

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

**PROCLAMATION**

**PROCLAMATION RECOGNIZING AND CONGRATULATING THE ROTARY CLUB OF THE MENDHAMS  
ON THE OCCASION OF HOLDING ITS 39<sup>TH</sup> ANNUAL SPRING ANTIQUES & ART SHOW**

**WHEREAS**, on Saturday, April 4, 2020, and Sunday, April 5, 2020, the Rotary Club of the Mendhams will hold its 39<sup>th</sup> Annual Spring Antiques and Art Show at West Morris Mendham High School; and

**WHEREAS**, the Rotary Club of the Mendhams was established in 1975 and has been a stalwart community and charitable organization throughout its 45-year history; and

**WHEREAS**, the Rotary Club of the Mendhams has contributed donations, provided support for many local charities, sponsored youth leadership programs, and has awarded college scholarships to high school students; and

**WHEREAS**, the Rotary Club of the Mendhams has also supported the building of housing and schools in Kopila Valley, Nepal in association with the BlinkNow Foundation started by Maggie Doyne of Mendham, as well as in support of the construction of wells and water supplies to elderly residents and refugees living in Ngara, Tanzania through its association with the Seeds of Light organization; and

**WHEREAS**, the annual Spring Antique and Art Show is a primary fundraising event for the Rotary Club of the Mendhams to help finance such good works and other charitable causes.

**NOW, THEREFORE**, the Mayor and Council of the Borough of Mendham, on behalf of the residents and businesses of Mendham Borough, wish to congratulate the Rotary Club of the Mendhams on the occasion of its 39<sup>th</sup> Annual Spring Antiques and Art Show and further recognize the generosity and service Rotarians have contributed to the well-being and betterment of our community and the world.

Under the Seal of  
THE BOROUGH OF MENDHAM  
This 11<sup>th</sup> day of March, 2020

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Christine Serrano-Glassner, Mayor

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

**ORDINANCE #01-2020**

**ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, ESTABLISHING A BOND REQUIREMENT FOR SPECIAL EVENT PERMITS**

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

**SECTION 1.** Chapter 143, Parks and Recreation Areas, Article III, Public Parks and Playgrounds, §143-28, Special event permits, is hereby repealed.

**SECTION 2.** Chapter 143, Parks and Recreation Areas, Article III, Public Parks and Playgrounds, §143-29, Liability of permittee, is hereby repealed.

**SECTION 3.** Part II, General Legislation, Chapter 185, Special Event Permits, is hereby established to read as follows in its entirety:

§ 185-1. Special event permits.

- A. A special event is any event which is conducted, sponsored or permitted by any organized group of persons and which involves any advance publicity or advertising by or from said group.
- B. Permits for parades or special events in parks, recreation areas, and other public property shall be obtained by application, in writing, to the Borough Council, in accordance with the following procedures:
  - (1) The person or group of persons seeking issuance of such permit shall file an application, in writing, with the Clerk of the Borough of Mendham, stating:
    - (a) The name and address of the applicant.
    - (b) The name and address of the person, persons, corporation or association sponsoring the activity, if any.
    - (c) The day and the hours for which the permit is desired.
    - (d) The portion of park, recreation area, or other public property for which such permit is desired.
    - (e) A reliable estimate of the anticipated attendance.
    - (f) The type of activity for which such permit is desired.
    - (g) The anticipated age group of the expected participants.
    - (h) The names and addresses of the adult persons who would supervise and be responsible for the proposed activity.
    - (i) Such other information as may be reasonably required.
  - (2) A permit shall be issued by the Borough Council upon making the following findings:
    - (a) That the proposed activity or use of the Borough property will not unreasonably interfere with or detract from the general public enjoyment of the park, recreation area, or other public property.

- (b) That the nature and character of the proposed activity or use of the park, recreation area, or other public property, is not reasonably anticipated to incite violence, crime or disorderly conduct.
  - (c) That the proposed activity or use of the park, recreation area, or other public property, will not entail extraordinary or burdensome expense of police operation by the Borough.
  - (d) That the park area, recreation area, or other public property desired has not been reserved for other use at the date and hour desired in the application.
- C. Within 30 days after receipt of the application for a permit as provided for in Subsection B of this section, the Borough Council shall notify the applicant, in writing, of its decision.
  - D. The applicant for a permit shall have a right to a hearing thereon, provided that the applicant files a written request for such hearing simultaneously with the filing of the written application for a permit. The hearing shall be conducted by the Borough Council prior to its decision on any application upon proper request made therefor in accordance herewith. The applicant shall be notified of the date, hour and place of hearing, at which time he or she shall be offered an opportunity to be heard.
  - E. If a permit is refused in accordance with the standards and procedures set forth herein, the Council shall set forth, in writing, its reasons for the refusal of the permit. If the permit is granted, the Council may attach reasonable conditions to the issuance of such a permit, consistent with this article.
  - F. The Council may delegate its authority for the enforcement of this permit and the conditions relating thereto to the Chief of Police or any other responsible official. A violation of any condition of the permit shall be cause for immediate revocation of the permit by the Borough Council or by its duly authorized agent.
  - G. The requirements for obtaining a permit under this article shall not relieve any person or group of persons from obtaining such further permits or approvals as may be required now or in the future by reason of any state or federal law.

#### § 185-2 Bond Requirement

- A. The Borough shall require a special permit applicant to provide a bond in a reasonable amount to ensure performance of the terms and conditions of the permit. The Borough's DPW Superintendent shall provide a bond estimate to the applicant based upon factors, including but not limited to, the type of use, the extent of use, and the materials being used. In the alternative, the applicant may submit a deposit in cash or a certified check made payable to the Borough.
- B. The applicant's money shall be refunded after deducting the cost of necessary expenses incurred by the Borough in restoring the area in question to the same condition as it was in, at the time the permit was issued, reasonable wear and tear excepted and after deducting the cost of compensating Borough employees for their services rendered at the event in question. In no event shall any bond or other deposit be held for longer than thirty (30) days after the scheduled event.

- C. This section shall in no way limit the Borough's ability to pursue the applicant for liabilities pursuant to this Chapter, in excess of the amount of the posted bond or other deposit. The Chief of Police may, for good cause and utilizing the standards set forth in this Chapter, at the request of the applicant, waive the requirement of a bond or other deposit. Such waiver shall be reviewed by the Administration.

§ 185-3 Liability of permittee.

The person or persons to whom a permit is issued under this Chapter shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.

**SECTION 4.** This Ordinance may be renumbered for the purpose of codification.

**SECTION 5.** All ordinances of the Borough of Mendham that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 6.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 7.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

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Introduced: March 11, 2020  
Public Hearing: April 8, 2020

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

**ORDINANCE #02-2020**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A  
CAP BANK FOR CALENDAR YEAR 2020 (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the governing body of the Borough of Mendham in the County of Morris finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the governing body hereby determines that a 1% increase in the budget for said year, amounting to \$67,021.78 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the governing body of the Borough of Mendham in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Mendham shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$234,576.23 and that the CY 2020 municipal budget for the Borough of Mendham be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and recognizes that the cap bank established from the levy cap may also be utilized in any of the next three succeeding years, and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced:                March 11, 2020  
Public Hearing:            April 27, 2020

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

**RESOLUTION #016-2020**

[Tabled from February 24, 2020]

**RESOLUTION ADOPTING THE FEE AND RATE SCHEDULE FOR THE BOROUGH OF MENDHAM  
FOR CALENDAR YEAR 2020**

**WHEREAS**, the Borough of Mendham desires to establish a schedule of fees and rates for calendar year 2020 to set fees for permits, applications, and rates for miscellaneous services provided by the Borough.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Mendham that the schedule of fees and rates, attached hereto and made part of this Resolution, shall be established for calendar year 2020; and

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

[2020 Fee and Rate Schedule attached]

DATED: March 11, 2020

**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**RESOLUTION #052-2020**

**RESOLUTION TO INTRODUCE THE 2020 MUNICIPAL BUDGET**

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the municipal budget for the year 2020:

Municipal Budget

Revenues

General Revenues	\$ 2,590,681.21
Local Tax for Muni Purposes	\$ 6,265,628.00
Minimum Library Tax	\$ _____
	\$ 8,856,309.21

Appropriations

Municipal Purposes	\$ 8,110,604.21
Reserve for Uncollected Taxes	\$ 745,705.00
Total General Appropriations	\$ 8,856,309.21

And,

**BE IT FURTHER RESOLVED**, that the 2020 Municipal Budget summary shall be published in the official newspapers of the Borough of Mendham together with a public notice that the public hearing on the Budget and Tax Resolution will be held at the Garabrant Center on April 27, 2020 at 8:00 p.m. or as soon thereafter as the matter can be conducted by the Borough Council and at which time objections may be presented by taxpayers or other interested persons to the 2020 Municipal Budget and Tax Resolution.

**BE IT FURTHER RESOLVED** that the Council of the Borough of Mendham Borough does hereby approve 2020 Municipal Budget as herein introduced.

This Resolution shall take effect immediately.

Dated: March 11, 2020

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

**RESOLUTION #053-2020**

**RESOLUTION AUTHORIZING THE BOROUGH OF MENDHAM TO PARTICIPATE IN  
THE NATIONAL COOPERATIVE PURCHASING ALLIANCE**

**WHEREAS**, N.J.S.A. 52:34-6.2 was enacted to permit public entities in New Jersey to participate in national purchasing cooperatives; and

**WHEREAS**, the Borough of Mendham desires to participate in national cooperative contracts established by the National Cooperative Purchasing Alliance ("NCPA") in order to obtain substantial economies in the purchase of materials, supplies and services; and

**WHEREAS**, it is the Borough's intent to utilize these contracts on an as-needed basis; and

**WHEREAS**, the Borough may enter into contractual agreements with NCPA vendors through this Resolution and properly executed contracts/purchase orders, which shall be subject to all the applicable provision of the Local Public Contracts Law.

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

1. The Borough Administrator is hereby authorized to purchase goods or services from approved NCPA vendors pursuant to all conditions of the individual contracts and in accordance with Local Public Contracts Law.
2. The NCPA vendors and their corresponding contracts may change from time-to-time and the Borough Administrator is hereby authorized to make the necessary adjustments to the vendor list as may be required for the Borough to continue its routine procurement practices.
3. Pursuant to N.J.A.C. 5:30-5.5(b), the CFO shall provide a certification of available funds and contract amount shall be chargeable or certified until such times as the goods or services are ordered or otherwise called for prior to placing the order.

This Resolution shall take effect immediately.

Dated: March 11, 2020



**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**RESOLUTION #054-2020**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MENDHAM  
APPOINTING A MUNICIPAL COURT JUDGE, PROSECUTOR, AND PUBLIC DEFENDER FOR THE  
WASHINGTON TOWNSHIP AND MENDHAM BOROUGH SHARED MUNICIPAL COURT  
FOR CALENDAR YEAR 2020**

**WHEREAS**, on September 16, 2019, the Borough of Mendham (the "Borough") entered into a Shared Services Agreement for Municipal Court Services (the "Agreement") between the Borough and Washington Township (the "Township") for the sharing of facilities, personnel and resources by the Washington Township Municipal Court as authorized by N.J.S.A. 2B:12-1.C; and

**WHEREAS**, pursuant to the Agreement the Borough and the Township have agreed to initially appoint the same Municipal Court Judge, Public Defender and a Prosecutor and that the compensation of such personnel shall be included in the shared operating expenses as provided for in the Agreement; and

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Mendham, that the following appointments are hereby made for calendar year 2020:

Honorable Frank P. Leanza  
Judge, Mendham Borough Municipal Court

Maryanne O'Donnell McCoy  
Prosecutor, Mendham Borough Municipal Court

John P. Velez  
Public Defender, Mendham Borough Municipal Court

**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: March 11, 2020

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

**RESOLUTION #055-2020**

**RESOLUTION AMENDING AND RESTATING RESOLUTION #025-2020 AWARDING A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO STORMWATER COMPLIANCE SOLUTIONS, LLC FOR PROFESSIONAL SERVICES TO AID IN THE COMPLIANCE WITH NJDEP STORMWATER PERMITTING REQUIREMENTS**

**WHEREAS**, there exists a need for professional services to aid in compliance with NJDEP stormwater permitting requirements for the Borough of Mendham; and

**WHEREAS**, Resolution #025-2020 adopted by the Borough Council on January 3, 2020 retained the services of Stormwater Compliance Solutions, LLC to provide such services and for such other services as identified in its proposal dated November 22, 2019; and

**WHEREAS**, the agreement set forth a maximum dollar value of \$16,600.00, but Resolution #025-2020 set forth a maximum dollar value of \$7,000.00; and

**WHEREAS**, there is a need to amend Resolution #025-2020 to clarify the estimated maximum dollar value of the contract award for budgeting purposes for calendar year 2020 as \$16,600.00; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for professional service without competitive bidding, and the contract itself, be available for public inspection.

**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 of Mendham hereby amends and restates Resolution #025-2020 awarding a professional services contract to Stormwater Compliance Solutions, LLC for professional services to aid in compliance with NJDEP stormwater permitting requirements for the Borough of Mendham for a fee as outlined in its proposal dated November 22, 2019 and authorizes the execution of an agreement.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$16,600.00 without the prior written approval of the Borough Council.
4. Notice of this action shall be published once in the Borough's official newspapers as required by law.
5. A copy of this resolution shall be provided to the Borough Chief Financial Officer and to Stormwater Compliance Solutions, LLC, 180 Main Street, PO Box 572, Chester, NJ 07930 for their information and guidance.

This Resolution shall take effect immediately.

**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**RESOLUTION #056-2020**

**RESOLUTION APPOINTING BRIAN VALLIERE AS ACTING SUPERINTENDENT  
OF THE WATER RECLAMATION DEPARTMENT**

**WHEREAS**, the Borough of Mendham has a need to appoint a new Superintendent of Water Reclamation pursuant to § 50-2 of the Borough Code, due the retirement of the former Superintendent, effective February 29, 2020; and

**WHEREAS**, the Personnel Committee and Public Works & Utility Committee have reviewed the qualifications of Assistant Superintendent Brian Valliere and have recommended his appointment as Acting Superintendent to fill the unexpired term, conditioned upon him obtaining his New Jersey Public Wastewater Collection System C-1 and Public Wastewater Treatment System S-1 licenses within 180 days of this appointment, and completing additional coursework and licensing examinations as soon as is practicable; and

**WHEREAS**, Mr. Valliere is scheduled to take the examination for the C-1 and S-1 licenses on March 31, 2020; and

**WHEREAS**, the Mayor, with the advice and consent of Council, wishes to appoint Mr. Valliere as Acting Superintendent of Water Reclamation for the period of March 1, 2020 to December 31, 2020, at a salary of \$75,900 per annum, with Mr. Valliere becoming eligible for a salary increase upon receiving his C-1 and S-1 licenses; and

**WHEREAS**, the Mayor and Council agree to temporarily waive the § 50-2 license requirement for a period not to exceed 180 days, to allow the necessary time for Mr. Valliere to obtain the required licenses.

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

1. Brian Valliere is appointed as Acting Superintendent of Water Reclamation for the term March 1, 2020 to December 31, 2020, in accordance with § 50-2 of the Borough Code.
2. Mr. Valliere shall become licensed in accordance with § 50-2 within 120 days of this appointment. Accordingly, the licensing requirements set forth in § 50-2 are hereby waived for a period not to exceed 180 days, to allow time for Mr. Valliere to meet those requirements.
3. Mr. Valliere shall in 2020 enroll to take the classes to obtain his S-2 and C-2 licenses and complete all classes/coursework and including taking the exam for C-2 and S-2 licenses in October 2020 or as soon as is practicable,
4. Mr. Valliere shall perform all the duties of the Superintendent, but will not be the "licensed operator" for the Water Reclamation Facility and/or the Sewage Collection System as defined by N.J.A.C. 7:10A.
5. Mr. Valliere is appointed at a salary of \$75,900 per annum, effective March 1, 2020 and shall be eligible for an increase upon meeting the license requirements of § 50-2 of the Borough Code.

This Resolution shall take effect immediately.

Dated: March 11, 2020

**BOROUGH OF MENDHAM**

MORRIS COUNTY, NEW JERSEY

**COUNCIL APPOINTMENT**

**MENDHAM BOROUGH BOARD OF HEALTH**

**WHEREAS**, the Borough of Mendham established a Board of Health in accordance with the provisions of the act of the Legislature of New Jersey entitled "An Act to Establish in this State Boards of Health and a Bureau of Vital Statistics and to Define their Respective Powers and Duties," approved March 31, 1887, and the several supplements thereto; and

**WHEREAS**, members to the Board of Health are appointed by the Council in accordance with Chapter 25, §25-2, of the Code of the Borough of Mendham and shall hold said office for three years, except in case of vacancies, which vacancies shall be filled for the unexpired term; and

**WHEREAS**, The Council may appoint two alternate members. Alternate members shall be designated at the time of appointment as "Alternate No. 1" and "Alternate No. 2." The terms of the alternate members shall be for two years, except that the terms of the alternate members first appointed shall be two years for Alternate No. 1 and one year for Alternate No. 2 so that the term of not more than one alternate member shall expire in any one year. A vacancy occurring otherwise than by expiration of term shall be filled by the Council for the unexpired term only.

**NOW, THEREFORE**, by motion and unanimous affirmative vote of the Borough Council the following individuals were appointed individuals to serve on the Board of Health for the respective terms as indicated:

<u>Name</u>	<u>Position</u>	<u>Term of Office</u>
Dr. Marilyn Althoff	Alternate I Member	03/12/2020 to 12/31/2021 [appointed to unexpired 2-year term]

Dated: March 11, 2020

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

**MAYORAL APPOINTMENT**

**MENDHAM BOROUGH REPRESENTATIVE TO STIGMA FREE**

**WHEREAS**, Mendham Borough's representative to Stigma Free shall be appointed by the Mayor to help plan, promote and organize Stigma Free programs that may be in the interest of the entire community; and

**WHEREAS**, the representative shall be appointed to serve a 1-year term with annual renewal up to three years.

**NOW, THEREFORE, AS MAYOR**, I, Christine Serrano-Glassner do hereby appoint the following individual to serve as the Mendham Borough Representative to Stigma Free for the term indicated:

<u>Name</u>	<u>Term of Office</u>
Mary Kornick	03/12/2020 to 12/31/2020 [appointed to a 1-year term with annual renewal up to 3 years]

Dated: March 11, 2020

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

**MAYORAL APPOINTMENT**

**MENDHAM BOROUGH REPRESENTATIVE TO THE MENDHAM TV – MENDHAM 25 BOARD**

**WHEREAS**, Mendham Borough’s representative to the Mendham TV – Mendham 25 Board shall be appointed by the Mayor to help plan, promote and organize cable TV programing that may be in the interest of the entire community; and

**WHEREAS**, the representative shall be appointed to serve a 1-year term with annual renewal up to three years.

**NOW, THEREFORE, AS MAYOR**, I, Christine Serrano-Glassner do hereby appoint the following individual to serve as the Mendham Borough’s representative to the Mendham TV – Mendham 25 Board for the term indicated:

<u>Name</u>	<u>Term of Office</u>
Nancy Fischbach	03/12/2020 to 12/31/2020 [appointed to a 1-year term with annual renewal up to 3 years]

Dated: March 11, 2020