



**BOROUGH OF MENDHAM  
MEETING OF THE MAYOR AND COUNCIL  
February 18, 2026, 7:00 PM  
MINUTES**

**1. CALL TO ORDER**

Mayor Kelly called the February 18th, 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**

Notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the Daily Record and Star Ledger, posted in the Phoenix House, and was filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act. Official action will be taken at this meeting.

**4. Present:**

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

Also, present were:

Dawn Sullivan, Dorsey & Semrau, LLC  
Lauren McBride, Borough Clerk

**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.

**6. PRESENTATIONS**

1. Hackelbarney Trout Unlimited and Eric Arena presented the India Brook Phase Three to the Council.

Eric Arena, Hacklebarney Trout Unlimited, presented Phase Three of the India Brook project, outlining goals to stabilize the stream, reduce erosion, and improve in-stream habitat through invasive species removal, native plantings, and the creation of riffles and pools. He requested approval to move forward, noting that permits and funding would be required before any work begins. Council members discussed the need for the town engineer to review the proposal to ensure no adverse impacts on the stream or surrounding areas, and Arena agreed to present the project to both the Rotary Club and the town for additional review.

Motion to Approve: Council Member Althoff

Second: Council Member Bruin

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

2. Mendham Borough Library

Trish Hall, director of the Mendham Library, opened her presentation by thanking the town for 75 years of support and outlining the library's key services, including early literacy programs, cultural and STEM events, and public access to technology. She reported 45,000 visits, 53,000 circulated items, and 17,800 electronic checkouts over the past year, emphasizing the library's role as a welcoming community hub that supports lifelong learning. Hall also reviewed a decade-long budget graph showing the town's annual \$201,000 contribution and explained how this funding sustains operations and allows the library to respond to community needs. She estimated the value of library services at \$1.4 million, highlighting the library's cost-effective impact. Hall concluded by introducing Rosie Durso, president of the board of trustees, and resident Eileen Hoffman, who shared her positive experience with the library.

## 7. ORDINANCES FOR INTRODUCTION

**#01-2026 AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 215 "ZONING" OF THE CODE OF THE BOROUGH OF MENDHAM TO ADD A NEW ARTICLE XXI entitled "Bernardsville Road Affordable Housing Overlay Zone" TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND TO COMPLY WITH THE BOROUGH'S ROUND FOUR AFFORDABLE HOUSING OBLIGATIONS**

Motion to Approve: Council Member Althoff

Second: Council Member Sullivan

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

**#02-2026 AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REPEALING AND REPLACING CHAPTER 60 “AFFORDABLE HOUSING” AND REPEALING CHAPTER 61 “DEVELOPMENT FEES” OF THE CODE OF THE BOROUGH OF MENDHAM TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND TO COMPLY WITH THE BOROUGH’S ROUND FOUR AFFORDABLE HOUSING OBLIGATIONS**

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

**#03-2026 ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS FOR PURPOSES TO BE UNDERTAKEN IN AND BY THE BOROUGH OF MENDHAM, AND APPROPRIATING \$85,000.**

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

**8. RESOLUTIONS**

**#048-2026 RESOLUTION AUTHORIZING THE RELEASE AND REFUND OF JOINT LAND USE BOARD ESCROW BALANCE FOR BLK 2401 LOT 4**

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

**#049-2026 RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR BOTTI FIELD PLAYGROUND FROM KOMPAN THROUGH THE BERGEN COUNTY COOP**

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

**#050-2026 RESOLUTION AMENDING RESOLUTION 176-2025 SALARIES AND HOURLY WAGE RATES TO BE PAID TO BOROUGH-APPOINTED OFFICIALS AND EMPLOYEES IN 2026**

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

**#051-2026 RESOLUTION ADOPTING THE BOROUGH OF MENDHAM PUBLIC RECREATION FACILITIES POLICY**

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

**#052-2026 RESOLUTION REJECTING ALL BIDS FOR POLICE DEPARTMENT ACCESSIBILITY IMPROVEMENTS**

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

**#053-2026 RESOLUTION AUTHORIZING AWARD OF A CONTRACT WITH DUKE'S ROOT CONTROL, INC. FOR SANITARY SEWER INSPECTION SERVICES**

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

**#054-2026 RESOLUTION AUTHORIZING A FIVE-YEAR RENEWAL CONTRACT WITH AXON ENTERPRISES, INC. FOR BODY-WORN CAMERAS, FLEET CAMERAS, AND RELATED SERVICES**

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

**#055-2026 RESOLUTION AWARDED A CONTRACT TO AJM CONTRACTOR, INC. FOR THE PATRIOTS PATH IMPROVEMENTS PROJECT**

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

**#056-2026 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY RESOLUTION ADOPTING FOURTH ROUND AFFORDABLE HOUSING SPENDING PLAN**

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

**#057-2026 RESOLUTION OF THE MAYOR AND GOVERNING BODY OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING THE “AFFIRMATIVE MARKETING PLAN” FOR THE BOROUGH OF MENDHAM**

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

**9. COUNCIL REPORTS**

Council President Althoff, Chair of the Public Safety Committee, reported that the installation of new speed awareness signs around town, including a permanent sign at Talmage and Dean and a portable unit placed on Mountainside as of January 24 to address speeding and improve pedestrian safety. The county is also reviewing and finalizing updated timing for the traffic light in the town center. Additionally, preparations are underway for the police department’s accreditation process, with the goal of seeking Accreditation in 2027.

Council Member Bruin, Chair of the Recreation and Parks Committee, noted that most of the report was reflected in the evening’s resolutions, including progress on the Botti Field project funded through the 2025 Local Recreation Improvement Grant and the recent submission of the 2026 grant application for playground upgrades at Borough Park and the park near the basketball courts. Updates to the borough’s facilities policy were also adopted. The Recreation Committee is currently reviewing potential private funding to support improvements to all baseball fields at Borough Park, with discussions ongoing. The report noted strong momentum over the past year and a continued commitment to advocating for further enhancements. Regarding the school districts, both are operating as usual while advancing the construction projects approved through their respective referendums, with efforts underway to maintain normal school operations while expediting work expected to be completed within the next one to two years.

Council Member Henry Traut, Chair of the Land Use Committee, reported that the Historic Preservation Commission did not meet this month due to a lack of new business. The Joint Land Use Board met the previous evening and approved its annual report, which will be forwarded to the Council. The report subcommittee has prioritized its recommendations

and requested a proposal from the planner to help determine budget allocation and guide which initiatives the Council may wish to advance.

Council Member Sullivan, Chair of the Finance Committee, reported that the Finance Committee will meet next week to review the draft of the 2026 budget.

Council Member Russo, reported no updates on personnel but noted his participation in the recent Finance Committee meeting led by Councilman Sullivan. He expressed appreciation to the Library for its direct engagement with both the committee and the Council, stating that in his three years on the governing body, this level of collaboration has been unprecedented and greatly valued. He commended the quality of the presentation and thanked the Library representatives for attending..

Council Member Neff, Chair of the Public Works and Utilities Committee, reported the Department of Public Works recently completed extensive storm-response efforts and continued working late into the night to salt roads during the recent stretch of below-freezing temperatures. The WRF team conducted quarterly inspections and discovered that the backflow device's check valve was not closing properly, prompting necessary repairs. The cold weather also affected operations at the treatment plant, slowing bacterial activity and causing an increase in ammonia levels as influent temperatures dropped below 10 degrees Celsius. In response, staff adjusted sludge age and oxygen levels to compensate for reduced nitrification efficiency, and ammonia levels have since returned to normal ranges.

## **10. ATTORNEY'S REPORT**

Dawn Sullivan, ESQ, stated that although affordable housing ordinances are being introduced this evening, the borough remains engaged in ongoing litigation related to affordable housing. As a result, certain questions that may arise during public comment cannot be addressed at this time due to the active legal proceedings.

## **11. PUBLIC COMMENTS**

Mayor Kelly stated, this is an opportunity for the public to comment on any matter or concern. To ensure that every citizen has an opportunity to speak, the Mayor will recognize the individual and ask them to state their name and address for the record.

### **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.** Speakers are asked to limit their comments to four minutes. Please note that Public Comments do not follow a question-and-answer format; however, a member of the

Governing Body may offer a brief response when it is helpful to do so.

Gail Wragg of 425 Bernardsville Rd requests clarity and transparency regarding the affordable housing litigation and recent settlement actions. They asked what the DCA

judge specifically ordered, what the borough may have conceded, and whether builders-remedy immunity is permanently or conditionally affected. The speaker also questioned whether age restrictions, conservation easements, or alternative configurations were ruled out by the court or abandoned in negotiations, and whether advisory boards were consulted. They urged the borough to release the court order, transcript, and settlement documents before any rezoning is finalized, emphasizing that transparency is essential for residents to understand what was legally required versus what was negotiated.

Bennet Schwartz of 4 Cromwell Lane raised concerns about the historic status of the Motherhouse property and the need for transparency in the affordable housing settlement process. He asked whether the Historic Preservation Commission and the Master Plan's preservation element were consulted, whether the historic integrity of the site was formally evaluated, and what protections remain for undeveloped land if zoning changes and easement removals proceed. He emphasized that Mount Laurel obligations do not eliminate historic preservation responsibilities and urged the borough to document how future development would be constrained. The speaker requested that the court order, transcript, and settlement documents be released before any rezoning is finalized, stating that transparency is essential for understanding long-term land-use impacts.

William Ju of 435 Bernardsville Rd commented on Ordinance 01-- 2026, emphasizing the environmental sensitivity of the Sisters of Christian Charity property and urging a thorough review before any zoning changes. He highlighted watershed impacts, wildlife habitat, and the scale of the proposed development compared to existing zoning. He asked that these environmental considerations be reflected in the record. Another resident asked whether the ongoing litigation referenced by the borough involved the Sisters of Christian Charity.

Bob Ritger, 14 Gunther St asked if the ongoing affordable housing litigation referenced by the borough involved the Sisters of Christian Charity property. The borough attorney responded that the entire affordable housing matter remains pending in court, with no orders issued and no additional information available. The resident also requested updates on a previously discussed snow-removal ordinance, and the Mayor explained that earlier drafts from 2005 and 2015 are being revised to create a more practical and publicly acceptable version. Additional questions were raised about public access to resolutions and the bills list prior to meetings; the borough explained that resolutions are published after adoption and draft documents are not released, consistent with current borough procedure.

Harry Riskin, 10 Cromwell Lane spoke regarding Ordinance 01-2026, expressing concern that the ordinance designates a specific property for rezoning without prior public involvement. He questioned how the proposal was developed, noting the significant potential impact of a 150-unit project on the surrounding neighborhood and environment. He emphasized that residents received limited notice and argued that the community should have an opportunity to participate before major zoning changes are introduced. He requested that the ordinance be delayed to allow for public input and

expert review, stating that residents are seeking transparency and a process that reflects what is best for the borough.

Nancy Hellriegel, 12 Knollwood Drive asked for clarification about a March 3 meeting, noting it did not appear on the borough website. The borough confirmed the meeting in question is the Joint Land Use Board meeting later in March, not an additional special meeting. The resident also asked when ordinances are posted online.

Gail Wragg of 425 Bernardsville Rd asked whether the Joint Land Use Board meeting could be postponed by two to three months to allow the community more time to review and provide input on the proposed ordinance, expressing concern that the current timeline feels rushed and does not give residents adequate opportunity to participate.

William Ju of 435 Bernardsville Rd stated commented on the timing of the affordable housing ordinance process, noting that municipalities face a March 15 deadline to comply with Phase 4 obligations and risk losing builders-remedy immunity. They referenced recent legal developments, including an emergency application filed by a coalition of New Jersey towns and a request from the Judge for a state response, which could result in a stay of the deadline. The resident asked whether the borough could adjust its timeline to allow the Supreme Court the opportunity to act, potentially reducing pressure on both officials and the community.

Maureen Mahoney, 13 Hilltop Rd commented on the in-progress snow-removal ordinance, expressing support for the effort while noting the need to consider elderly residents who may have difficulty clearing sidewalks. They suggested exploring a strike system or assistance options for those unable to manage snow removal. The resident also encouraged transparency and community engagement regarding affordable housing matters, noting that many residents have historical and environmental knowledge of the Motherhouse property that could help inform the process. They urged officials to consider creative solutions and to draw on the expertise of long-time community members.

Ivan Barth, 99 Dean Rd provided historical context regarding past snow-removal ordinance discussions, noting prior attempts in the 1990s, 2005, and 2015. He referenced materials from the 2015 Mendham Messenger, including a poll conducted by Mayor Henry, and offered copies to the Council to help clarify the ordinance's history.

Loren Laguerre, 14 Balbrook Dr expressed concern about the traffic impacts of a potential 150-unit development on the Sisters of Christian Charity property, noting that the area is served by only three roads—Bernardsville Road, Hilltop Road, and Pleasant

Road—which already experience congestion. She stated that the scale of the project was shocking to learn about and described feeling distressed by the potential impacts on traffic, community character, and overall quality of life. She emphasized that the effects would be felt borough-wide and urged officials to make careful, well-considered decisions.

Peggy Burke, 8 Bockoven Rd urged the borough to reconsider its practice of releasing ordinance details only after introduction. She emphasized that earlier publication would allow residents—many of whom have valuable expertise—to review proposals in advance and offer informed input during public comment. She encouraged the governing body to prioritize transparency, make ordinance information available as soon as it is known, and actively welcome public involvement in the process.

## **12. APPROVAL OF VOUCHERS**

Bills List dated February 18, 2026

Motion to Approve: Council Member Russo

Second: Council Member Bruin

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

## **13. ADJOURNMENT**

Having no further business, Mayor Kelly asked for a motion to adjourn the meeting at 9:00 pm.

Motion to Approve: Council Member Russo

Second: Council Member Bruin

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

The next meeting of the Mendham Borough Mayor and Council will take place on, March 4, 2026, 7:00 PM, at the Garabrant Center Mendham, NJ 07945

Respectfully Submitted:

*Lauren McBride, RMC*

Borough Clerk

The Borough of Mendham

