



**BOROUGH OF MENDHAM
MEETING OF THE MAYOR AND COUNCIL
April 1, 2026, 7:00 PM**

1. CALL TO ORDER

Mayor Kelly called the April 1, 2026 meeting to order at 7:00 PM.

2. MOMENT OF SILENCE AND FLAG SALUTE

A moment of silence was observed in honor of military personnel serving overseas, keeping them in our thoughts and hoping they remain out of harm's way. We also acknowledged the astronauts who launched from Cocoa Beach approximately twenty minutes prior, wishing them a safe journey around the moon and a smooth return.

3. MAYOR'S OPENING STATEMENT

Mayor Kelly stated "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 Member Matthew Bruin
Council Member Alexandra Henry Traut
Council Member Chris Neff

Also, present were:

Fred Semrau, Dorsey & Semrau, LLC
Joyce Bushman, Administrator
Lauren McBride, Borough Clerk

Absent:

Council President Marilyn Althoff
Council Member Will Russo
Council Member Neil Sullivan

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. SPECIAL EVENT LICENSE

1. MENDHAM BOROUGH, PAINTING DUGOUTS
2. SISTER OF CHRISTIAN CHARITY, CONCERT ON THE LAWN, 6/13/26

B. RAFFLE LICENSE

1. SISTERS OF CHRISTIAN CHARITY, 6/13/26

Motion: Council Member Bruin

Second: Council Member Neff

Ayes: Kelly, Bruin, Henry Traut, Neff

6. **RESOLUTIONS**

#071-2026 RESOLUTION APPOINTING HUMANE LAW ENFORCEMENT OFFICER

Motion: Council Member Neff

Second: Council Member Bruin

Ayes: Kelly, Bruin, Henry Traut, Neff

#072-2026 RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION BY THE BOROUGH OF MENDHAM TO THE MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND FOR A 2026 GRANT FOR EXTERIOR RESTORATION OF THE PHOENIX HOUSE OWNED BY THE BOROUGH OF MENDHAM

Motion: Council Member Henry Traut

Second: Council Member Bruin

Ayes: Kelly, Bruin, Henry Traut, Neff

#073-2026 RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION BY THE BOROUGH OF MENDHAM TO THE MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND FOR A 2026 GRANT FOR PRESERVATION PLANNING OF THE BOWERS BUILDING OWNED BY THE BOROUGH OF MENDHAM

Motion: Council Member Neff

Second: Council Member Bruin

Ayes: Kelly, Bruin, Henry Traut, Neff

#074-2026 RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION BY THE BOROUGH OF MENDHAM TO THE MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND FOR A 2026 GRANT FOR REHABILITATION OF THE SCOTT FARM BARN OWNED BY THE BOROUGH OF MENDHAM

Motion: Council Member Henry Traut
Second: Council Member Neff
Ayes: Kelly, Bruin, Henry Traut, Neff

#075-2026 RESOLUTION AUTHORIZING THE RELEASE AND REFUND OF SPECIAL ENGINEERING ESCROW BALANCE FOR 14 PHOENIX DRIVE

Motion: Council Member Bruin
Second: Council Member Henry Traut
Ayes: Kelly, Bruin, Henry Traut, Neff

#076-2026 RESOLUTION AUTHORIZING THE BOROUGH ATTORNEY TO FILE CERTAIN TAX APPEALS AS DIRECTED BY THE BOROUGH TAX ASSESSOR

Motion: Council Member Henry Traut
Second: Council Member Bruin
Ayes: Kelly, Bruin, Henry Traut, Neff

7. ADMINISTRATOR OPERATIONS REPORT

Administrator Bushman announced that the Fishing Frenzy event will return on May 3 at Mountain Valley Park and thanked Hackle Barney Trout Unlimited for assisting with the children's event. She reported that the Township submitted a reimbursement request of \$24,344 to the state following the recent snowstorm emergency. She thanked staff for resolving a major leak at the Fire Department caused by drainage pipes beneath the flat roof. She reminded residents about the Tree Commission's Spring in Bloom photo contest. She noted that the Township has submitted three new historic-preservation grant applications, including one for the Bowers Building, now eligible for a preservation plan grant. She reported continued progress on the Phoenix House, with \$1.5 million in grants received to date and an additional \$357,000 requested for Phase IV exterior work beginning this summer. She also announced that the Cary Barn restoration will begin this summer, supported by nearly \$870,000 in grant funding, with an additional \$428,000 requested to complete the remaining phases.

8. COUNCIL REPORTS

Council Member Neff, Chair of the Public Works and Utilities Committee, reported that the Department of Public Works installed new flashing pedestrian crosswalk signs on Hilltop Road near Hilltop School. The Township hosted a food drive this past Saturday and thanked residents for donating. With spring underway, DPW has been busy with brush pickup, park cleanup, and meeting with adjusters regarding remaining repairs needed at the Fire and First Aid building from the roof drain issue.

A pre-construction meeting for the Patriots Path Improvement Project is scheduled for next week. IT consultants are updating network access points at the Police Department, First Aid Carriage House, Carriage Barn Center, and DPW buildings. Work continues to secure planting locations for annual Shade Tree plantings, with 1,017 residents requesting trees. The Gunther Street project has been completed.

In water reclamation, a pump on Temp Wick was replaced. For the Safety Committee, Neff noted that Cub Scouts recently visited for basic first-aid instruction. During the two recent snowstorms, first aid crews remained on standby at the bays, with 10 members contributing over 30 total hours, including overnight shifts. DPW assisted by plowing routes to calls. First aid responded to 43 calls in January, 27 in February, and 24 in March, including two incidents involving pedestrians or cyclists struck by vehicles. Training has increasingly moved in-house to reduce costs, and the department is working with police to provide CPR training internally as well.

Council Member Henry Traut, Chair of the Land Use Committee, reported that the Land Use Subcommittee met on March 24. The committee reviewed the Caldwell and Associates proposal for ordinance updates stemming from the Board of Adjustment's annual report. Initial feedback was provided by Council Members Russo and Neff. She has since reviewed the Joint Land Use Board budget with the CFO and board chair to confirm funding for the amendments and has reached out to the Public Safety Chair to coordinate related ordinance efforts. Discussion on code-enforcement process improvements was tabled. The committee also agreed to begin exploring opportunities for future open-space acquisitions.

She noted that the Joint Land Use Board held a special meeting last week to hear the tree-removal permit application for V-fee, which was approved. The HPC will meet on Monday, April 6 at 7:30 p.m. at the Garabrant Center. They are coordinating with Pete on spring dates for Trout Unlimited to assist with additional invasive-species removal and new plantings.

Council Member Bruin, Chair of the Recreation and Parks Committee, thanked the mayor, council, and administrator for continuing to pursue grant opportunities, noting the significant impact they have on projects such as the Phoenix House. She reported that recreation camp registrations opened on April 1 and that the summer recreation booklet is at the printer and will be distributed soon. The booklet will highlight the busy upcoming season, including concerts, Fishing Frenzy, and the Labor Day Parade. Discussions on the parade theme are ongoing, with meetings planned among the mayor, Council Member Henry Traut, and Aubrey. The next recreation meeting will be held at the Garabrant Center on April 16. She also noted that both school boards passed their tentative budgets for the upcoming school year and are preparing for extensive summer renovations to ensure projects are completed before fall.

9. ATTORNEY'S REPORT

Attorney Semrau reminded the governing body that May 1 is the deadline to complete the online Elected Officials training seminar, which provides a \$250 reduction on the insurance premium. He will send a reminder email through the administration. He thanked the council for approving the tax-appeal resolution and noted he will provide an update after the filing deadline at midnight.

He reported that work continues on the fourth-round affordable-housing litigation. He explained that many discussions must occur in closed session to avoid revealing strategy to opposing parties, but the borough continues to work toward a favorable outcome.

Attorney Semrau also expressed appreciation to the mayor, council, and administration for their support during his recent medical leave following a triple-bypass procedure, and he stated he is grateful to be back.

10. MAYOR'S ITEMS

The Mayor reported that he chaired last week's 250th Historic Committee meeting, which was well attended and included a presentation by George Connolly, who shared period costumes and ideas for the upcoming 250th celebration. He noted that last Saturday's food bank drive was successful and generated a strong donation.

He met with the administrator to review a list of pre-construction considerations to share with developers in advance of upcoming projects. These guidelines aim to minimize neighborhood impacts such as early-morning equipment use, improper staging, and heavy truck traffic on secondary roads. The goal is to formalize these expectations for zoning and construction offices.

The Mayor also addressed a resident concern regarding certain intimate products displayed at CVS. He notified the administrator, council, and zoning officer, who informally spoke with the store manager to reconsider the display. While the items do not violate state law, he encouraged residents to voice their concerns directly to the store if they object to the products being offered.

11. DISCUSSION ITEMS

1. Discussion item- The Borough to sponsor the Town Project of painting the dugouts at Borough Park.

The Mayor noted a change to the proposed project to paint the dugouts at Borough Park. After concerns from the school about using school colors, he suggested shifting to a Mendham-focused design using red, white, and blue to represent the borough. A motion was needed to approve this revised approach.

Motion: Council Member Bruin
Second: Council Member Henry Traut
Ayes: Kelly, Bruin, Henry Traut, Neff

2. Discussion item- To concur on what items should be addressed from the BOA Annual Report and the review of the scope of service from Jessica Caldwell. *The discussion was tabled for a future meeting.*

Motion: Council Member Henry Traut
Second: Council Member Bruin
Ayes: Kelly, Bruin, Henry Traut, Neff

12. PUBLIC COMMENTS

The Mayor stated that 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.

Susan McCloud of Galway Drive expressed concern about the recent Joint Land Use Board approval related to tree removal at the Kings Shopping Center. She noted that approximately 18 trees were removed before a permit was issued or the application was heard, creating the appearance that rules can be bypassed without meaningful consequences. She also raised concerns about ongoing litigation involving the Kings apartment project, stating that actions at the site should not advance while the case is unresolved. She emphasized that the tree removal appears connected to future site redesign, including parking changes that may affect pedestrian safety, yet no comprehensive safety analysis has been presented. She stated that decisions seem to be occurring in pieces without full evaluation of impacts. Ms. McCloud said the broader issue is public trust, noting a perception that residents are being informed only at the minimum required level and too late in the process to participate meaningfully. She urged the council to ensure that rules are enforced consistently, that actions do not move ahead of litigation, and that the community is engaged early and transparently in future decisions.

Gary Gaglione of 20 Galway Drive thanked the mayor, council, and Joint Land Use Board for their service. He emphasized that Mendham Borough is a headwaters community at the start of two major state waterways and therefore carries a heightened responsibility to protect water quality from the long-term impacts of development. He expressed concern that current state and local review procedures may be insufficient for a town in this sensitive environmental position. He cited the Vee Fee project as an example, noting that board discussions focused heavily on building appearance and parking layout but gave little attention to foundation design near wetlands. He referenced comments from a resident with structural-engineering experience who questioned whether the foundation impacts had been adequately reviewed. He also stated that his own letter raising concerns about the project's traffic-study data was not heard because the application had already been approved. Mr. Gaglione urged the council to consider adopting a more rigorous review process for major developments, one that prioritizes protection of the borough's water sources and reflects its unique environmental role.

Gerald Gorman of 415 Bernardsville Road noted Mendham's long history and suggested the borough consider commemorating the 300-year history of the Black River area. He discussed recent changes in state affordable-housing laws that may allow towns to prioritize housing for local supporters such as first responders, municipal workers, teachers, and seniors. Drawing on his background in finance, he presented a comparison of two scenarios: the borough developing approximately 30 affordable units itself versus allowing a developer to build roughly 150 units. He stated that, in his analysis, the larger development would create significantly higher long-term municipal costs related to schools, public safety, infrastructure, and services, potentially requiring substantial increases in property taxes. He urged the council to consider options that support long-time community members and maintain the borough's character and fiscal stability.

John Lundberg of 180 Thomas Road submitted an independent historical assessment of the Sisters of Christian Charity Mother House property, formerly the Cromwell Mansion, for inclusion in the public record. He stated that the 44-room 1892 Georgian estate has documented historic, cultural, and environmental significance, noting that state GIS systems and the New Jersey Highlands Council identify it as a historic resource. He emphasized that, although not formally listed on state or national registers, the property still requires historic consideration under Mendham's master plan and the Municipal Land Use Law. Mr. Lundberg expressed concern that rezoning the property without fully evaluating its historic significance would create an incomplete planning record. He urged the council to conduct appropriate historic review and integrate the findings into any future planning decisions, stating that once zoning is changed, the character of the site cannot be restored. He requested that his report be formally accepted and considered before any rezoning action is taken.

Gail Wragg of 425 Bernardsville Road summarized community concerns regarding the proposed zoning overlay and planned 150-unit development at the Sisters of Christian Charity property. She noted that residents only learned of the proposal through the February newsletter, leaving limited time to review the ordinance and identify issues. She stated that numerous concerns have emerged, including environmental impacts, wildlife and watershed effects, steep slopes, historic preservation of the Mother House, financial

implications for schools and services, traffic and pedestrian safety, and potential changes to the borough's character. She questioned whether the Mother House would be preserved as previously indicated and whether the overlay ordinance would remain in place even if the current project were denied. She acknowledged the borough's affordable-housing obligations but urged the council to request additional time from the court, as extensions have already been granted in the process. Ms. Wragg emphasized that the community wants to work collaboratively with the borough and believes a better path is possible. She asked the council to delay any vote on the rezoning ordinance until necessary studies are completed, planning analysis is thorough, and residents have a meaningful opportunity to participate. She stated that planning should guide zoning and that the decision's impacts would be permanent.

Gary Gaglione of 20 Galway Drive raised concerns about the traffic data used in the review of the V-Fee project. Drawing on his professional background in financial analysis, he cited several examples he believes indicate issues with the data. He noted that a Boswell Engineering memo reviewed crash history only within 150 feet of the shopping-center driveways, excluding nearby intersections that historically show higher accident totals. He also questioned the use of a 2.75% traffic-growth rate when actual counts at the shopping center showed significantly higher increases. He pointed out a mathematical error in one of the technical tables and expressed concern about the overall quality-assurance process. Mr. Gaglione stated he is not opposed to affordable housing but believes the VP project will increase traffic, safety risks, and environmental impacts. He asked that his document be included in the record.

Hillary Shaw of 8 Chapel Lane expressed concern that the V-Fee project involves not only an apartment complex but also a private sewage-treatment facility, which she said has not been adequately addressed in public documents. She noted that a system serving 150 units would exceed the threshold for a standard septic system and would require specialized design, ongoing maintenance, and oversight. She emphasized that the site is environmentally sensitive and that failures could create odor or pollution issues for nearby neighborhoods. Ms. Shaw stated that no feasibility study or design information has been shared with residents and urged the borough to fully evaluate and disclose wastewater plans before moving forward.

Borough Attorney Fred Semrau addressed public comments, noting he must speak cautiously due to ongoing litigation. He explained that if the V-fee project advances, the developer, not the borough, must build and obtain state approval for its own on-site sewer system. Rezoning would not approve the project or waive environmental, sewer, or steep-slope requirements.

He stated that the borough has already received extra time from the court on the zoning ordinance and may request more, though extensions are rarely granted under state affordable-housing laws. Environmental, traffic, and infrastructure issues would still be reviewed later in the permitting process.

Semrau noted the borough refused the developer's request to waive steep-slope rules, and that issue is now before the court. He also reviewed the borough's long history of

challenging aspects of the V-fee project, including wetlands appeals and efforts to negotiate less-intensive alternatives. He added that Mendham's new Highlands-conformance status strengthens future conservation-focused zoning. He concluded that the borough is working within strict state deadlines, and even if rezoning is ultimately adopted, it does not approve the V-fee project.

13. APPROVAL OF VOUCHERS

Bills List dated April 1, 2026.

Motion: Council Member Henry Traut

Second: Council Member Bruin

Ayes: Kelly, Bruin, Henry Traut, Neff

14. ADJOURNMENT

Having no further business, Mayor Kelly asked for a motion to adjourn the meeting at 8:20 pm.

Motion: Council Member Henry Traut

Second: Council Member Bruin

Ayes: Kelly, Bruin, Henry Traut, Neff

The next meeting of the Mendham Borough Mayor and Council will take place on, April 15, 2026, 7:00 PM, at the Garabrant Center Mendham, NJ 07945

Respectfully Submitted:

Lauren McBride, RMC

Borough Clerk

The Borough of Mendham

