

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

ORDINANCE #03-2020

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN IN AND BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$790,436 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by The Borough of Mendham, New Jersey, and there is hereby appropriated therefor the sum of \$790,436, to the extent of \$430,000, from moneys available in the Capital Improvement Fund of the Borough, to the extent of \$4,000 from moneys available in the Recreation Trust Fund of the Borough, to the extent of \$31,436, from moneys available in the Open Space Trust Fund of the Borough and, to the extent of \$325,000 from the proceeds of a grant received or to be received or expected to be received from the New Jersey Department of Transportation as a grant-in-aid of financing the improvement of Dean Road.

Section 2. The improvements hereby authorized and the several purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance are as follows: (a) the acquisition by purchase of one (1) asphalt hot box for use by the Department of Public Works of the Borough (\$36,000), two (2) stair chairs for use by the First Aid Squad of the Borough (\$8,000), one (1) jaws of life rescue tool (\$25,000) and one (1) pass device system (\$60,000) for use by the Fire Department of the Borough, and twelve (12) speed signs for use by the Police Department of the Borough (\$12,000); (b) the improvement of various roads in and by the Borough by the resurfacing and paving thereof (\$225,000); (c) the improvement of Dean Road in and by the Borough by the resurfacing and paving thereof (\$389,000, to the extent of \$325,000 from the NJDOT grant); and (d) the upgrade of the playground by the acquisition and installation of new benches and fencing (\$31,436 – from the Open Space Trust Fund), and the acquisition and installation of a new swing set (\$4,000 – from the Recreation Trust Fund), together with for all the aforesaid all equipment, site work, structures, appurtenances, work, materials and other expenses necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

Section 3. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 4. This ordinance shall take effect after publication after final passage as provided by law.

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Introduced: May 26, 2020

Public Hearing: June 10, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

ORDINANCE #04-2020

ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE SANITARY SEWERAGE SYSTEM IN AND BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$62,000 THEREFOR FROM THE SEWER CAPITAL FUND OF THE BOROUGH.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by The Borough of Mendham, New Jersey, and there is hereby appropriated therefor the sum of \$62,000 from moneys available in the Sewer Capital Fund of the Borough.

Section 2. The improvements hereby authorized and the purposes for which said appropriation is made are (a) the upgrade of controls and alarms at the Cosma Place, and Upper and Lower Heather Hill pump stations, (b) the removal of trees and (c) the installation of fencing at the Franklin Road pump station and the landscaping thereof, and together with all studies, designs, surveys, equipment, appurtenances, attachments, work, materials and other expenses necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

Section 3. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 5. This ordinance shall take effect after publication after final passage as provided by law.

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Introduced: May 26, 2020

Public Hearing: June 10, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

ORDINANCE #05-2020

BOND ORDINANCE APPROPRIATING \$390,000, AND AUTHORIZING THE ISSUANCE OF \$370,500 BONDS OR NOTES OF THE BOROUGH, FOR THE ACQUISITION OF EQUIPMENT BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Borough of Mendham, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$390,000 including the aggregate sum of \$19,500, as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$390,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$370,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$370,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase of new and additional equipment for use by the Department of Public Works of the Borough, including one (1) loader, together with all appurtenances, apparatus and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$160,000	\$152,000
(b) Acquisition by purchase of new and additional vehicular equipment for use by the First Aid Squad of the Borough, including one (1) ambulance, together with all equipment, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	<u>230,000</u>	<u>218,500</u>
Totals	<u>\$390,000</u>	<u>\$370,500</u>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a.) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b.) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.1 years.

(c.) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$370,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d.) Amounts not exceeding \$20,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, the acting chief financial officer or the treasurer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of Section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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Introduced: May 26, 2020
Public Hearing: June 10, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #080-2020

RESOLUTION TEMPORARILY MODIFYING CERTAIN OUTDOOR DINING REQUIREMENTS TO ENABLE LOCAL RESTAURANTS TO IMPLEMENT SOCIAL DISTANCING AND FACILITATE SMALL BUSINESS RECOVERY IN LIGHT OF THE COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, recent changes in the economy, including the COVID-19 public health emergency and resulting social distancing requirements, have led the Borough to review its outdoor dining requirements; and

WHEREAS, the Governing Body desires to support the economic recovery of local restaurants and businesses by temporarily modifying certain outdoor dining restrictions so that restaurants are able to serve customers while satisfying social distancing requirements; and

WHEREAS, the Borough Planner and the Borough Attorney has reviewed same and found the temporary modification satisfactory; and

WHEREAS, the Governing Body, after further consultation from the Economic Development Committee, finds it in the best interest of the Borough to temporarily modify certain restrictions.

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

1. "Outdoor dining" standards as defined and set forth in the Borough Code pursuant to Chapter 215, Section 2151B shall remain in effect, except that existing restaurants and eating establishments throughout the Borough may allocate the permitted number of seats, tables and locations for dining to be utilized outdoor seating, under the direction of the Zoning Officer, provided the total number of seats or customers at any one time does not exceed the total permitted restaurant seating capacity previously approved for the restaurant and it does not impede pedestrian and/or traffic circulation or existing parking or encroach upon the public right-of-way.
2. Restaurants may display one temporary sign to notify the public of in-house, take-out as well as outdoor dining options and any restrictions in place due to the COVID-19 public health emergency.
3. Restaurant must continue to follow all rules and regulations of the Health Department and Division of Alcoholic Beverage Control, as well as all applicable local, State and federal laws.
4. This Resolution shall be effective once the State of New Jersey, through the Governor's Office, has issued a modified state of emergency order permitting restaurants to serve customers on premises.
5. This Resolution shall remain in effect through the end of 2020 unless this Resolution is otherwise amended or vacated by the Borough Council.
6. Temporary outdoor dining plans in accordance with this resolution shall require the approval of the Borough Zoning Officer.
7. The Zoning Officer, Chief of Police and Borough Administrator reserve the right to deny the modification of the rules or put in place specific requirements or restrictions in order to protect the health, safety and welfare of the general public. Appeals of such requirements may be filed with the Borough Council.
8. This Resolution does not permit the construction of or alternation to any building or structure. No changes may be made that alter the existing character of any building or structure.
9. This Resolution applies only to establishments already approved to operate as a restaurant as of this Resolution's date of adoption.
10. Except for the relaxation of requirements as specifically authorized by this Resolution, all provisions of Chapter 215, Zoning, of the Borough Code remain in full effect, including but not limited to hours of operation, litter control plan, dishes and utensil requirements, sufficiency of construction of tables and chairs.

This Resolution shall take effect immediately.

Dated: May 26, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #081-2020

RESOLUTION AWARDING NON-FAIR AND OPEN CONTRACT FOR MONITORING WELL TESTING

WHEREAS, the Borough of Mendham requires the services of a certified testing laboratory to perform sampling and testing of monitoring wells located at the Borough’s Sewage Treatment Plant and the site of the former landfill as required by the New Jersey Department of Environmental Protection; and

WHEREAS, in response to a request for quotations the following laboratories submitted a proposal to provide these services, including all sampling and sample transport:

<u>LABORATORY</u>	<u>ANNUAL COST ALL REQUIRED TESTS</u>
ALS Environmental	\$11,373.96
Eurofins QC, LLC	\$12,896.43
E2 Project Management LLC	\$47,511.00

And,

WHEREAS, the quotation submitted by ALS Environmental was the lowest quotation received which met the Borough’s specifications; and

WHEREAS, this contract may be authorized without formal bidding because the annual cost is less than the mandatory bid threshold; and

WHEREAS, funds have been certified as available for this purpose for fiscal year 2020; and

WHEREAS, the balance of the funding for this contract for fiscal year 2021 is subject to and contingent upon appropriation of sufficient funds.

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

1. The contract for performing the required sampling and testing of monitoring wells be and is hereby awarded to ALS Environmental, 301 Fulling Mill Road, Middletown, PA for the period July 1, 2020 through June 30, 2021 at a total cost not to exceed \$11,373.96, with the balance of funding for this contract for fiscal year 2021 subject to and contingent upon appropriation of sufficient funds.
2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

This Resolution shall take effect immediately.

Dated: May 26, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #083-2020

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, Sara Hafemeister previously worked for Borough in 2019 as an administrative assistant intern having done an exemplary job and is qualified for the position and the Borough Administrator has recommended that Sara Hafemeister be hired again 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 May 27, 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 Sara Hafemeister as 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 May 27, 2020.

This Resolution shall take effect immediately.

Dated: May 26, 2020

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #084-2020

RESOLUTION AUTHORIZING THE FORGOING OF INTEREST ON PROPERTY TAX TO STACEY PUZINO

WHEREAS, Stacey Puzino attempted in good faith to pay her 2nd quarter property taxes online; however, technical difficulties precluded the processing of the payment; and

WHEREAS, as a result, \$19.22 in interest was charged to the account for a delinquent payment; and

WHEREAS, the Borough Administrator hereby recommends that the interest in the amount of \$19.22 is cancelled; and

WHEREAS, N.J.S.A. 54:4-99 authorizes the Borough to refund an interest charge where such refund is deemed equitable.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey, that in accordance with N.J.S.A. 54:4-99, the Treasurer will refund the \$19.22 of interest charged to Stacey Puzino due to a late payment; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey, acknowledge that the individual tax account will be decreased as stated above and the Tax Collector will be relieved of collecting same.

<u>ACCOUNT</u>	<u>AMOUNT TO BE REFUNDED</u>
Stacey Puzino 24 Drake Road Mendham, NJ 07945	\$19.22

I hereby certify that the above amount is correct.

Judith O'Brien, Interim Tax Collector

This Resolution shall take effect immediately.

Dated: May 26, 2020