

**MAY 17, 2018
8:00 PM
MEETING OF THE MAYOR AND COUNCIL**

AGENDA

MEETING CALLED TO ORDER

INVOCATION AND FLAG SALUTE

MAYOR'S OPENING STATEMENT:

Notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the Observer Tribune and the Daily Record, and was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

ROLL CALL Mayor Henry
Councilman Andrews
Councilman Badal
Councilwoman Glassner
Councilman Sharkey
Councilman Witczak
Council President Andrus

CONSENT AGENDA ITEMS

1. **MINUTES** – May 3, 2018 Regular Meeting and Executive Session
2. **REQUEST FOR ROAD CLOSURE** – Brennan Reilly - Annual Block Party at Corner of New Street and Main Street – date September 8, 2018 (rain date:9/9/2018)
3. **BANNER REQUEST** –Mendham Borough PBA Local #384 – First Responder Golf Outing - September 4, 2018- September 14th

DISCUSSION ITEMS: None

ACTION TO BE TAKEN:

ORDINANCES

04-2018 Capital Ordinance Providing For Various Improvements or Purposes to be Under-taken in and by the Borough of Mendham, in the County of Morris, New Jersey and Appropriating \$453,000.00 from the Capital Improvement Fund of the Borough

*Introduction/No Public Input/Published in the Daily Record 5/8/2018
2nd Reading/Public Hearing/Final Adoption 5/17//2018*

05-2018 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 \$140,000 Therefor from the Sewer Capital Fund of the Borough

*Introduction/No Public Input/Published in the Daily Record 5/22/2018
2nd Reading/Public Hearing/Final Adoption 6/7//2018*

06-2018 Ordinance of the Borough of Mendham, County of Morris, State of New Jersey, Authorizing Acceptance of a Deed of Conservation Easement in Connection with the Property Designated as Block 2301, Lots 4.01 and 4.03

*Introduction/No Public Input/Published in the Daily Record 5/22/2018
2nd Reading/Public Hearing/Final Adoption 6/7//2018*

RESOLUTIONS

92-2018 Resolution Awarding Non Fair and Open Contract for Monitoring Well Testing

93-2018 Resolution Appointing Humane Law Enforcement Officer

94-2018 Governing Body Certification of the Annual Audit

**MAY 17 2018
8:00 PM
MEETING OF THE MAYOR AND COUNCIL**

AGENDA

- 95-2018** A Resolution Authorizing Execution and Submission of letter Agreement Accepting and Approving Participation in the County Supplemental Funding Initiative for Mendham Municipal Alliance for the Term of January 1, 2018 through December 31, 2018
- 96-2018** Resolution Recognizing Austin J. Fitzpatrick's Appointment to the Mendham Hose Company #1 as a Junior Member
- 97-2018** Resolution Recognizing Ryan J. Euvino's Appointment to the Mendham Hose Company #1 as a Junior Member
- 98-2018** Resolution Recognizing Bruce P. Helliegele's Appointment to the Mendham Hose Company #1 as a Junior Member
- 99-2018** Resolution to Cancel Various Sewer Utility Capital Improvement Ordinances
- 100-2018** Resolution to Hire a Full-time Class 2-Public Works Buildings Maintenance Applicant
- 101-2018** Resolution Authorizing the Issuance of Not Exceeding \$572,436 Bond Anticipation Notes of the Borough of Mendham, in the County of Morris
- 102-2018** A Resolution of the Mayor and Council of the Borough of Mendham, County of Morris and State of New Jersey, Approving the Sanitary Sewer Connection Application of Mendham Bagel & Coffee Café LLC, Regarding the Property Located at 84-86-88 East Main Street, Block 801, Lot 20
- 103-2018** Resolution of the Borough of Mendham, County of Morris, State of New Jersey, Rejecting all Bids for Information Technology Services for 2018 and 2019
- 104-2018** A Resolution Providing for an Executive Session not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act N.J.S.A. 10:4-12b

ADMINISTRATOR'S REPORT

COUNCIL MEMBERS' REPORTS

OLD AND NEW BUSINESS

ATTORNEY'S ITEMS

MAYOR'S ITEMS

PUBLIC COMMENT -AUDIENCE PARTICIPATION

Please stand, approach the microphone, state your name and your address for the record, and briefly state your comments to the Mayor and Borough Council

APPROVAL OF THE VOUCHERS

EXECUTIVE SESSION

ADJOURNMENT

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
92-2018 RESOLUTION**

**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>
Eurofins QC, LLC	\$11,992.00
W.A.T.E.R. Works Laboratory, Inc.	\$12,600.00; and

WHEREAS, the quotation submitted by Eurofins QC, LLC 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 2018; and

WHEREAS, the balance of the funding for this contract for fiscal year 2019 is subject to and contingent upon appropriation of sufficient funds.

NOW, 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 Eurofins QC, LLC, 702 Electronic Drive, Horsham, PA 19044 for the period July 1, 2018 through June 30, 2019 at a total cost not to exceed \$11,992.00, with the balance of funding for this contract for fiscal year 2019 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.
3. This Resolution shall take effect immediately.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May 2018.

Mimi M. Marlor, RMC, Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 93-2018**

RESOLUTION APPOINTING HUMANE LAW ENFORCEMENT OFFICER

WHEREAS, in January 2018, the New Jersey Animal Cruelty Law Enforcement Statute was amended, making animal welfare and animal cruelty investigation the responsibility of the municipality; and

WHEREAS, each municipality must designate a Humane Law Enforcement Officer (HLEO) by May 1, 2018; and

WHEREAS, it is the recommendation of Chief John Camoia to appoint Patrolman Joseph Kennedy as the Borough's Humane Law Enforcement Officer.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Mendham, appoint Patrolman Joseph Kennedy as Mendham Borough's Humane Law Enforcement Officer effective retroactive to May 1, 2018.

I, MARIE M. MARLOR, Municipal Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 94-2018**

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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, the Annual Report of Audit for the fiscal year ended December 31, 2017 has been completed and filed with the Borough of Mendham, County of Morris, New Jersey pursuant to N.J.S.A. 40A: 5A-15, and a copy has been received by each member of the governing body; and

WHEREAS, ILS. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the 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, as a minimum, the sections of the annual audit entitled "General Comments and Recommendations"; and

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

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five 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; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Mendham, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, MARIE M. MARLOR, Municipal Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Mayor and Council of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 95-2018**

**A RESOLUTION AUTHORIZING EXECUTION AND SUBMISSION OF LETTER
AGREEMENT ACCEPTING AND APPROVING PARTICIPATION IN THE COUNTY
SUPPLEMENTAL FUNDING INITIATIVE FOR MENDHAM MUNICIPAL ALLIANCE
FOR THE TERM OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Mendham recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee for addressing these issues; and

WHEREAS, the Borough of Mendham was approved for a Municipal Alliance grant for the fiscal year 2019 grant term; and

WHEREAS, the Borough Council has been approved to receive supplemental funding for the Governor's Council on Alcoholism and Drug Abuse through the County of Morris.

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

1. The Borough Council does hereby authorize execution and submission of the Letter Agreement accepting and approving participation in the County Supplemental Funding Initiative for calendar year 2018 in the amount of \$2,000.00; and
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant and for participation in the County Supplemental Funding Initiative, including the administrative compliance, audit and training requirements.

This Resolution shall take effect immediately.

I, MARIE M. MARLOR, Municipal Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Mayor and Council of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 96-2018**

**RESOLUTION RECOGNIZING AUSTIN J. FITZPATRICK'S APPOINTMENT
TO THE MENDHAM HOSE COMPANY #1 AS A JUNIOR MEMBER**

WHEREAS, application for Junior Membership to the Mendham Independent Hook and Ladder Co., Inc. was made by Austin J. Fitzpatrick; and

WHEREAS, the application form has been accepted by the Chief and his officers for a six month probationary period; and

WHEREAS, upon completion of the probationary period the member will be reviewed and approved for regular membership.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris that Austin J. Fitzpatrick be recognized for his appointment as a Junior Member of the Mendham Independent Hook and Ladder Co., Inc.; and

IT IS FURTHER RESOLVED that a copy of this resolution, executed by the Mayor and attested by the Registered Municipal Clerk be presented to Austin J. Fitzpatrick.

This Resolution shall take effect immediately.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 97-2018**

**RESOLUTION RECOGNIZING RYAN J. EUVINO'S APPOINTMENT TO THE
MENDHAM HOSE COMPANY #1 AS A JUNIOR MEMBER**

WHEREAS, application for Junior Membership to the Mendham Independent Hook and Ladder Co., Inc. was made by Ryan J. Euvino; and

WHEREAS, the application form has been accepted by the Chief and his officers for a six month probationary period; and

WHEREAS, upon completion of the probationary period the member will be reviewed and approved for regular membership.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris that Ryan J. Euvino be recognized for his appointment as a Junior Member of the Mendham Independent Hook and Ladder Co., Inc.; and

IT IS FURTHER RESOLVED that a copy of this resolution, executed by the Mayor and attested by the Registered Municipal Clerk be presented to Ryan J. Euvino.

This Resolution shall take effect immediately.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 98-2018**

**RESOLUTION RECOGNIZING BRUCE P. HELLIEGEL'S APPOINTMENT TO
THE MENDHAM HOSE COMPANY #1 AS A JUNIOR MEMBER**

WHEREAS, application for Junior Membership to the Mendham Independent Hook and Ladder Co., Inc. was made by Bruce P. Helliegel; and

WHEREAS, the application form has been accepted by the Chief and his officers for a six month probationary period; and

WHEREAS, upon completion of the probationary period the member will be reviewed and approved for regular membership.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris that Bruce P. Helliegel be recognized for his appointment as a Junior Member of the Mendham Independent Hook and Ladder Co., Inc.; and

IT IS FURTHER RESOLVED that a copy of this resolution, executed by the Mayor and attested by the Registered Municipal Clerk be presented to Bruce P. Helliegel.

This Resolution shall take effect immediately.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 99-2018**

**RESOLUTION TO CANCEL VARIOUS SEWER UTILITY CAPITAL
IMPROVEMENT ORDINANCES**

WHEREAS, certain sewer utility capital improvement ordinances are complete or no longer needed; and

WHEREAS, the governing body wishes to acknowledge the completion of the capital improvement ordinances and/or that the capital improvement ordinances are no longer needed; and

WHEREAS, the Borough Council of the Borough of Mendham hereby cancels the following funded portion of the ordinances and authorizes the funded portions of the ordinances be returned to the Sewer Capital Fund Balance or the Sewer Capital Improvement Fund as listed below:

- Ordinance #07-08 \$113,580 cancelled to Sewer Capital Fund Balance
- Ordinance #09-09 \$56,705 cancelled to Sewer Capital Fund Balance
- Ordinance #04-10 \$27,890 cancelled to Sewer Capital Improvement Fund
- Ordinance #09-13 \$45,000 cancelled to Sewer Capital Improvement Fund
- Ordinance #05-14 \$70,000 cancelled to Sewer Capital Improvement Fund
- Ordinance #02-17 \$2,701 cancelled to Sewer Capital Improvement Fund

And, in addition, the Borough Council of the Borough of Mendham hereby cancels the unfunded portion of the following ordinances and the associated debt authorized in connection with the ordinances:

- Ordinance #07-08 \$25,000
- Ordinance #09-09 \$389,500

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mendham, County of Morris, State of New Jersey that the above listed sewer capital improvement ordinances be hereby canceled and the funds be returned as delineated above.

This Resolution shall take effect immediately.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 100-2018**

**RESOLUTION TO HIRE A FULL-TIME CLASS 2 – PUBLIC WORKS
BUILDINGS MAINTENANCE APPLICANT**

WHEREAS, the need exists to fill a full-time position in the Department of Public Works; and

WHEREAS, having first interviewed and been satisfied that the applicant has the necessary qualifications required for the position of Buildings Maintenance laborer, Superintendent of Public Works, Jeffery Cooper recommended with concurrence by Administrator Bushman that Joseph B. Fronapfel, be extended a conditional offer to be hired as a Buildings Maintenance DPW employee with the start date of May 21, 2018.

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 following appointment be made as follows:

CLASS 2 PUBLIC WORKS:
Roads/Buildings, Grounds & Parks

Buildings Maintenance
Fronapfel, Joseph B. \$35,000/annually

BE IT FURTHER RESOLVED, this appointment is made with the understanding that there is a one-year probationary period from the effective date of employment. This appointment is subject to the applicant satisfactorily completing all necessary Borough employee requirements including a criminal background check. If such were to be unsatisfactory then this appointment shall be rescinded.

This resolution shall take effect immediately.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 101-2018**

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$572,436
BOND ANTICIPATION NOTES OF THE BOROUGH OF MENDHAM, IN THE
COUNTY OF MORRIS, NEW JERSEY**

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

Section 1. Pursuant to a bond ordinance of the Borough of Mendham, in the County of Morris (the "Borough") entitled: "Bond ordinance appropriating \$1,875,000, and authorizing the issuance of \$1,404,670 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Mendham, in the County of Morris, New Jersey", finally adopted on November 19, 2012 (#13-12), bond anticipation notes of the Borough in a principal amount not exceeding \$572,436 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer 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 and shall be signed and sealed by officials and officers of the Borough in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, 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 N.J.S.A. §40A:2-8. 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. 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 hereunder 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 3. Any note issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 5. All actions heretofore taken by officials and professionals of the Borough relating to the sale of the notes are hereby ratified, confirmed, adopted and approved.

Section 6. This resolution shall take effect immediately.

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 101-2018**

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 102-2018**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
MENDHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY, APPROVING
THE SANITARY SEWER CONNECTION APPLICATION OF MENDHAM BAGEL &
COFFEE CAFÉ LLC, REGARDING THE PROPERTY LOCATED AT 84-86-88 EAST
MAIN STREET, BLOCK 801, LOT 20**

WHEREAS, Mendham Bagel & Coffee Café LLC has applied for a sanitary sewer connection permit in connection with its application to the Mendham Borough Planning Board for a waiver of site plan approval to permit the occupancy of a bagel and coffee shop in space previously occupied by a clothing store in the Mendham Village Shopping Center located at 84-86-88 East Main Street, Block 801, Lot 20; and

WHEREAS, the requested use of the space will result in an increase of 788 gpd in the existing sewerage flow generated by the use of the subject property; and

WHEREAS, there is a fee of \$12,608 to purchase 788 gpd of additional sanitary sewer flow based on the price of \$16 per gallon; and

WHEREAS, the Borough Engineer, Paul Ferriero, P.E., has reviewed the application, and has recommended the approval of the connection; and

WHEREAS, based upon the information submitted by the applicants under date of May 1, 2018, the application meets the requirements of Chapter 168 of the Borough Code.

NOW, 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 aforesaid application be approved, subject to the following conditions of approval: compliance with all applicable subsections of Chapter 168 of the Borough Code and Planning Board approval, if required; and

BE IT FURTHER RESOLVED that the approval of the sanitary sewer connection application is based upon the representations made by the applicant as well as the information contained in the sanitary sewer connection application; and

BE IT FURTHER RESOLVED that the allocation of 788 gpd of additional sanitary sewer flow shall be effective only upon approval from the Planning Board; and

BE IT FURTHER RESOLVED that the approval is conditioned upon all plumbing on the premises to comply with all existing provisions of the Plumbing Code; and

BE IT FURTHER RESOLVED that prior to any occupancy of the facility for the proposed use, the applicant must contact the Borough Plumbing Official to schedule an inspection within thirty (30) days of the Certificate of Occupancy to verify that the compliant fixtures are in place; and

This Resolution shall take effect immediately, but the approval hereby granted shall be subject to revocation if the flow standard as projected is exceeded in actual use or if the Applicant were to violate the applicable sections of the Borough Code.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 103-2018**

**RESOLUTION OF THE BOROUGH OF MENDHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY, REJECTING ALL BIDS FOR
INFORMATION TECHNOLOGY SERVICES FOR 2018 AND 2019**

WHEREAS, the Borough of Mendham (“Borough”) solicited bids for the provision of Information Technology Services for 2018 and 2019; and

WHEREAS, four (4) sealed bids were received and opened on April 27, 2018, in accordance with the advertised date for acceptance of bids; and

WHEREAS, the bids received ranged in price from \$18,000.00 to \$181,486.60 for 2018 and from \$18,000.00 to \$130,000.00 for 2019; and

WHEREAS, the bids received from the lowest bidder, Integrated Micro Systems, Inc. and from Johnston G.P., Inc. have been deemed non responsive because they included pricing for labor only, and did not include pricing for hardware/software; and

WHEREAS, based on the wide discrepancy in bid amounts and the finding that half the bids are non-responsive, the Borough Attorney has concluded that the bid specifications should be revised and clarified to ensure that the bid promotes the vital purpose of competitive bidding, 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 are not being satisfied.

NOW, 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 2018 and 2019 are hereby rejected for the reasons stated in this Resolution.

This Resolution shall take effect immediately.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 17th day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 104-2018**

**A RESOLUTION PROVIDING FOR AN EXECUTIVE SESSION NOT OPEN TO THE
PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF 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 a closed session during a public meeting to discuss certain matters as follows:

(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 has determined that it is necessary to go into a closed session to discuss certain matters relating to items as permitted by N.J.S.A. 10:4-12b.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Mendham that it will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the open public session:

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
RESOLUTION 104-2018**

1. *Matters of public protection* – N.J.S.A 10:4-12b(6)

BE IT FURTHER RESOLVED that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

I, MIMI M. MARLOR, Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing Resolution was duly adopted at the Regular Meeting of the Borough of Mendham, held this 3rd day of May, 2018.

Mimi M. Marlor, RMC, Borough Clerk

ATTEST: _____
Mimi M. Marlor, RMC

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE #4-2018**

**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 \$453,000 THEREFOR FROM THE
CAPITAL IMPROVEMENT 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 \$453,000, from moneys available in the Capital Improvement Fund of the Borough.

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) dump truck and one (1) mason body for use by the Department of Public Works of the Borough (\$113,000), one (1) stretcher and lift for use by the First Aid Squad of the Borough (\$45,000), and self-contained breathing apparatus for use by the Fire Department of the Borough (\$35,000); (b) the improvement of various roads, including Kerby Lane, Heather Hill Way and Muirfield Lane in and by the Borough by the paving thereof (\$210,000); and (c) the upgrade of the municipal tennis courts (\$50,000), 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.

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE #4-2018**

ATTEST:

BOROUGH OF MENDHAM

Mimi M. Marlor, RMC, Borough Clerk

Neil J. Henry, Mayor

CERTIFICATION

The foregoing ordinance was introduced at a regular meeting of the Borough of Mendham Mayor and Council held on the 3rd day of May 2018 and will be considered for final passage and adoption at a meeting to be held on the 17th day of May, 2018 at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, NJ at which time any person interested therein will be given an opportunity to be heard.

Mimi M. Marlor, RMC, Borough Clerk

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE #5-2018**

**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 \$140,000
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 \$140,000 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 undertaking of a copper study relating to discharge of the sewer system's wastewater, (b) the removal of trees and (c) the acquisition by purchase of new and additional equipment including a cutter and computer and monitoring equipment, all for use by the sewer utility of the Borough 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 4. This ordinance shall take effect after publication after final passage as provided by law.

ATTEST:

BOROUGH OF MENDHAM

Mimi M. Marlor, RMC, Borough Clerk

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE #5-2018**

CERTIFICATION

The foregoing ordinance was introduced at a regular meeting of the Borough of Mendham Mayor and Council held on the 17th day of May 2018 and will be considered for final passage and adoption at a meeting to be held on the 7th day of June, 2018 at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, NJ at which time any person interested therein will be given an opportunity to be heard.

Mimi M. Marlor, RMC, Borough Clerk

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE # 06-2018**

**ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF
A DEED OF CONSERVATION EASEMENT IN CONNECTION WITH
THE PROPERTY DESIGNATED AS BLOCK 2301, LOTS 4.01 AND 4.03**

WHEREAS, David Allan Ketchum and Douglas Craig Ketchum (collectively, “Grantors”) are the record owners of certain property designated as Block 2301, Lots 4.01 and 4.03, in the Borough of Mendham (the “Property”), which Property is the subject of an application for development; and

WHEREAS, Grantors wish to grant a Conservation Easement in connection with the Property to the Borough of Mendham (the “Borough”); and

WHEREAS, Grantors and the Borough desire to preserve the Property insofar as reasonably possible and to exercise such reasonable controls over the lands as may be necessary to accomplish this goal, as set forth in the Deed of Conservation Easement; and

WHEREAS, Thomas J. Malman, Esq. has prepared a Deed of Conservation Easement granting to the Borough the Conservation Easement as described in the Deed of Conservation Easement and Schedule A, containing two metes & bonds descriptions, attached hereto; and

WHEREAS, the Borough Engineer has reviewed the legal description of the proposed Deed of Easement and found it be acceptable; and

WHEREAS, the Borough Attorney has reviewed the Deed of Conservation Easement and found it to be acceptable in form; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough to accept the proposed Deed of Conservation Easement.

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

SECTION 1. The Deed of Conservation Easement attached hereto, with David Allan Ketchum and Douglas Craig Ketchum as Grantors and the Borough of Mendham as Grantee, on file in the Office of the Borough Clerk, and being part of Block 2301, Lots 4.01 and 4.03 in the Borough of Mendham, is hereby accepted.

SECTION 2. The Borough Attorney is authorized and directed to receive the executed Deed of Conservation Easement and to record same for the benefit of the Borough of Mendham.

SECTION 3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary

SECTION 5. A copy of the above-referenced documents shall remain on file in the Borough Clerk’s office and available for public inspection.

SECTION 6. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

BOROUGH OF MENDHAM

Mimi M. Marlor, RMC, Borough Clerk

Neil J. Henry, Mayor

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY
ORDINANCE # 06-2018**

CERTIFICATION

The foregoing ordinance was introduced at a regular meeting of the Borough of Mendham Mayor and Council held on the 17th day of May 2018 and will be considered for final passage and adoption at a meeting to be held on the 7th day of June, 2018 at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, NJ at which time any person interested therein will be given an opportunity to be heard.

Mimi M. Marlor, RMC, Borough Clerk



YANNACCONI, VILLA & ALDRICH, LLC

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David A. Smith, PE
Candice J. Davis, PE
John W. Leonard, PLS, PP
Rudolph Holzmann, PE, CME

Metes & Bounds Description Conservation Easement - Lot 4.01 Block 2301 Borough of Mendham, Morris County, New Jersey

Beginning at a monument the beginning point of the sixteenth course of the first tract referred to in a deed from David Allan Ketchum and Douglas Craig Ketchum as co-executors of the estate of Harold A, Ketchum to David Allan Ketchum and Douglas Craig Ketchum recorded in records book 21124 at page 211, said monument also marks the most northerly corner of lot 5.01, and from said point of beginning runs:

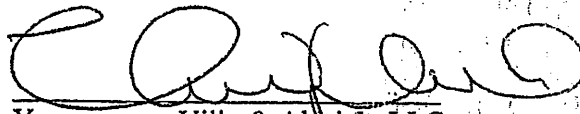
- 1) Along a line dividing said lot 4.01 and lot 5.01, S 26°31'51" W 408.12 feet, thence;
- 2) Continuing along a line dividing said lot 4.01 and lot 5.01, S 24°20'14" W 62.69 feet, thence;
- 3) Along a line dividing said lot 4.01 and lot 5, S 43°28'30" W 59.15 feet, thence;
- 4) Continuing along a line dividing said lot 4.01 and lot 5, S 57°24'30" W 103.55 feet, thence;
- 5) N 06°10'03" E 129.42 feet, thence;
- 6) 78.29 feet along a curve to the right having a radius of 150.00 feet, a central angle of 29°54'23" and a chord bearing N 21°07'15" E 77.41 feet, thence;
- 7) N 36°03'58" E 31.18 feet, thence;
- 8) 148.59 feet along a curve to the right having a radius of 150.01 feet, a central angle of 56°45'14" and a chord bearing N 37°07'07" W 142.59 feet,
- 9) 18.61 feet along a curve to the right having a radius of 150.00 feet, a central angle of 7°06'28" and a chord bearing N 66°19'50" W 18.60 feet, thence;
- 10) N 64°08'30" W 18.90 feet, thence;
- 11) 218.41 feet along a curve to the right having a radius of 150.00 feet, a central angle of 83°25'37" and a chord bearing N 22°44'04" W 199.62 feet, thence;
- 12) N 18°58'45" E 119.94 feet, thence;

- 13) 150.45 feet along a curve to the right having a radius of 150.00 feet, a central angle of $57^{\circ}28'02''$ and a chord bearing $N 47^{\circ}42'46'' E$ 144.22 feet, thence;
- 14) $N 76^{\circ}26'47'' E$ 34.35 feet, thence;
- 15) 118.59 feet along a curve to the right having a radius of 150.00 feet, a central angle of $45^{\circ}17'49''$ and a chord bearing $S 80^{\circ}54'18'' E$ 115.52 feet, thence;
- 16) $N 32^{\circ}04'43'' E$ 16.60 feet, thence;
- 17) $N 19^{\circ}38'08'' E$ 4.68 feet, thence;
- 18) 222.97 feet along a curve to the right having a radius of 150.00 feet, a central angle of $85^{\circ}10'09''$ and a chord bearing $N 30^{\circ}42'12'' W$ 203.00 feet, thence;
- 19) 23.83 feet along a curve to the right having a radius of 150.00 feet, a central angle of $9^{\circ}06'11''$ and a chord bearing $N 32^{\circ}06'51'' W$ 23.81 feet, thence;
- 20) $N 27^{\circ}33'46'' W$ 72.75 feet, thence;
- 21) 126.40 feet along a curve to the right having a radius of 150.00 feet, a central angle of $48^{\circ}16'58''$ and a chord bearing $N 03^{\circ}25'17'' W$ 122.70 feet to a point in a line dividing said lot 4.01 and lot 3, thence;
- 22) Along said dividing line, $N 81^{\circ}36'10'' E$ 287.89 feet, thence;
- 23) 56.60 feet along a curve to the right having a radius of 150.00 feet, a central angle of $21^{\circ}37'12''$ and a chord bearing $S 29^{\circ}55'02'' E$ 56.27 feet, thence;
- 24) $S 19^{\circ}06'26'' E$ 43.23 feet, thence;
- 25) $S 19^{\circ}29'06'' E$ 36.74 feet, thence;
- 26) $S 71^{\circ}17'12'' E$ 30.23 feet, thence;
- 27) 131.75 feet along a curve to the right having a radius of 150.00 feet, a central angle of $50^{\circ}19'24''$ and a chord bearing $S 46^{\circ}07'30'' E$ 127.55 feet, thence;
- 28) $S 20^{\circ}57'48'' E$ 35.26 feet, thence;
- 29) 308.18 feet along a curve to the right having a radius of 150.00 feet, a central angle of $117^{\circ}42'57''$ and a chord bearing $S 37^{\circ}53'40'' W$ 256.77 feet, thence;
- 30) $S 08^{\circ}18'01'' W$ 6.96 feet, thence;
- 31) $S 23^{\circ}30'37'' W$ 33.81 feet, thence;
- 32) $S 08^{\circ}34'02'' W$ 25.71 feet, thence;
- 33) 52.27 feet along a curve to the right having a radius of 105.00 feet, a central angle of $28^{\circ}31'11''$ and a chord bearing $S 37^{\circ}13'36'' W$ 51.73 feet, thence;

- 34) S 57°06'30" W 28.11 feet, thence;
- 35) 25.14 feet along a curve to the right having a radius of 35.00 feet, a central angle of 41°08'54" and a chord bearing S 52°59'20" W 24.60 feet, thence;
- 36) S 48°44'49" W 12.03 feet, thence;
- 37) 36.89 feet along a curve to the left having a radius of 48.00 feet, a central angle of 44°02'21" and a chord bearing S 26°43'38" W 35.99 feet,
- 38) 151.90 feet along a curve to the right having a radius of 150.00 feet, a central angle of 58°01'23" and a chord bearing S 79°36'35" E 145.50 feet, thence;
- 39) S 50°35'54" E 11.58 feet, thence;
- 40) 40.76 feet along a curve to the right having a radius of 150.00 feet, a central angle of 15°34'05" and a chord bearing S 42°48'52" E 40.63 feet to a point in a line dividing said lot 4.01 and lot 5.01, thence;
- 41) Along said dividing line, N 54°48'09" W 60.50 feet to the point and place of beginning.

Containing 8.497 acres as described.

This description was prepared by Yannaccone, Villa & Aldrich, LLC, Chester, New Jersey based on a map entitled "Final Map – Ketchum Property" Lot 4, Block 2301, Borough of Mendham, Morris County, New Jersey dated March 27, 2017.


Yannaccone, Villa & Aldrich, LLC
Christopher J. Aldrich, PLS
N. J. Licensed Land Surveyor # 34478

January 29, 2018

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John W. Leonard, PLS, PP
Rudolph Holzmann, PE, CME

Metes & Bounds Description Conservation Easement - Lot 4.03 Block 2301 Borough of Mendham, Morris County, New Jersey

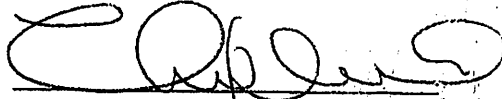
Beginning at a monument at an angle point in the westerly sideline of Horseshoe Bend Road, at the most northerly corner of lot 4, also a corner common to said lot 4, and lots 3.01 and 3.02, and from said point of beginning runs:

The next four courses along said southerly sideline:

- 1) S 42°53'50" E 15.04 feet, thence;
- 2) S 42°53'50" E 297.20 feet, thence;
- 3) S 26°28'50" E 119.80 feet, thence;
- 4) S 24°37'50" E 141.04 feet, thence
- 5) 66.34 feet along a curve to the right having a radius of 150.00 feet , a central angle of 25°20'24" and a chord bearing S 71°40'10" W 65.80 feet, thence;
- 6) S 84°20'22" W 29.28 feet, thence;
- 7) 139.37 feet along a curve to the right having a radius of 150.00 feet , a central angle of 53°14'06" and a chord bearing N 69°02'34" W 134.41 feet, thence;
- 8) 174.18 feet along a curve to the right having a radius of 300.00 feet , a central angle of 33°15'56" and a chord bearing S 88°38'44" W 171.74 feet, thence;
- 9) 263.15 feet along a curve to the right having a radius of 360.38 feet , a central angle of 41°50'13" and a chord bearing N 70°10'12" W 257.34 feet to a point in the line dividing said lot 4.03 and lot 3.02, thence;
- 10) Along a line dividing said lots 4.03 and 3.02, N 42°26'10" E 324.60 feet, thence;
- 11) Continuing along a line dividing said lots 4.03 and 3.02, N 42°36'10" E 143.83 feet to the point and place of beginning.

Containing 3.630 acres as described.

This description was prepared by Yannaccone, Villa & Aldrich, LLC, Chester, New Jersey based on a map entitled "Final Map – Ketchum Property" Lot 4, Block 2301, Borough of Mendham, Morris County, New Jersey dated March 27, 2017.



Yannaccone, Villa & Aldrich, LLC
Christopher J. Aldrich, PLS
N. J. Licensed Land Surveyor # 34478

January 29, 2018

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