

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #135-2020

RESOLUTION AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #2017-2

WHEREAS, property located at 60 Pembroke Drive, Block 1003, Lot 105 was subject to Tax Sale on November 3, 2017; and

WHEREAS, the tax sale lien on the property was sold at the Tax Sale and Tax Sale Certificate #2017-2 was issued to the lienholder US Bank as custodian for Actlien Holdings Inc.; and

WHEREAS, the lienholder paid a premium in the amount of \$1,100.00 to the Borough of Mendham at the time of sale, which also must be refunded; and

WHEREAS, the property owner has requested to redeem the Tax Sale Certificate; and

WHEREAS, the Interim Tax Collector has calculated that the amount necessary to redeem the lien is \$19,816.13 plus the premium in the amount of \$1,100.00 for a total amount of \$20,916.13 to be refunded.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey that the Treasurer be authorized to issue a check in full satisfaction of the redemption of Tax Sale Certificate #2017-2 for property located at 60 Pembroke Drive, Block 1003, Lot 105 to the lienholder as follows:

| <u>LIENHOLDER</u> | <u>TOTAL AMOUNT TO BE REFUNDED</u> |
|--|------------------------------------|
| US Bank as custodian for Actlien Holdings Inc. 50 South 16 th Street, Suite 2050 Philadelphia, PA 19102 | \$20,916.13 |

This Resolution shall take effect immediately.

Dated: September 29, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #136-2020

RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME ADMINISTRATIVE INTERN

WHEREAS, the Borough of Mendham has a need to hire part-time administrative assistant interns; and

WHEREAS, the Borough Administrator has recommended that Sophia Rose Glassner be hired as a part-time administrative assistant intern in the Administrator's Office at the pay rate of \$13.00 per hour, with no other benefits, and with an effective starting date of September 16, 2020; and

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that they hereby approve and authorize the hiring of Sophia Rose Glassner as a part-time administrative assistant intern at the pay rate of \$13.00 per hour, with no other benefits, and with an effective starting date of September 16, 2020.

This Resolution shall take effect immediately.

Dated: September 29, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #137-2020

RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME ADMINISTRATIVE INTERN

WHEREAS, the Borough of Mendham has a need to hire part-time administrative assistant interns; and

WHEREAS, the Borough Administrator has recommended that Sarah Nagler be hired as a part-time administrative assistant intern in the Administrator's Office at the pay rate of \$13.00 per hour, with no other benefits, and with an effective starting date of September 16, 2020; and

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that they hereby approve and authorize the hiring of Sarah Nagler as a part-time administrative assistant intern at the pay rate of \$13.00 per hour, with no other benefits, and with an effective starting date of September 16, 2020.

This Resolution shall take effect immediately.

Dated: September 29, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #138-2020

RESOLUTION AUTHORIZING THE PURCHASE OF A FALCON ASPHALT HOT PATCHER

WHEREAS, the Borough of Mendham is in need of an asphalt hot patcher to increase the reliability of pothole repair and decrease recurring potholes, and to reduce or eliminate the Borough's dependency on expensive and temporary cold patch asphalt; and

WHEREAS, N.J.S.A. 52:34-6.2 authorizes municipalities to purchase goods or services through cooperating purchasing programs in lieu of public bidding; and

WHEREAS, the Borough is a member of the ESCNJ cooperative purchasing program; and

WHEREAS, McGrath Municipal Equipment, LLC, has valid ESCNJ contract #65MCESCCPS 18/19-25 and has provided the Borough with the attached quote dated March 1, 2020 in the amount of \$35,313.00, which is under the amount budgeted for the purchase; 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 four-ton Falcon RME asphalt hot patcher in the amount of \$35,313.00 from McGrath Municipal Equipment, LLC, P.O. Box 422, Springfield, NJ 07081, through ESCNJ cooperative purchasing program contract #65MCESCCPS 18/19-25, per the attached quote and specifications.
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 her information and guidance.

This Resolution shall take effect immediately.

Dated: September 29, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #139-2020

**RESOLUTION CERTIFYING RECEIPT AND REVIEW OF THE ANNUAL AUDIT REPORT
FOR THE YEAR 2019**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, N.J.S.A. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations;" and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by the Borough's Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6 and copies have been distributed and received by each member of the governing body; and

WHEREAS, the members of the governing body have personally reviewed the Annual Report of Audit, and specifically, as a minimum, the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto and made part of this Resolution; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board.

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that they have complied with N.J.S.A. 40A:5-4 and N.J.A.C. 5:30-6.5 and do hereby direct the Borough Clerk to submit a certified copy of this Resolution and the required affidavit, attached hereto and made a part of this Resolution, to the Local Finance Board to show evidence of said compliance.

Dated: September 29, 2020

[Attachment: Certification of the Governing Body]

**CERTIFICATION OF THE GOVERNING BODY
2019 ANNUAL AUDIT
GROUP AFFIDAVIT FORM**

STATE OF NEW JERSEY :
: SS
COUNTY OF MORRIS :

We, members of the governing body of the **Borough of Mendham** in the **County of Morris**, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the governing body of the **Borough of Mendham** in the **County of Morris**;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Borough Clerk pursuant to N.J.S.A. 40A:5-6 for Calendar Year 2018;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

| | |
|-----------------------------------|--------|
| Christine Serrano-Glassner, Mayor | (L.S.) |
| Brad Badal, Council President | (L.S.) |
| John W. Andrews, Council Member | (L.S.) |
| Steve Andrew, Council Member | (L.S.) |
| James R. Kelly, Council Member | (L.S.) |
| Mary Sue Martin, Council Member | (L.S.) |
| Brennan Reilly, Council Member | (L.S.) |

ORIGINAL SIGNATURES ONLY – NO PHOTOCOPIES

Sworn to and subscribed before me
this ____ day of _____ 2020

Robin R. Kline, MAS, RMC, CMR
Municipal Clerk

The Municipal Clerk shall set forth here the reason(s) for the absence of signature of any members of the governing body:

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #140-2020

RESOLUTION AUTHORIZING THE PUBLIC SALE OF BOROUGH PROPERTY NO LONGER NEEDED FOR PUBLIC USE THROUGH GOVDEALS.COM PUBLIC ONLINE AUCTION

WHEREAS, the Borough of Mendham is the owner of certain property which is no longer needed for public use; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes municipalities to sell public property that is no longer needed for public use at a public sale to the highest bidder as surplus property; and

WHEREAS, the Governing Body desires to sell the surplus property as referenced herein in “as is” condition without expressed or implied warranties.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham hereby authorize the sale of Borough property no longer needed for public use through GovDeals.com public online auction [State Contract A-70967/T2581]; and

BE IT FURTHER RESOLVED, that the public auction shall be conducted through GovDeals.com public online auction pursuant N.J.S.A. 40A:11-36 and Local Finance Notice 2008-9 of the New Jersey Department of Community Affairs, Division of Local Government Services, and in accordance with the terms and conditions of State Contract A-70967/T2581. (The terms and conditions of the agreement entered into with GovDeals is available online at www.govdeals.com and is also available in the Borough Clerk’s office.); and

BE IT FURTHER RESOLVED, that the sale of surplus property to be sold in “as is” condition without expressed or implied warranties is as follows:

| <u>ITEM</u> | <u>STARTING BID</u> |
|--|---------------------|
| 1. 1999 GMC 2500 VIN #1GTGK24R6XF018345, Mileage 102,000 | \$250 |
| 2. V-Box Salt Spreader | \$ 50 |
| 3. Lot of 4 Tires, | \$ 10 for lot |
| 4. Lot of 4 Foot and Various Size Florescent Light fixtures | \$ 5 for lot |
| 5. Lot of 10 Letter-size Vertical Filing Cabinets | \$ 50 for lot |
| 6. Davey Pump Model #93200C-0 | \$ 20 |
| 7. Dayton Non-Submersible Sprinkler Booster Pump | \$ 20 |
| 8. Dayton 120,000 BTU Portable Oil-Fired Heater, Model #3VE50 | \$ 20 |
| 9. Snapper Walk Behind Edger, Model #ET300 | \$ 10 |
| 10. Brush and Grille Guard for 2007 Ford F150 | \$ 20 |
| 11. Ariens Walk Behind Trimmer, Model #ST62 | \$ 20 |
| 12. 26 Gallon 240V Air Compressor, Model #VT627000AJ | \$ 20 |
| 13. Utilitech Diaphragm Tank for Non-Potable Water, Model #LPT86 | \$ 10 |
| 14. Liftmoore Truck Crane, Model #3200 | \$ 50 |
| 15. Superior Manhole Blower, Model #10-5 | \$ 10 |
| 16. Homelite 3” Diaphragm Pump, Model #111DP3-1 | \$ 20 |
| 17. Homelite Blower, Model #111B-1B | \$ 10 |
| 18. 36” Bobcat Walk Truck Behind Mower, Model #930000 | \$100 |

19. Desktop Printer and misc. computer peripherals \$ 10 for lot

20. Computer Lot; including 2 Dell Laptops, 1 Panasonic Laptop,
2 Dell Desktop PCs, 5 Lenovo Desktop PCs and 1 HP Printer \$100 for lot

And,

BE IT FURTHER RESOLVED, that the Borough of Mendham reserves the right to accept or reject any bid submitted; and

BE IT FURTHER RESOLVED, that the successful bidder(s) shall be required to pay the full amount of the sale, execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property, and shall be required to make arrangements for the pick-up of sold property from the Borough of Mendham within 10 business days of the auction; and

BE IT FURTHER RESOLVED, the Borough Clerk shall publish a legal advertisement in the official newspapers informing the public as to the nature of items being sold and how to obtain more information on the sale as required by N.J.S.A. 40A:11-36; and

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

Dated: September 29, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #141-2020

**RESOLUTION APPROVING THE PERSON-TO-PERSON TRANSFER OF
PLENARY RETAIL DISTRIBUTION LICENSE #1418-44-002-003**

WHEREAS, on August 3, 2020, Jiya & Kirtan LLC (the “Applicant”) filed an application with the Borough of Mendham seeking a person-to-person transfer of Plenary Retail Consumption License #1418-44-002-003 currently issued to Moonshine Boys, LLC at premises located at 88 Main Street, Mendham, New Jersey; and

WHEREAS, the Mendham Borough Police Department has completed fingerprinting and background investigations for each of the individuals who will have an interest in the liquor license and has investigated the source of all funds used in the purchase of the subject license and the licensed business; and

WHEREAS, the Borough Clerk has confirmed that the subject license is in good standing for the current 2020-2021 licensing term and has verified with the Division of Alcoholic Beverage Control that the Applicant’s 12-page transfer application has been deemed complete in all respects, that all applicable fees have been paid, and that the New Jersey Division of Taxation has issued the required Tax Clearance Certificate; and

WHEREAS, the Borough Clerk has further confirmed that the Applicant has filed a Bulk Transfer Permit Application with from the Division of Alcohol Beverage Control for the sale and transfer of the alcohol beverage inventory from Moonshine Boys, LLC; and

WHEREAS, the Applicant is qualified to be licensed according to all standards promulgated by the New Jersey Alcoholic Beverage Control Act, N.J.S.A. 33:1-1 et seq., rules and regulations issued by the State Commissioner of Alcoholic Beverages Control, and

WHEREAS, the person-to-person transfer of the subject license is contingent upon the approval of the Mayor and Council.

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that the person-to-person transfer of the Plenary Retail Distribution License #1418-44-002-003 to Jiya & Kirtan LLC is hereby granted; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall endorse the license certificate to the new ownership as follows:

“This license, subject to all its terms and conditions, is hereby transferred effective September 29, 2020 to Jiya & Kirtan LLC for premises located at 88 Main Street, Mendham, NJ 07928.”

And,

BE IT FURTHER RESOLVED that the Borough Clerk shall file a certified copy of this Resolution with the Director of the Division of Alcoholic Beverage Control and take all other action necessary and appropriate to effectuate the terms of this Resolution.

Dated: September 29, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #142-2020

**RESOLUTION AUTHORIZING THE HIRING OF REBECCA BRAUN AS A
CLASS 3 – PUBLIC SAFETY CROSSING GUARD IN THE MENDHAM BOROUGH POLICE DEPARTMENT**

WHEREAS, the Mendham Borough Police Department has a need to hire a Class 3 – Public Safety Crossing Guard and has solicited applications from interested candidates; and

WHEREAS, after considering all interested and qualified candidates and upon conducting a background investigation the Police Chief recommends hiring Rebecca Braun; and

WHEREAS, Rebecca Braun has successfully completed all training as School Crossing Guard at the Morris County Public Safety Training Academy as a crossing guard.

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that they hereby authorize the hiring of Rebecca Braun as a Class 3 - Public Safety Crossing Guard in the Mendham Borough Police Department at the hourly pay rate of \$21.43 and with an effective starting date as of September 29, 2020.

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

Dated: September 29, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #143-2020

**RESOLUTION AUTHORIZING RELEASE OF ESCROW IN CONNECTION WITH THE PROPERTY LOCATED AT
5 KNOLLWOOD DRIVE (BLOCK 903, LOT 6)**

WHEREAS, in conjunction with Borough of Mendham Board of Adjustment application 03-15 and Resolution of Memorialization adopted on May 5, 2015 for the property located at 5 Knollwood Drive (Block 903, Lot 6), Peter and Wendy Parrinello were required to post certain escrow monies; and

WHEREAS, Mr. Parrinello, by way of correspondence dated August 17, 2020, has requested that any remaining escrow balance be released; and

WHEREAS, the Borough Engineer has inspected the improvements and found the work to be completed in substantial compliance with the requirements of the Board of Adjustment approval; and

WHEREAS, the Borough Engineer, per correspondence dated September 21, 2020, has recommended 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 \$164.52 associated with Board of Adjustment application 03-15 be released to Peter and Wendy Parrinello.

This Resolution shall take effect immediately.

Dated: September 29, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #144-2020

RESOLUTION AUTHORIZING RELEASE OF BONDS AND ESCROW TO SECTORSITE, LLC IN CONNECTION WITH THE PROPERTY LOCATED AT 84-86-88 EAST MAIN STREET (BLOCK 801, LOT 20)

WHEREAS, in conjunction with Borough of Mendham Board of Adjustment Resolution of Memorialization adopted on September 12, 2017 granting preliminary and final site plan approval of a wireless telecommunications tower located at 84-86-88 East Main Street (Block 801, Lot 20), SectorSite, LLC was required to post certain bonds and escrow; and

WHEREAS, the Borough Engineer has inspected the improvements and found the work to be completed in substantial compliance with the requirements of the Board of Adjustment approvals; and

WHEREAS, the Borough Engineer, by way of correspondence dated September 2, 2020, has requested that the bonds and remaining escrow balances be released to SectorSite, LLC; and

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 special engineering escrow balance in the amount of \$4.50, the use variance/site plan escrow in the amount of \$42.60, the cash bond in the amount of \$1,752.02 and the surety bond in the amount of \$15,768.00 be released to Sector Site, LLC, P.O. Box 118, Convent Station, NJ 07961-0018.

This Resolution shall take effect immediately.

Dated: September 29, 2020