are seated with the board when present. However, alternates may only vote when a regular member is absent, recused, or otherwise unable to participate, and they must be present for the proceedings or certify that they have reviewed the record if a hearing spans multiple meetings. She further clarified that quorum requirements are based on the composition of the board and that a majority of eligible members is required for the board to conduct business.

APPROVAL OF VOUCHERS

Bills List dated August 12, 2026.

Motion: Council Member Sullivan

Second: Council Member Bruin

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

The Mayor asked for a motion to go into executive session at 8:58 PM.

11. ADJOURNMENT

Having no further business, Mayor Kelly asked for a motion to adjourn the meeting at 7:45 pm.

Motion: Council Member Russo

Second: Council Member Bruin

Ayes: Althoff, Bruin, Henry Traut, Russo, Sullivan

The next meeting of the Mendham Borough Mayor and Council will take place on, September 9, 2026, 7:00 PM, at the Garabrant Center Mendham, NJ 07945

Respectfully Submitted:

Lauren McBride, RMC
Borough Clerk
The Borough of Mendham

