

**MINUTES OF THE  
MENDHAM BOROUGH JOINT LAND USE BOARD  
REORGANIZATION/REGULAR MEETING  
Tuesday, January 20, 2026  
Garabrant Center, 4 Wilson St., Mendham, NJ**

**CALL TO ORDER/FLAG SALUTE**

The Reorganization/ Regular meeting of the Mendham Borough Joint Land Use Board was called to order at 7:00 p.m. and the open public meeting statement was read into the record.

**\*\*\*REORGANIZATION\*\*\***

**APPOINTMENTS/OATHS OF OFFICE**

The Board Secretary, administered Oaths of Office to the following Board members:

- Jim Kelly (Mayor) (Class I) – Term expires 12/31/2026
- Joyce Bushman Administrator (Class II) – Term expires 12/31/2026
- Alexandra Henry Traut (Councilperson) (Class III) – Term expires 12/31/2026
- Richard Pace - Class IV Member - Term expires 12/31/2028
- Ben Heller - Alternate I Member - Term expires 12/31/2026
- John Benigno – Alternate III Member - Term expires 12/31/2027

**ROLL CALL**

Mayor Kelly – Present  
Ms. Bushman – Present  
Councilmember Traut – Present  
Mr. Pace – Present  
Mr. Sprandel – Present  
Mr. D’Urso – Present

Mr. Kay – Absent  
Ms. Garbacz – Present  
Mr. Molnar – Present  
Mr. Heller – Alternate 1 -Present  
VACANT- Alternate 2  
Mr. Benigno – Alternate 3- Present  
Mr. Chambers – Alternate 4 – Present

Also Present: Mr. Ferriero – Board Engineer  
Ms. Caldwell – Board Planner

**ELECTION OF OFFICERS  
CHAIR**

Motion by Mayor Kelly, seconded by Councilmember Traut to nominate Mr. D’Urso as Chair. There being no further nominations, a single ballot was cast, and Mr. D’Urso was designated Chairman.

**Roll Call:**

**In Favor:** Mayor Kelly, Councilmember Traut, Ms. Bushman, Mr. Pace, Mr. Sprandel, Ms. Garbacz, Mr. Molnar, Mr. Heller, Mr. Benigno, and Mr. Chambers

**Opposed:**

**Abstain:** Mr. D’Urso

**Motion Carried**

**VICE CHAIR**

Motion by Mr. D’Urso, seconded by Ms. Bushman to nominate Mr. Molnar as Vice Chair. There being no further nominations, a single ballot was cast, and Mr. Molnar was designated Vice Chair.

**Roll Call:**

**In Favor:** Mayor Kelly, Councilmember Traut, Ms. Bushman, Mr. Pace, Mr. Sprandel, Mr. D’Urso, Ms. Garbacz, Mr. Heller, Mr. Benigno, and Mr. Chambers

**Opposed:**

**Abstain:** Mr. Molnar

**Motion Carried**

**APPOINTMENT OF THE JOINT LAND USE BOARD LIAISON TO THE ENVIRONMENTAL COMMISSION**

Chairman D’Urso was appointed himself as the Joint Land Use Board Liaison to the Environmental Commission.

**RESOLUTIONS**

**MEETING DATES, OFFICIAL NEWSPAPERS, and APPOINTING SECRETARY**

Motion by Mr. Pace, seconded by Mayor Kelly and unanimously carried by voice vote to adopt a resolution (as outlined herein) setting forth the meeting dates for 2026 and the first meeting of 2027, official newspapers and appointing Lisa as Board Secretary.

**Roll Call:**

**In Favor:** Mayor Kelly, Councilmember Traut, Ms. Bushman, Mr. Pace, Mr. Sprandel, Mr. D’Urso, Ms. Garbacz, Mr. Molnar, Mr. Heller, Mr. Benigno, and Mr. Chambers

**Opposed:**

**Abstain:**

**Motion Carried**

**BOROUGH OF MENDHAM  
MORRIS COUNTY, NEW JERSEY**

**JOINT LAND USE BOARD**

**RESOLUTION #01-2026**

**RESOLUTION SETTING THE ANNUAL MEETING SCHEDULE  
FOR THE JOINT LAND USE BOARD OF THE BOROUGH OF MENDHAM CALENDAR YEAR 2025**

*WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., requires every public body to designate and publish its Annual Meeting Schedule and provide adequate notice of all meetings.*

*BE IT RESOLVED that that at its Regular and Reorganization Meeting held on January 20, 2026, the Joint Land Use Board of the Borough of Mendham established regularly scheduled meetings for the year 2026 as follows:*

- Tuesday, January 20, 2026(Previously Advertised)*
- Tuesday, February 17*
- Tuesday, March 17*
- Tuesday, April 21*
- Tuesday, May 19*
- Tuesday, June 16*
- Tuesday, July 21*
- Tuesday, August 18*
- Tuesday, September 15*
- Tuesday, October 20*
- Tuesday, November 17*
- Tuesday, December 15*
- Tuesday, January 19, 2027(Regular and Reorganization)*

*The regular and reorganization meeting for 2027 will be held on January 19, 2027.*

**BE IT FURTHER RESOLVED** *that the meetings will be held at 7:30PM at the Garabrant Center, 4 Wilson St, Mendham, NJ.*

**BE IT FURTHER RESOLVED** During a declared state of emergency when meetings of Joint Land Use Board are held remotely, the public may attend remotely by Zoom. Instructions on how to attend a meeting via Zoom will be posted on the meetings schedule webpage on the Borough's website in advance of the meeting and in accordance with the Open Public Meetings Act.

**BE IT FURTHER RESOLVED**, in accordance with N.J.S.A. 10:4-12, notice is hereby given that an executive (closed) session may be convened at any scheduled meeting of the Joint Land Use Board of the Borough of Mendham by a duly adopted resolution; and

**BE IT FURTHER RESOLVED** that notice of any additions to the above schedule or change in the time, date or place of any scheduled meeting will be posted and maintained in the Phoenix House, 2 West Main St., Mendham, NJ for purposes of public inspection, and will be filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act and delivered to the official newspapers in advance as required by law.

Dated: January 20, 2026

\_\_\_\_\_  
Chairman, Joint Land Use Board

ATTEST:

\_\_\_\_\_  
Land Use Coordinator

**BOROUGH OF MENDHAM**  
**MORRIS COUNTY, NEW JERSEY**

**JOINT LAND USE BOARD**

**RESOLUTION #02-2026**  
**RESOLUTION AUTHORIZING DESIGNATION OF NEWSPAPERS FOR CALENDAR YEAR 2026**

**BE IT RESOLVED** by the Joint Land Use Board of the Borough of Mendham, Morris County, New Jersey as follows:

**WHEREAS**, Chapter 231 of the Public Laws of the State of New Jersey for 1975, known as and hereinafter designated as the "Open Public Meetings Act" aforesaid, the Open Space Advisory Committee of the Borough of Mendham hereby makes the following designations:

1. The Star Ledger and the Daily Record are hereby designated as the two newspapers to receive notice of meetings required by any and all sections of the Open Public Meetings Act, it appearing that said newspapers are most likely to inform the local public of such meetings. Notices required by the New Jersey Municipal Land Use Law or the Borough's Land Use Regulations may be placed, as required by law, in either of the designated newspapers.
2. Notice of this meeting of the Joint Land Use Board of the Borough of Mendham shall be posted and maintained in the Phoenix House, 2 West Main Street, Mendham, NJ for purposes of public inspection, and will be filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act
3. The sum of \$12.00 per year is hereby fixed as the amount to paid by any person requesting individual notice of meetings as provided in Section 13 of the Open Public Meetings Act.

Dated: January 20, 2026

\_\_\_\_\_  
Chairman, Joint Land Use Board

ATTEST:

\_\_\_\_\_  
Land Use Coordinator

**BOROUGH OF MENDHAM**  
**MORRIS COUNTY, NEW JERSEY**

**JOINT LAND USE BOARD**

**RESOLUTION #06-2026**  
**APPOINTMENT OF LISA J. SMITH AS BOARD SECRETARY**

*BE IT RESOLVED* by the Joint Land Use Board of the Borough of Mendham that Lisa J. Smith has been appointed to the position of Secretary to the Joint Land Use Board effective January 1, 2026.

*I certify that this is a true and exact copy of a resolution adopted by the Borough of Mendham Joint Land Use Board on January 20, 2026.*

\_\_\_\_\_  
*Land Use Coordinator*

\_\_\_\_\_  
*Chairman, Joint Land Use Board*

**BOARD ATTORNEY**

Motion by Councilmember Traut, seconded by Mr. Sprandel and unanimously carried by voice vote to adopt a resolution (as outlined herein) authorizing entry into an agreement with Thomas J. Germinario, esq., for board attorney services.

**Roll Call:**

**In Favor:** Mayor Kelly, Councilmember Traut, Ms. Bushman, Mr. Pace, Mr. Sprandel, Mr. D’Urso, Ms. Garbacz, Mr. Molnar, Mr. Heller, Mr. Benigno, and Mr. Chambers

**Opposed:**

**Abstain:**

**Motion Carried**

**BOROUGH OF MENDHAM**  
*MORRIS COUNTY, NEW JERSEY*

**JOINT LAND USE BOARD**

**RESOLUTION#03-2026**

**RESOLUTION OF THE JOINT LAND USE BOARD OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THOMAS J. GERMINARIO, ESQ. FOR BOARD ATTORNEY SERVICES**

*WHEREAS, the Joint Land Use Board of the Borough of Mendham has a need to acquire professional Board Attorney services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and*

*WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and*

*WHEREAS, the anticipated term of this contract is one (1) year; and*

*WHEREAS, Thomas J. Germinario, ESQ. has submitted a proposal indicating that he will provide Board Attorney services in an amount projected not to exceed \$20,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds); and*

*WHEREAS, Thomas J. Germinario, ESQ has completed and submitted a Business Entity Disclosure Certification which certifies that Thomas J. Germinario, ESQ. has not made any reportable contributions to a political or candidate committee in the Borough of Mendham in the previous one year, and that the contract will prohibit Thomas J. Germinario, ESQ. from making any reportable contributions through the term of the contract; and*

*WHEREAS, the Joint Land Use Board of the Borough of Mendham desires to award the contract to Thomas J. Germinario, ESQ.; and*

*WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for “professional services” without competitive bids and the contract itself must be available for public inspection.*

**NOW, THEREFORE, BE IT RESOLVED** by the Joint Land Use Board of the Borough of Mendham as follows:

1. The Joint Land Use Board of the Borough of Mendham hereby authorizes execution of a professional services agreement with Thomas J. Germinario, ESQ to serve as Board Attorney for the year 2026 in an amount projected not to exceed \$20,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds).
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. That a notice of this action shall be published once in the official newspapers of the Joint Land Use Board of the Borough of Mendham, as required by N.J.S.A. 40A:11-5(1)(a).
5. This Resolution shall take effect as provided herein.

I, Lisa J. Smith, Land Use Coordinator, do hereby certify that the foregoing Resolution was duly adopted at the Reorganization Meeting of the Joint Land Use Board of the Borough of Mendham, held this 20<sup>th</sup> day of January 2026.

\_\_\_\_\_  
Lisa J. Smith, Land Use Coordinator

ATTEST: \_\_\_\_\_  
Lisa J. Smith  
Land Use Coordinator

\_\_\_\_\_ Chairman, Joint Land Use Board

**BOARD ENGINEER**

Motion by Mr. Sprandel, seconded by Mayor Kelly and unanimously carried by voice vote to adopt a resolution (as outlined herein) authorizing entry into an agreement with Paul Ferriero, PE, PP of Boswell Engineering, Inc. for Board Engineer services for professional engineering services.

**Roll Call:**

**In Favor:** Mayor Kelly, Councilmember Traut, Ms. Bushman, Mr. Pace, Mr. Sprandel, Mr. D’Urso, Ms. Garbacz, Mr. Molnar, Mr. Heller, Mr. Benigno, and Mr. Chambers

**Opposed:**

**Abstain:**

**Motion Carried**

**BOROUGH OF MENDHAM**  
MORRIS COUNTY, NEW JERSEY

**JOINT LAND USE BOARD**

**RESOLUTION#04-2026**

**RESOLUTION OF THE JOINT LAND USE BOARD OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO BOSWELL ENGINEERING, INC. FOR BOARD ENGINEER SERVICES**

*WHEREAS, the Joint Land Use Board of the Borough of Mendham has a need to acquire professional Board Engineer services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and*



**Motion Carried**

**BOROUGH OF MENDHAM  
MORRIS COUNTY, NEW JERSEY  
JOINT LAND USE BOARD  
RESOLUTION#05-2026**

**RESOLUTION OF THE JOINT LAND USE BOARD OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO J. CALDWELL & ASSOCIATES, LLC FOR BOARD PLANNER SERVICES**

*WHEREAS, the Joint Land Use Board of the Borough of Mendham has a need to acquire professional Board Planner services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and*

*WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and*

*WHEREAS, the anticipated term of this contract is one (1) year; and*

*WHEREAS, J. Caldwell & Associates, LLC has submitted a proposal indicating that J. Caldwell & Associates, LLC will provide Board Planner services in an amount projected to not exceed \$8,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds); and*

*WHEREAS, J. Caldwell & Associates, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that J. Caldwell & Associates, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Mendham in the previous one year, and that the contract will prohibit J. Caldwell & Associates, LLC from making any reportable contributions through the term of the contract; and*

*WHEREAS, the Joint Land Use Board of the Borough of Mendham desire to award the contract to J. Caldwell & Associates, LLC; and*

*WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection.*

**NOW, THEREFORE, BE IT RESOLVED** by the Joint Land Use Board of the Borough of Mendham:

1. *The Joint Land Use Board of the Borough of Mendham hereby authorizes execution of a professional services agreement with J. Caldwell & Associates, LLC, to serve as Board Planner for the year 2026, in an amount projected not to exceed \$8,000 (this amount does not include payments made against escrow accounts which are not paid out of taxpayer funds).*
2. *This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.*
3. *The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.*
4. *That a notice of this action shall be published once in the official newspapers of the Joint Land Use Board of the Borough of Mendham, as required by N.J.S.A. 40A:11-5(1)(a).*
5. *This Resolution shall take effect as provided herein.*

*I, Lisa J. Smith, Land Use Coordinator of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Joint Land Use Board of the Borough of Mendham Reorganization Meeting, held this 20<sup>th</sup> day of January 2026.*

\_\_\_\_\_  
*Lisa J. Smith, Land Use Coordinator*

ATTEST: \_\_\_\_\_  
*Lisa J. Smith  
Land Use Coordinator*

\_\_\_\_\_  
*Chairman  
Joint Land Use Board*

**\*\*\*REGULAR MEETING\*\*\***

**APPROVAL OF MINUTES**

Motion by Councilmember Traut, seconded by Mr. Molnar, and unanimously carried by voice vote to adopt the minutes of the October 21, 2025 Joint Land Use Board Regular Meeting, as written.

**Roll Call:**

**In Favor:** Mayor Kelly, Councilmember Traut, Ms. Bushman, Mr. Pace, Mr. Sprandel, Mr. D'Urso, Ms. Garbacz, Mr. Molnar, and Mr. Chambers.

**Opposed:**

**Abstain:** Mr. Heller and Mr. Benigno

**Motion Carried**

- December 16, 2025 Tabled until the February 19, 2026 Regular Meeting

**PUBLIC COMMENT**

Chairman D'Urso opened the meeting to the public for questions and comments on items not included on the agenda. There being none, the public session was closed.

**DISCUSSION ITEMS****ANNUAL REPORT**

- a) The board decided to remove items 1 (noise abatement), 6 (notice requirement), and 9 (dark sky) from the annual report and add a review of the existing cell tower ordinance based on current law.
- b) The Board created a subcommittee to review and develop draft ordinances to submit to Council.
  - i) The Chair appointed Councilmember Traut, Ms. Garbacz and Mr. Heller to the subcommittee.
- c) The Annual Report is being tabled to the February 18, 2025 meeting once changes are made.

**REVISION TO UPPER RARITAN WATER QUALITY MANAGEMENT PLAN~ THE GREENS AT MENDHAM VILLAGE**

- a) Mr. Ferriero explained the letter from Bowman and said that they were making an application for an amendment. Mr. D'Urso asked whether the applicant was seeking service from the Borough, and Mr. Ferriero stated that they were.

**ADJOURNMENT**

There being no additional business to come before the Board, Motion was made by Mr. Sprandel, seconded by Mr. Pace. On a voice vote, all were in favor. Chairman D'Urso adjourned the meeting at 8:25PM.

Respectfully submitted,

*Lisa J. Smith*

Lisa Smith  
Land Use Coordinator