

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #183-2020

**RESOLUTION AUTHORIZING THE PURCHASE OF A GRACE IN-COMMAND ACCOUNTABILITY SYSTEM
FOR THE FIRE DEPARTMENT**

WHEREAS, the Borough of Mendham is in need of a Grace In-Command Accountability System for the Fire Department; and

WHEREAS, the system tracks and monitors all firefighters who are wearing a transmitter and alerts the Incident Commander if a firefighter collapses, becomes incapacitated or activates the transmitter, and additionally provides GPS functionality to locate firefighters; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), the Borough may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, through New Jersey State Contract #T0790 17DPP00100, the Borough has obtained a quote from DIVAL Safety Equipment Inc. dated November 2, 2020 in the amount of \$49,990.10 for the system; and

WHEREAS, the Borough's Chief Financial Officer has certified that sufficient funds are available for this purpose.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Mendham, in the County of Morris and State of New Jersey, as follows:

1. The Borough is hereby authorized to purchase a Grace In-Command Accountability System in the amount of \$49,990.10 from DIVAL Safety Equipment Inc., 1721 Niagara, Buffalo, NY 14207, through New Jersey State Contract #T0790 17DPP00100, per the quote dated November 2, 2020
2. A copy of this Resolution shall be available for public inspection in the office of the Borough Clerk.
3. A copy of this Resolution shall be provided to the Borough CFO for information and guidance.

This Resolution shall take effect immediately.

Dated: December 17, 2020

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #184-2020

**RESOLUTION AUTHORIZING THE REFUND OF ESCROW BALANCE FOR PROPERTY LOCATED AT
20 HALSTEAD ROAD [BLOCK 705, LOT 13]**

WHEREAS, in conjunction with the Borough of Mendham Board of Adjustment application #04-20 for the property located at 20 Halstead Road (Block 705, Lot 13), Thomas J. Cumella was required to post certain escrow monies; and

WHEREAS, Mr. Cumella by way of correspondence dated December 2, 2020 has requested that any remaining escrow balance be released; and

WHEREAS, the Board of Adjustment Engineer, the Board of Adjustment Attorney and the Board of Adjustment Planner have completed their review of the referenced application and have recommended the release of the Escrow balance.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, that the escrow balance in the amount of \$2,913.74 associated with Board of Adjustment application 04-20 be released to Thomas J. Cumella.

This Resolution shall take effect immediately.

Dated: December 17, 2020

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #185-2020

**RESOLUTION AUTHORIZING TRANSFERS BETWEEN CERTAIN BUDGET APPROPRIATIONS
IN THE 2020 SEWER UTILITY BUDGET PURSUANT TO N.J.S.A. 40A:4-58**

WHEREAS, N.J.S.A. 40A:4-58 provides that transfers may be made between appropriation accounts in the Sewer Utility Budget in the last two months of the fiscal year or the first three months of the next succeeding fiscal year by an authorizing resolution adopted by not less than a two thirds (2/3) vote of the full membership of the governing body; and

WHEREAS, such transfers are made to cover expenses in accounts in excess of that anticipated and from accounts having expenses in lesser amounts than anticipated: and

WHEREAS, these transfers do not affect the total of the operations budget as originally approved in the 2020 Sewer Utility Budget.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that, in accordance with N.J.S.A. 40A:4-58, the Chief Financial Officer is hereby authorized to make the following line-item transfers in the 2020 Sewer Utility Budget with an effective date of December 18, 2020:

Account Name	Account Number	Transfer Amount	Transfer Amount
<u>TO:</u>			
Sewer-Debt Service	05-2020-0055-0520-2-0001	6,740.00	
Sewer-Debt Service	05-2020-0055-0520-2-0001	1,260.00	
<u>FROM:</u>			
Sewer-Debt Service	05-2020-0055-0522-2-0002		6,740.00
Sewer-Other Expenses	05-2020-0055-0502-2-0614		1,260.00
<u>TOTAL:</u>		<u>8,000.00</u>	<u>8,000.00</u>

And

BE IT FURTHER RESOLVED that the Borough Clerk shall provide a certified copy of this resolution to the Administrator and to the Chief Financial Officer.

Dated: December 17, 2020

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #186-2020

**RESOLUTION REJECTING ALL BIDS FOR INFORMATION TECHNOLOGY SERVICES FOR 2021 AND 2022 AND
AUTHORIZING THE USE OF COMPETITIVE CONTRACTING TO PROCURE SUCH SPECIALIZED SERVICES**

WHEREAS, the Borough of Mendham (“Borough”) solicited bids for the provision of Information Technology Services for 2021 and 2022; and

WHEREAS, four (4) sealed bids were received and opened on November 5, 2020, in accordance with the advertised date for acceptance of bids; and

WHEREAS, the bids received ranged in price from \$35,000 to \$85,050 for 2020 and from \$35,000 to \$89,302 for 2022; and

WHEREAS, the bids have been duly reviewed by the Qualified Purchasing Agent, who has determined that none of the bids were sufficiently responsive to the bid specifications in affirmatively demonstrating the specialized experience and knowledge required by the Borough regarding its technology needs, as was set forth in the specifications; and

WHEREAS, based on this determination, as well as the wide discrepancy in bid amounts, the Borough has concluded that the specifications should be revised and clarified to ensure the vital purpose of competitive bidding is promoted, which is to “secure for the public the benefits of unfettered competition, by promoting competition on equal footing and guarding against favoritism, improvidence, extravagance, and corruption”; and

WHEREAS, N.J.S.A. 40A:11-13.2 of the Local Public Contracts Law authorizes a municipality to reject all bids where the bid specifications require substantial revision and where the purpose of the Local Public Contracts Law is not being satisfied; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1 et seq., the Borough may use competitive contracting in lieu of public bidding for procurement of specialized goods and services, the price of which exceeds the bid threshold; and

WHEREAS, the Borough desires to conduct the bidding process for the aforesaid specialized technology goods and services pursuant to the competitive contracting process as set forth by N.J.S.A. 40A:11-4.1 et seq.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, State of New Jersey that all bids received for Information Technology Services for 2021 and 2022 are hereby rejected for the reasons stated in this Resolution, and that the Borough is authorized to revise the specifications and utilize competitive contracting to procure said services.

This Resolution shall take effect immediately.

Dated: December 17, 2020

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #187-2020

**A RESOLUTION PROVIDING FOR SALARIES AND HOURLY WAGE RATES TO BE PAID
TO BOROUGH APPOINTED OFFICIALS AND EMPLOYEES IN 2021**

WHEREAS, the Personnel Committee has reviewed the salaries and hourly wage rates of the Borough appointed officials and employees and recommends the following compensation be provided for 2021 for all employees not covered by a Labor Agreement.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey, that the following salaries and hourly wage rates are established for the year 2021 unless otherwise noted. Salaries shown as a per annum sum for employees hired in 2021 shall be prorated from the start date of employment.

Budget Classification/Position(s)	2021 Salary/ Hourly Wage Rate	Per Annum/ Hour
20 GENERAL GOVERNMENT		
Mayor	\$ 3,500	per annum
Council Members	\$ 3,000	per annum
Administrator	\$ 147,900	per annum
Executive Administrative Assistant Administrator & Engineer/Deputy Treasurer/Payroll & Personnel Clerk/Purchasing Agent	\$ 76,371	per annum
Clerical/Intern	\$ 13.00-14.00	per hour
Municipal Clerk/Registrar of Vital Statistics	\$ 84,050	per annum
Deputy Registrar of Vital Statistics	\$ 5,000	per annum
Chief Financial Officer/Borough Treasurer	\$ 93,770	per annum
Tax Assessor	\$ 28,000	per annum
Tax Collector/Tax Search Officer	\$ 31,000	per annum
21 LAND USE ADMINISTRATION		
Planning & Land Use Coordinator/Administrative Assistant Tax Assessor/Website Coordinator	\$ 69,341	per annum
22 UNIFORM CONSTRUCTION CODE/CODE ENFORCEMENT		
Construction Official and Building Sub-Code Official/Inspector	\$ 51.49	per hour
Fire Sub-Code Official/Inspector	\$ 45.00	per hour
Plumbing Sub Code Official/Inspector & Mechanical Inspector	\$ 40.00	per hour
Electrical Sub-Code Official/Inspector	\$ 41.00	per hour
Substitute Plumbing Inspector	\$ 35.00	per hour
Substitute Electrical Inspector	\$ 38.25	per hour
Technical Assistant Construction Office	\$ 31.08	per hour
Zoning Officer/Rental & Code Enforcement Inspector	\$ 32.79	per hour
28 RECREATION		
Camp Counselor Seasonal -Various	\$ 8.60-16.00	per hour
Camp Directors Seasonal - Various	\$ 1,900.00-5,500.00	per annum
Director	\$ 31,650	per annum
26 PUBLIC WORKS		
Administrative Assistant DPW & OEM/Recycling Coordinator/ Clean Communities Coordinator	\$ 50,900	per annum
Assistant Superintendent	\$ 79,901	per annum
Supervisor	\$ 67,662	per annum
Senior Laborer/Driver/Operator	\$ 65,446	per annum
Laborer/Driver/Operator B	\$ 52,385	per annum
Laborer/Driver/Operator C	\$ 41,496	per annum
Laborer/Driver/Operator D	\$ 40,971	per annum
Laborer/Driver/Operator Part-time/Seasonal	\$ 13.00-14.00	per hour
Mechanic	\$ 64,834	per annum
Superintendent	\$ 131,328	per annum
54 OPEN SPACE TRUST FUND		
Laborer/Driver/Operator A	\$ 41,496	per annum

55 UTILITY - SEWER (WATER RECLAMATION)

Assistant Superintendent	\$	79,040	per annum
Attendant	\$	46,802	per annum
Laborer Part-time/Seasonal	\$	13.00-14.00	per hour
Operator A	\$	58,199	per annum
Operator B	\$	56,844	per annum
Sewer Utility Billing Clerk/Deputy Tax Collector/Administrative Assistant Health/Billing & Collections Clerk	\$	26.37	per hour
Superintendent	\$	-	per annum

25 PUBLIC SAFETY

Administrative Assistant	\$	61,000	per annum
Administrative Assistant Part-time	\$	24.03	per hour
Chief of Police	\$	145,000	per annum
Special Law Enforcement Officer II & III	\$	34.00	per hour
Crossing Guards	\$	21.97	per hour
Lieutenant	\$	134,809	per annum
Matrons	\$	19.85	per hour
Fire Official/Marshal & Fire Inspector	\$	35.88	per hour
OEM Coordinator	\$	2,500	per annum

This Resolution shall take effect immediately.

Dated: December 17, 2020

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #188-2020

**RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN BUDGET RESERVE ACCOUNTS
NO LONGER NEEDED FOR OPERATIONS OF MENDHAM BOROUGH**

WHEREAS, the Finance Committee, in consultation with the Borough Administration and Borough Auditor, has determined that the Current Fund Reserve for Master Plan and the Reserve for Revaluation are no longer needed for the operations of the Borough; and

WHEREAS, the unexpended balance amount in the Current Fund Reserve for Master Plan is \$2,541.00 and the unexpended balance amount in the Reserve for Revaluation of \$11,319.00.

THEREFORE, BE IT RESOLVED by the Council of the Borough of Mendham that that the Current Fund Reserve for Master Plan and the Reserve for Revaluation no longer needed for the operations of the Borough shall be cancelled; and

BE IT FURTHER RESOLVED that all Borough employees and officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

This Resolution shall take effect immediately.

Dated: December 17, 2020

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #189-2020

**RESOLUTION AUTHORIZING THE REALLOCATION OF THE FUNDING
FOR THE EMPLOYEE HOLIDAY LUNCHEON**

WHEREAS, each year the Mendham employees gather to have a holiday luncheon in celebration of the season and in appreciation of their efforts and contributions to the Borough; and

WHEREAS, this year COVID-19 has precluded the ability for employees, notwithstanding the enormous challenges that they have faced all year long, to have a holiday luncheon; and

WHEREAS, the Administration, in consideration of all of the hard work and dedication by the employees, recommends that the employees receive a gift card in lieu of the funding set aside for a holiday luncheon, in an amount not to exceed \$25 for each employee; and

WHEREAS, this gesture is one that is within the budget for the holiday luncheon and accordingly will not be an expenditure of any funds above the amount budgeted for 2020 for the holiday luncheon.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey that the holiday luncheon budget amount will be reallocated to provide gift cards to the employees in an amount not to exceed \$25 dollars per employee.

This Resolution shall take effect immediately.

Dated: December 17, 2020

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #190-2020

**A RESOLUTION PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC
PURSUANT TO THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A. 10:4-12b**

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into an Executive (Closed) Session during a public meeting to discuss certain matters such as:

- (1) Matters required by law to be confidential: Any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Any matter in which the release of information would impair the right to receive federal funding.
- (3) Matters involving individual privacy: Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations or other personal material of any education, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned.
- (4) Matters pertaining to a collective bargaining agreement: Any matter involving a collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Matters relating to the purchase, lease, acquisition of real property or investment of public funds: Any matter involving the lease, purchase or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters of public protection: Any tactic and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.
- (7) Matters relating to litigation, negotiations and attorney-client privilege: Any matter of pending or anticipated litigation or contract negotiation other than in (4) above in which the Borough is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise ethical duties as a lawyer.
- (8) Matters relating to the employment relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of , promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all of the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed in public.
- (9) Deliberations after public hearing: Deliberations by the Borough occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party.

And,

WHEREAS, the Mayor and Council have determined that it is necessary to go into an Executive Closed Session to discuss certain matters relating to items as permitted by N.J.S.A. 10:4-12b.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

1. Contract Negotiation Matter: Public Health Services

BE IT FURTHER RESOLVED, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Mendham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege.

Dated: December 17, 2020