

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

PROCLAMATION OF CONDOLENCE

REMEMBERING AND HONORING THE PUBLIC SERVICE OF WALTER B. SMITH, FORMER CHIEF OF POLICE FOR THE BOROUGH OF MENDHAM

WHEREAS, the Mendham Borough community learned of the recent passing of Walter B. Smith, the Borough's first named police chief; and

WHEREAS, the passing of former Chief Walter B. Smith is a loss to the Mendham Borough community, his colleagues, and all who knew him; and

WHEREAS, in the early 1950's Walter B. Smith served the Mendham Borough community as an Assistant Marshal, a time when our small municipality was served by part-time "marshals" who were appointed annually by the Mayor and Council to take care of minor complaints not handled by the New Jersey state troopers; and

WHEREAS, in November 1954, upon the resignation of Marshal Harold C. Brill, Assistant Marshal Walter B. Smith, at the age of 24, was appointed to the post of Chief of Police, becoming Mendham Borough's first police chief; and

WHEREAS, Chief Smith was not only the first and youngest police chief (to date) to serve our community, but was also the first Borough officer to attend the Municipal Police Training Course at the New Jersey State Police Academy in Sea Girt; and

WHEREAS, under Chief Smith's tenure from 1954 to 1957, the Borough purchased its first radio-equipped police patrol car, and he has been credited with ushering in a "modern police force;" and

WHEREAS, during his years of public service, Walter B. Smith touched many lives, both directly and indirectly, based on his dedication to a community that he has so proudly served.

THEREFORE, BE IT PROCLAIMED, by the Mayor and Council of the Borough of Mendham on behalf of the citizens and businesses in Mendham Borough, that we express our heartfelt sympathy and condolences on the passing of our departed colleague and dedicated public servant Chief Walter B. Smith.

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #154-2019

**RESOLUTION AUTHORIZING AN AGREEMENT WITH PROVIDENT BANK
TO PROVIDE AUTOMATED CLEARING HOUSE SERVICES TO THE BOROUGH**

WHEREAS, the Government Electronic Payment Acceptance Act, N.J.S.A. 40A:5-43 et seq., and its implementing regulations, N.J.S.A. 5:30-9.1 et seq., authorize a municipality to establish an electronic funds transfer system to accept payment of certain debts, upon passage of a resolution; and

WHEREAS, Resolution #147-2019 authorizing an electronic funds transfer system in the Borough was adopted by the Borough on October 9, 2019; and

WHEREAS, the Borough wishes to enter into an ACH Origination Agreement (the "Agreement"), attached hereto, with Provident Bank to provide Automated Clearing House services for the Borough at no cost to the Borough or users; and

WHEREAS, pursuant to written communication dated September 18, 2019 from Jessica Cordero, Cash Management Analyst with Provident Bank, attached hereto, Provident Bank has agreed to waive all charges for the services that are referenced in Section 15 of the Agreement; and

WHEREAS, the Borough Administrator, Borough Auditor, and Borough Attorney have reviewed the Agreement and find it to be acceptable.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the ACH Origination Agreement attached hereto.
2. A copy of this Resolution and the Agreement shall be kept on file in the Office of the Borough Clerk for inspection by the public.
3. This Resolution shall take effect immediately.

Dated: October 28, 2019

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #155-2019

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO DOOR BOY LLC
FOR THE FIREHOUSE GARAGE DOORS REPLACEMENT PROJECT**

WHEREAS, the Borough of Mendham bid the Firehouse Garage Doors Replacement Project (the "Project") on July 11, 2019 and received no bids in response; and

WHEREAS, the Borough rebid the Project on August 1, 2019 and received no bids in response; and

WHEREAS, under the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(3), if a bid has been advertised on two occasions and no bids have been received on both occasions in response to the advertisement, any such contract may then be negotiated and awarded upon adoption of a resolution by a two-thirds affirmative vote of the authorized membership of the governing body authorizing such contract; and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(3), the Borough Council adopted Resolution #128-2019 on August 26, 2019, authorizing the negotiation of a contract for the Project; and

WHEREAS, the Borough obtained three proposals for the Project: Door Boy LLC for \$56,001.00, MP Overhead Doors for \$63,250.00, and Durable Door for \$69,995.00; and

WHEREAS, the Administration has determined that the lowest-cost proposal submitted by Door Boy LLC satisfies the best interests of the Borough; and

WHEREAS, the Borough Attorney finds that the proposal from Door Boy LLC and the award of a contract conforms with the requirements of the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the Project.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham as follows:

1. A contract is hereby awarded to Door Boy LLC, in an amount of \$56,001.00, in accordance with its proposal dated September 23, 2019, attached hereto, for performance of the Firehouse Garage Doors Replacement Project.
2. The Mayor and Clerk are hereby authorized and directed to execute the contract with Door Boy, LLC, attached hereto
3. A copy of this Resolution and contract shall be available in the office of the Borough Clerk for inspection by the public.
4. This Resolution shall take effect immediately.

Adopted: October 28, 2019

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #156-2019

**RESOLUTION AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH
JAMES R. WANCHO, P.E. OF PAULUS, SOKOLOWSKI & SARTOR, LCC
TO INCLUDE A NEW JERSEY INFRASTRUCTURE FUNDING PROJECT**

WHEREAS, by Resolution #27-2019 adopted on January 4, 2019, the Borough of Mendham entered into a professional services agreement (the "Agreement") with James R. Wancho, P.E. of Paulus, Sokolowski & Sartor, LLC ("PS&S"), to provide general professional engineering consulting services for the Borough's Water Reclamation Facility for the 2019 calendar year; and

WHEREAS, the Borough has a need for PS&S to provide such services to assist the Borough with obtaining funding for improvements to the Water Reclamation Facility through the New Jersey Infrastructure Bank (the "Project"); and

WHEREAS, the Borough wishes to amend said Agreement to reflect the Project; and

WHEREAS, PS&S has submitted a proposal dated May 21, 2019, attached hereto, to provide the required services at a total cost not to exceed \$26,945, not including expenses, in accordance with the hourly rates set forth in the Agreement; and

WHEREAS, the Chief Financial Officer of the Borough has certified that sufficient 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 services without competitive bidding, and the contract itself, be available for public inspection.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham as follows:

1. The Professional Services Agreement with PS&S dated January 1, 2019, attached hereto, is hereby amended to include the provision of professional engineering services to assist the Borough with obtaining funding for improvements to the Water Reclamation Facility through the New Jersey Infrastructure Bank, at a cost not to exceed \$26,945, not including expenses, in accordance with a proposal dated May 21, 2019 attached hereto.
2. The total fee authorized for this amendment shall not exceed \$26,945, not including expenses, without the prior written approval of the Borough Council.
3. The amendment to the Agreement is made without competitive bidding as a professional services contract 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.
4. Notice of this action shall be published once in the Borough's official newspaper as required by law and a copy of this resolution shall be provided to PS&S and the Chief Financial Officer for their information and guidance.
5. This Resolution shall take effect immediately.

Dated: October 28, 2019

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #157-2019

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF MENDHAM AND THE BOARD OF EDUCATION OF THE BOROUGH OF MENDHAM FOR SNOW REMOVAL, LAWN MOWING AND INFIELD GROOMING THROUGH JUNE 30, 2020

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., permits a local unit of the State to enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Mendham ("Borough") and the Board of Education of the Borough of Mendham ("Board of Education") desire to enter into a Shared Service Agreement (the "Agreement") for the Borough to provide snow removal, lawn mowing and infield grooming at designated Board of Education locations; and

WHEREAS, the Board of Education shall compensate the Borough for the provision of these services in the amounts set forth in the Agreement, attached hereto, which memorializes the terms and conditions agreed upon by the parties.

THEREFORE, BE IT RESOLVED by the Council of the Borough of Mendham as follows:

1. The Mayor and Borough Clerk are hereby authorized to execute the Shared Service Agreement between the Borough and the Board of Education for the Borough to provide snow removal, lawn mowing and infield grooming at designated Board of Education locations through June 30, 2020.
2. A copy of this Resolution and Agreement shall be kept on file in of the office of the Borough Clerk for inspection by the public.
3. Pursuant to N.J.S.A. 40A:65-4(3)b. of the Uniform Shared Services and Consolidation Act, the Borough Clerk shall forward a certified copy of this Resolution and a copy of the fully-executed Agreement and required Shared Services Cover Sheet to the Department of Community Affairs, Division of Local Government Services and a copy shall also be provided to the Board of Education.
4. All other Borough officials and employees are hereby authorized to take all action necessary and appropriate to effectuate the Agreement.
5. This Resolution shall take effect immediately.

Dated: October 28, 2019