

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #001-2022

RESOLUTION ADOPTING THE BY-LAWS OF THE BOROUGH COUNCIL FOR CALENDAR YEAR 2022

WHEREAS, Article X – Adoption and Term, of the By-laws of the Borough Council provide that the By-laws shall be adopted by a resolution of the Council and shall become effective immediately after adoption and shall remain in effect for not longer than December 31st of the calendar year in which the By-laws were adopted.

THEREFORE, BE IT RESOLVED, by the Council of the Borough of Mendham that the By-laws of the Borough Council, attached hereto and made a part of this resolution, are hereby adopted.

[Attachment: By-Laws of the Borough Council]

Dated: January 7, 2022

**BYLAWS OF THE BOROUGH COUNCIL
BOROUGH OF MENDHAM**

January 1, 1976
Revised January 1, 1982
Revised May 21, 2001

Adopted at the January 3, 2020 Reorganization Meeting of the Mayor & Council

ARTICLE I

“Roberts Rules of Order” shall govern the deliberation of the Council.

ARTICLE II – MAYOR

- Section 1. The Mayor shall preside over the deliberations of the Council and shall conduct the meetings thereof. The Mayor shall also participate in the determination of Borough affairs to the extent permitted by Statute. (See R.S. 40A:60-1 et. seq.)
- Section 2. The Mayor shall on all occasions preserve the strictest order and decorum, and shall cause the removal of all persons who interrupt the orderly proceedings of the Council.
- Section 3. When two or more Council Members shall rise at the same time, the Mayor shall name the one entitled to the floor.
- Section 4. The Mayor shall decide all questions of order without debate subject to an appeal to the Council and may call upon the Council for the opinion of the Council, upon any question of order.
- Section 5. The Mayor shall be an ex-officio member of all committees, both standing and special, and shall be informed in advance of all meetings of such committees.
- Section 6. The Mayor shall serve as the liaison between the Governing Body and all Boards, Committees, Agencies or Organizations except as herein assigned to a specific Council Committee for liaison purposes or subsequently assigned by the Mayor.
- Section 7. In the absence of the Mayor, or if unable to perform the duties of the office, the Council President (or, in the Council President’s inability to act, the Council Member having the longest term as such) shall act as Mayor, as provided by Statute. (See R.S. 40A:60-3c)

ARTICLE III - BOROUGH CLERK

- Section 1. The Borough Clerk shall perform the duties as outlined in State Statute and these By-Laws.
- Section 2. The Borough Clerk shall keep the Minutes and Ordinance Books properly and fully indexed and shall perform all the duties usually devolving upon such officer; and in addition, such other duties or services as the Mayor or Council may direct.
- Section 3. Upon the introduction of an Ordinance, the same shall be properly numbered and recorded at length by the Borough Clerk in the Ordinance Book. The assigned number shall appear in the advertisement of such Ordinance.
- Section 4. The Deputy Clerk shall perform duties assigned by the Borough Clerk. In the absence of the Borough Clerk, the Deputy Clerk shall have the authority, responsibility and duties of the Borough Clerk.

ARTICLE IV – MEETINGS

- Section 1. The Council shall hold an annual meeting on the first day of January at twelve o’ clock noon, or during the first seven days of January in any year. (See R.S. 40A:60-3(a))
- Section 2. That at the aforesaid meeting the Council shall fix the time and place for holding regular meetings during the ensuing year, which time and place shall not be changed except in accordance with the requirements of the Open Public Meetings Act.
- Section 3. At the Annual Meeting, the Council will elect one of its members as Council President to serve for the calendar year. (See R.S. 40A:3(b))
- Section 4. The Mayor shall, when necessary, call special meetings of the Council; in case of his neglect or refusal, any four members of the Council may call such meeting at such time and place in such Borough as they may designate, and in all cases of special meetings reasonable advance notice, considered to be of forty-eight hours, except in case of emergency, shall be given in person to all members of the Council, or left at their place of residence. (See R.S. 40A:60-3g)
- Section 5. A quorum shall be as provided by the Revised Statutes of New Jersey, viz: three Council Members and the Mayor, and in the absence of the Mayor, four Council Members. (See R.S. 40A:60-3d)
- Section 6. If no quorum be present at any meeting, those assembled shall have power and are hereby authorized to set a new meeting date, and then adjourn.

- Section 7. The following order of business shall be observed, viz:
1. Call to Order
 2. Invocation and Flag Salute
 3. Open Public Meetings Act Statement
 4. Roll Call
 5. Approval of Minutes
 6. Actions to be Taken (Raffle License Approval, Park Use Requests, Etc.)
 7. Correspondence
 8. Discussion Items
 9. Ordinances – First Reading and Introduction
 10. Ordinances – Second Reading and Public Hearing
 11. Resolutions
 12. Administrator’s Report
 13. Council Reports, Old & New Business
 14. Mayor’s Items
 15. Public Comment
 16. Approval of Vouchers
 17. Executive Session (if necessary)
 18. Adjournment
- Section 8. The aforesaid order of business at any meeting may be changed by a majority vote of the members of the Council present at such meeting.
- Section 9. Except as otherwise required by the Statutes, or specifically provided in these By-Laws, all action of the Council shall be by a majority vote of those present.
- Section 10. Upon demand of one member of the Council, or when ordered by the Mayor, or when directed by Statute, a roll call vote shall be taken and the yeas and nays entered in the Minutes of the meeting.

ARTICLE V – COMMITTEES

- Section 1. The Mayor shall appoint all committees and the Chair thereof, subject to the approval of the Council, and shall be a member ex-officio, of each such committee. In addition, the Mayor shall see that all matters referred to the committees are acted upon and reported promptly. (See R.S. 40A:60-3e)
- Section 2. The following Standing Committees of the Council, consisting of three Council Members each (other than the Mayor, ex-officio) shall be appointed at the Annual Meeting, viz:
- Finance
 - Public Safety
 - Recreation & Parks
 - Personnel
 - Public Works & Utilities
 - Land Use
- Section 3. Each Council Member shall be the Chair of one of the six Standing Committees named in this article, and a Member of two others.
- Section 4. Standing Committees are appointed to expedite and facilitate the work of the Council, but only within statutory limits, as the entire Council is held responsible for any or all of its acts.
- A. A Standing Committee shall:
1. Plan, study, direct, make procurement recommendations within budgetary limitations, and carry on the routine activities for which it has primary responsibility.
 2. Perform such acts as may be assigned to it by the Council.
 3. Report and make recommendations to the Council regarding its responsibilities and activities.
- B. Except as provided above a Standing Committee shall not:
1. Make promises or commitments to anyone, which directly or by inference, bind the Council.
 2. Act in such a manner or make decisions, which set a precedent or violate established Council Policy.
- Section 5. Special Committees may be appointed for purposes other than those included in the duties of the Standing Committees.
- Section 6. In case of death, resignation, removal from office, or incapacity to serve of any Committee Chair, the Mayor shall name the successor Chair, subject to the approval of the Council. The Mayor may, with the approval of a majority of the Council, change existing Committee assignments and/or Chair when it is in the best interests of the Borough to do so.

Section 7. The Chair of each Standing or Special Committee shall be prepared to report to the Mayor and Council at each regular meeting on the principal activities and achievements of his Committee. The Chair shall also prepare and submit in writing to the Mayor, not later than December 1 each year, a suitable annual report if so requested by the Mayor.

ARTICLE VI – DUTIES OF STANDING COMMITTEES OF THE COUNCIL

Section 1. **The Finance Committee** shall have primary responsibility for the following described activities and matters:

- A. The examination and review of all vouchers prior to their submission to the Council for authority to pay the same.
- B. The development of practices and procedures for the following:
 1. The Chief Financial Officer's office
 2. The Tax Collector's office.
 3. The Tax Assessor's office
- C. It shall be the responsibility of the Finance Committee to review and make recommendations regarding the budgets of the departments and functions under its jurisdiction.
- D. Recommend the initiation of foreclosure action, and subsequent recommendation for the disposition of property acquired by the Borough under foreclosure of Tax Title Liens.
- E. With the assistance of the Borough Administrator and the Chief Financial Officer, the coordination of departmental budgets; the preparation of budgetary figures relating to the activities above mentioned; the final preparation, explanation and continuing supervision of the entire Municipal Budget.
- F. The review, revision and all other matters pertaining to insurance coverage, not related to personnel benefits, of the Borough.
- G. It shall also serve as the liaison between the Council and the Registered Municipal Accountants, and with any other body or organization on fiscal matters.
- H. With the assistance of the Borough Administrator and the Chief Financial Officer, coordinate the preparation of the Capital Budget and make appropriate reports to the Division of Local Finance in Trenton.
- I. It shall be the responsibility of the Finance Committee to review and make recommendations to the Borough Council regarding personnel under its jurisdiction, including hiring and salaries.

Section 2. **The Public Safety Committee** shall have primary responsibility for the following described activities and matters:

- A. The development of practices and procedures for the following:
 1. Police activities
 2. Fire activities
 3. Granting of licenses, and the inspection of licensed premises and persons as designated by the Council.
 4. Highway, traffic, all matters relating to existing or proposed street and off-street parking and the regulation thereof, except the construction and maintenance of municipal parking lots.
 5. Review grievances and personnel matters with the Police and Fire Departments and recommend disposition of same to the Borough Council.
- B. It shall be the responsibility of the Public Safety Committee to review and make recommendations to the Borough Council regarding personnel under its jurisdiction, including hiring and salaries.
- C. It shall be the responsibility of the Public Safety Committee to review and make recommendations regarding the budgets of the departments and functions under its jurisdiction.
- D. It shall also serve as the liaison between the Council and Board of Health; the Municipal Court; the Animal Control authority and all organizations or agencies concerned with public juvenile delinquency.

Section 3. **The Recreation & Parks Committee** shall have primary responsibility for the following described activities and matters:

- A. The development of practices and procedures for the following:
 1. Parks/fields maintenance and improvements.

2. Recreation activities conducted at Borough expense or coordinated by the Recreation Committee.
 3. Coordinate parks/fields use and establish schedules in cooperation with the various organizations within the community for the use of these facilities.
- B. It shall be the responsibility of the Recreation & Parks Committee to review and make recommendations to the Borough Council regarding personnel under its jurisdiction, including hiring and salaries.
 - C. It shall be the responsibility of the Recreation and Parks Committee to review and make recommendations regarding the budgets of the departments and functions under its jurisdiction.
 - D. It shall also serve as the liaison between the Borough Council and the following:
 1. Groups that use the Garabrant Center and Carriage House.
 2. Groups that organize Borough celebrations, financed wholly or in part by public funds.

Section 4. **The Public Works & Utilities Committee** shall have primary responsibility for the following described activities and matters:

- A. The development of practices and procedures for the following:
 1. Road construction, improvement, maintenance and cleaning, including street openings.
 2. Construction and maintenance of sidewalks and curbs.
 3. Maintenance of the Phoenix House, Bowers Building, Fire House and all other public buildings, not assigned elsewhere.
 4. Maintenance and operation of the Municipal Garage.
 5. Maintenance of vehicles and other mechanical equipment as assigned.
 6. Maintenance, cleaning, improvement and construction of all municipal parking lots.
 7. Act as Liaison to Regional and Local Boards of Education in regards to maintenance activities performed by the Public Works Department on behalf of the Boards of Education.
 8. Shade tree matters, including leaf and brush collection.
 9. Cutting of grass and weeds on roads and on municipal property as assigned.
 10. Professional staff and consultants who assist with roads, wastewater treatment and related matters.
 11. The Water Reclamation Facility.
- B. It shall be the responsibility of the Public Works and Utilities Committee to review and make recommendations to the Borough Council regarding personnel under its jurisdiction, including hiring and salaries.
- C. It shall be the responsibility of the Public Works and Utilities Committee to review and make recommendations regarding the budgets of the departments and functions under its jurisdiction.
- D. It shall also serve as the liaison between the Council and the State and County Highway Departments, except in traffic matters, which are under the jurisdiction of the Public Safety Committee.
- E. It shall also serve as the liaison between the Council and the various utility corporations operating within the Borough except in matters which are the primary responsibility of other Committees.

Section 5. **The Personnel Committee** shall have primary responsibility for the following described activities and matters:

- A. Recommendations to the Borough Council on development, review and amendments to the Borough's Personnel Policy and pertinent sections of the Borough's Administrative Code dealing with personnel issues.
- B. Recommendations to the Borough Council regarding employee benefits, including but not limited to, hospital insurance, pension and disability plans.
- C. The Personnel Committee shall have the right to review and make recommendations to the Borough Council regarding personnel not under the jurisdiction of any other Standing Committee, including hiring and salaries. These positions include the Borough Administrator, the Borough Clerk, the Construction Code Official and sub code officials and inspectors, the Public Assistance Director, Municipal Court Personnel including the Judge, the Borough Attorney and Engineer.
- D. The Personnel Committee shall be responsible for the overall review of all salary recommendations made by the other Standing Committees to insure uniformity and consistency.

Section 6. **The Land Use Committee** shall have primary responsibility for the following described activities and matters:

- A. Review and updating of all Borough regulations relating to zoning, subdivision control, site plan approval and building codes.
- B. The Chair of the Land Use Committee shall serve as the representative of the Borough Council to the Borough Planning Board and act as liaison between that Board and the Council.
- C. Keep the Borough Council informed on matters affecting Zoning and Planning relating to the Borough, adjacent municipalities and the County and State governments.
- D. It shall be the responsibility of the Land Use Committee to review and make recommendations to the Borough Council regarding personnel under its jurisdiction, including hiring and salaries.
- E. It shall be the responsibility of the Land Use Committee to review and make recommendations regarding the budgets of the departments and functions under its jurisdiction.
- F. It shall also serve as the liaison between the Council and the Construction Code Official, the Zoning Officer, the Open Space Advisory Committee and the Environmental Commission, and any Borough agency or group dealing with historic preservation.

ARTICLE VII - BILLS, CLAIMS AND VOUCHERS

Section 1. All bills or claims against the Borough shall be in writing, fully itemized, and on such forms as the Borough shall provide for that purpose. As required by Statute, they shall be sworn to by the claimant before submission for approval and payment.

- Section 2.
- A. All bills and claims must be supported by a certification of the receipt of the goods or the satisfactory rendering of the services by the responsible person accepting the same on behalf of the Borough, and who may be held accountable therefore. Each such bill or claim shall then be carefully reviewed and checked by, or under the direction of the Borough Official who accomplishes the "Administrative Certificate" on the voucher form.
 - B. The Finance Committee shall examine all vouchers previously reviewed and approved by the appropriate Committee or Committees prior to submitting them to the Council for authorization to pay the same.

- Section 3.
- A. All vouchers recommended for payment shall be presented to the Council by the Borough Clerk at a Regular Meeting unless of an emergency nature, which can be approved at a Special Meeting.
 - B. Authorization to draw the checks and pay the accounts of the approved vouchers shall be by motion of the Council.

Section 4. The corresponding vouchers shall accompany all checks drawn in payment thereof, when the said checks are presented to the Mayor, the Chief Financial Officer or Deputy Treasurer and to the Borough Clerk, for signature.

Section 5. All bills, vouchers and paid checks shall be filed in a safe place and be made available for public inspection whenever requested.

ARTICLE VIII – SEAL

Section 1. The seal of the Borough shall be circular in form and shall contain the following: "The Borough of Mendham, Mendham, N. J. Incorporated, May 15, 1906"

Section 2. The seal shall be in the custody of the Borough Clerk and shall be impressed on all appropriate documents or papers.

ARTICLE IX – AMENDMENTS

- Section 1.
- A. The Mayor or any member of the Council may propose amendments to these By-Laws, at any Regular or Special Meeting.
 - B. The Mayor will then appoint a Special Committee of three members of the Council to consider the proposed amendments.

Section 2. The Special Committee will present its recommendations at a subsequent Regular or Special Meeting of the Council.

Section 3. These By-Laws shall only be altered or amended by a two-thirds vote on a roll call, taken at two successive Regular Meetings or Special Meetings of the Council.

A R T I C L E X - A D O P T I O N A N D T E R M

Section 1. The By-Laws shall be adopted by a resolution of the Council concurred in by a majority of the members of the Council. The By-Laws shall become effective immediately after adoption and shall remain in effect for not longer than December 31st of the calendar year in which the By-Laws were adopted.

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #002-2022
DESIGNATION OF MUNICIPAL HOLIDAYS FOR CALENDAR YEAR 2022

BE IT RESOLVED by the Mayor and Council of the Borough of Mendham that municipal offices will be closed in observance of the following designated municipal holidays for calendar year 2022:

2022 HOLIDAY SCHEDULE

Mendham Borough offices will be closed

Friday	December 31, 2021	New Year's Day (observed)
Monday	February 21, 2022	Presidents' Day
Friday	April 15, 2022	Good Friday
Monday	May 30, 2022	Memorial Day
Monday	July 4, 2022	Independence Day
Monday	September 5, 2022	Labor Day
Monday	October 10, 2022	Columbus Day
Friday	November 11, 2022	Veterans Day
Thursday	November 24, 2022	Thanksgiving Day
Friday	November 25, 2022	Day after Thanksgiving Day
Friday	December 23, 2022	Christmas Day Eve (observed)
Monday	December 26, 2022	Christmas Day (observed)

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #003-2022

**RESOLUTION SETTING THE ANNUAL MEETING SCHEDULE
FOR MAYOR AND COUNCIL MEETINGS FOR CALENDAR YEAR 2022**

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that for calendar year 2022, regular meetings of the Mayor and Council shall be held at 7:00PM, prevailing time unless noted otherwise, at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey on the following dates:

REORGANIZATION MEETING

Friday	January 7	Mendham Firehouse
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ANNUAL MEETING SCHEDULE

Wednesday	January 12
Monday	January 24
Wednesday	February 9
Monday	February 28
Wednesday	March 9
Wednesday	March 23
Wednesday	April 6*
Monday	April 25
Wednesday	May 11
Monday	May 23
Wednesday	June 8
Monday	June 27
Monday	July 25
Monday	August 22
Wednesday	September 14
Wednesday	September 28*
Wednesday	October 19*
Monday	October 24
Wednesday	November 9
Monday	November 28
Wednesday	December 14
Wednesday	December 21*

* Meeting date changed due to holiday or scheduling

And,

BE IT FURTHER RESOLVED, that during a declared state of emergency when meetings of the Mayor and Council are held remotely, the public may attend remotely by Zoom or Teams webinar. Instructions on how to attend a meeting by Zoom or Teams webinar will be posted on the Meetings Schedule webpage in advance of the meeting in accordance with the Open Public Meetings Act.

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

BE IT FURTHER RESOLVED, that in accordance with N.J.S.A. 10:4-18, within 7 days following the annual reorganization meeting the Borough Clerk shall: (i) send a certified copy of this resolution to the two designated official newspapers for publication, (ii) shall provide and maintain for purposes of public inspection the 2022 Annual Meeting Schedule of the Mayor and Council in the Phoenix House (municipal administrative office building), and (iii) shall file a certified copy of this resolution in the office of the Borough Clerk.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #004-2022

RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR CALENDAR YEAR 2022

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-18, provides that at least once each year, within 7 days following the annual reorganization meeting of a public body, the public body shall provide to newspapers, and submit for public inspection throughout the year, a schedule of the regular meetings of the public body to be held during the succeeding year; and

WHEREAS, the Open Public Meetings Act further provides that copies of the Annual Meeting Notice, as well as Special Meetings and Emergency Meetings of the public body shall be transmitted to two (2) official newspapers, posted in a public location, and for a municipality, filed with the Municipal Clerk.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham that the *Star Ledger* and the *Daily Record* are hereby designated as the two (2) newspapers to receive notice of meetings as required by the Open Public Meetings Act; and

BE IT FURTHER RESOLVED that posting of notices for public meetings shall located in the Phoenix House, 2 West Main Street, Mendham, New Jersey; and

BE IT FURTHER RESOLVED that the sum of \$12.00 per year is hereby fixed as the amount to be paid by any person requesting individual notice of meetings as provided in Section 14 of the Open Public Meetings Act.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #005-2022

RESOLUTION AFFIRMING THE POLICY OF THE BOROUGH OF MENDHAM TO TREAT THE PUBLIC, EMPLOYEES, PROSPECTIVE EMPLOYEES, APPOINTEES, VOLUNTEERS AND CONTRACTORS IN A MANNER CONSISTENT WITH ALL APPLICABLE CIVIL RIGHTS LAWS AND REGULATIONS

WHEREAS, it is the policy of Borough of Mendham to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Mendham has determined that certain procedures need to be established to accomplish this policy.

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

1. No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.
2. The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.
3. Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.
4. The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.
5. No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.
6. The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.
7. The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.
8. At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #006-2022

**RESOLUTION AUTHORIZING INTEREST RATE AND PENALTIES ON DELINQUENT PROPERTY TAX
PAYMENTS AND DELINQUENT SEWER UTILITY PAYMENTS FOR CALENDAR YEAR 2022**

WHEREAS, N.J.S.A. 54:4-67 et seq., permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal charges.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham, County of Morris that property taxes shall be due and payable quarterly on February 1st, May 1st, August 1st, and November 1st, unless otherwise authorized by the Council, with a ten-day grace period to include the original due date, after which dates if unpaid shall become delinquent with interest charged as set forth below and reverting back to the due date on any quarterly installment of taxes; and

BE IT FURTHER RESOLVED, that the rate of interest on unpaid taxes shall be eight percent (8%) per annum on the first One Thousand Five Hundred (\$1,500.00) Dollars of delinquency and 18 percent (18%) per annum on any amount of delinquency in excess of One Thousand Five Hundred (\$1,500.00) Dollars to be calculated from the date the tax was payable until the date of actual payment; and

BE IT FURTHER RESOLVED, that the rate of interest on unpaid sewer bills shall be eight percent (8%) per annum to be calculated from the date the bill was payable until the date of actual payment, provided that no interest shall be charged if payment of any bill is made within thirty (30) calendar days following the billing date; and

BE IT FURTHER RESOLVED, that in addition to the interest provided above, on all delinquencies of taxes and municipal charges in excess of Ten Thousand (\$10,000.00) Dollars and which are not paid prior to the end of the fiscal year, the Tax Collector shall also collect a penalty of six percent (6%) of the amount of the delinquency in addition to the interest herein above provided; and

BE IT FURTHER RESOLVED, that the Municipal Clerk provide a certified copy of this resolution to the Tax Collector and to the Sewer Utility Clerk.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #007-2022

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO HOLD A TAX LIEN SALE IN CALENDAR YEAR 2022

WHEREAS, the Tax Collector is responsible for property tax collection in the Borough; and

WHEREAS, N.J.S.A. 54:5-19 directs the Tax Collector to hold a yearly tax sale; and

WHEREAS, N.J.S.A. 54:5-26 permits a maximum fee of \$25.00 per week for up to two mailings of notice of tax sale to property owners within four weeks preceding the date of the tax sale.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, and State of New Jersey that the Tax Collector is hereby authorized to hold a yearly tax sale pursuant to state statute and is authorized to charge a maximum fee of \$25.00 per week for up to two mailings of the notice of tax sale to property owners as permitted by law.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #008-2022

RESOLUTION AUTHORIZING THE CANCELLATION OF PROPERTY TAX OR SEWER UTILITY BALANCES OR DELINQUENCIES IN THE AMOUNT OF \$10.00 OR LESS FOR CALENDAR YEAR 2022

WHEREAS, N.J.S.A. 40A:5-17.1 provides that the governing body of a municipality may adopt a resolution authorizing a municipal employee chosen by the governing body to process, without further action on the part of the governing body, the credit for any property tax or the cancellation of any property tax refund, delinquency, or the charges and fees imposed by the municipality of less than \$10.00.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that the Tax Collector is hereby authorized to process, without any further action on the part of the governing body, a credit for any property tax or the cancellation of any property tax delinquency or other such charges and fees of less than \$10.00; and

BE IT FURTHER RESOLVED, that the Sewer Utility Clerk is hereby authorized to process, without any further action on the part of the governing body any credit for a sewer fee or the cancellation of any sewer fee delinquency of less than \$10.00; and

BE IT FURTHER RESOLVED that the Borough Clerk shall provide a certified copy of this Resolution to the Tax Collector, the Sewer Utility Clerk and to the Chief Financial Officer.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #009-2022

RESOLUTION ADOPTING A CASH MANAGEMENT PLAN FOR CALENDAR YEAR 2022

WHEREAS, the State of New Jersey Local Fiscal Affairs Law, N.J.S.A. 40A:5-14 et seq. requires that municipalities adopt a cash management plan, which is designated to assure to the extent practical investment of local funds in interest bearing accounts and other permitted investments; and

WHEREAS, the governing body is of the opinion that it is in the best interest of the Borough to adopt the Cash Management Plan as set forth in Schedule "A" and annexed hereto, pursuant to the Local Fiscal Affairs Law (N.J.S.A. 40A:5-14).

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham that the Cash Management Plan as set forth in Schedule "A" annexed hereto shall serve as the Cash Management Plan for the Borough of Mendham for the calendar year 2022.

[Attachment: Schedule A - 2022 Cash Management Plan]

Dated: January 7, 2022

**SCHEDULE A
CASH MANAGEMENT PLAN OF THE BOROUGH OF MENDHAM**

STATEMENT OF PURPOSE

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain Public funds of the Borough of Mendham, (the “Borough”) pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments. All investments shall be made on a competitive basis insofar as practicable.

IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough:

C. Current Fund	J. Grant Fund	E. General Capital
E. Other Trust Funds	F. Sewer Operating	E. Sewer Capital
G. Dedicated Trust	C. Escrow Accounts	C.

DESIGNATION OF OFFICIALS OF THE BOROUGH AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Chief Financial Officer of the Borough the “Designated Official” is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan and shall thereafter be relieved of any liability for loss of such moneys due to insolvency or closing of any depository designated by, or the decrease in value of any investment authorized, by the Cash Management Plan. Prior to making any such Deposits or any Permitted Investments, such official of the Borough is directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such official.

DESIGNATION OF DEPOSITORYES.

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- Lakeland Bank
- Peapack-Gladstone Bank
- Provident Bank
- Valley National Bank
- Santander Bank
- PNC Bank
- TD Bank
- Wells Fargo Bank
- Bank of America
- County of Morris Local Government Investment Program
- State of New Jersey Cash Management Fund

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official referred to in Section III above.

DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official of the Borough referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official referred to in Section III above.

- None at this time

AUTHORIZED INVESTMENTS

- A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
 - (2) Government money market mutual funds;
 - (3) Any obligation that a federal agency or federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
 - (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Local Government Services of the Department of Community Affairs for investment by Local Units;
 - (6) Local government investment pools;
 - (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
 - (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
 - (b) the custody of collateral is transferred to a third party;
 - (c) the maturity of the agreement is not more than 30 days;
 - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41);and
 - (e) a master repurchase agreement providing for the custody and security of collateral is executed.
- B. Any investments not purchased and redeemed directly from the issuer, government money market mutual fund, local government investment pool, or the State of New Jersey Cash Management Fund, shall be purchased and redeemed through the use of a national or State bank located within this State or other financial intermediary through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1997, c.93 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec.270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; in which direct investment may be made pursuant to paragraphs (1) and (3) of subsection (a) of this sectionand which has:
 - (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940”, 5 U.S.C. sec.80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.
- (c) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value.

Local Government Investment Pool. An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities. Same as Money Market;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

Any official involved in the designation of depositories or in the authorization for investments as permitted pursuant to section 8 of P.L. 1977, c.396 (C.40A:5-15.1), or any combination of the preceding, or the selection of an entity seeking to sell an investment to the local unit who has a material business or personal relationship with that organization shall disclose that relationship to the governing body of the local unit and to the Local Finance Board or a county or municipal ethics board, as appropriate.

SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Borough or by a third party custodian prior to or upon the release of the Borough's funds.

To assure that all parties with whom the Borough deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official.

REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Borough a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough as Deposit or Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough.

TERM OF PLAN

This Plan shall be in effect from January 1, 2022 to December 31, 2022. The Plan may be amended from time to time by resolution of the governing body. To the extent that any amendment is adopted by the Borough, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #010-2022

**RESOLUTION DESIGNATING MUNICIPAL DEPOSITORIES FOR PUBLIC MONIES AND OTHER FUNDS
COLLECTED BY MENDHAM BOROUGH FOR CALENDAR YEAR 2022**

WHEREAS, N.J.S.A. 40:5-4 provides that the governing body of every municipality shall designate the depository or depositories wherein all public monies and other funds of such municipality shall be kept.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, Morris County that the Tax Collector and Chief Financial Officer shall cause all monies of the Borough and other funds in their custody to be deposited in one or more of the following banks:

- Lakeland Bank
- Peapack-Gladstone Bank
- Provident Bank
- Valley National Bank
- Santander Bank
- PNC Bank
- TD Bank
- Wells Fargo Bank
- Bank of America

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #011-2022

**RESOLUTION DESIGNATING VOUCHER AND CHECK SIGNATURE AUTHORIZATIONS
FOR THE BOROUGH OF MENDHAM FOR CALENDAR YEAR 2022**

BE IT RESOLVED by the Council of the Borough of Mendham, in the County of Morris that the following officers and employees are hereby authorized to sign purchase vouchers on behalf of Mendham Borough:

1. Borough Administrator
2. Chief Financial Officer
3. Department Heads

And,

BE IT FURTHER RESOLVED that the following officers and employees are hereby authorized to sign checks on behalf of Mendham Borough:

1. Mayor
2. Council President
3. Borough Administrator
4. Chief Financial Officer
5. Deputy Treasurer

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #012-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT
COMPETITIVE BIDDING TO DORSEY AND SEMRAU LLC FOR MUNICIPAL ATTORNEY SERVICES**

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

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

WHEREAS, Dorsey & Semrau, LLC has submitted a proposal indicating that they will provide the Municipal Attorney services in an amount projected to exceed \$17,500.00; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Fred Semrau; and

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

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

1. The Borough Council hereby authorizes the execution by the Mayor and Borough Clerk of a professional services agreement with Fred Semrau of Dorsey & Semrau, LLC of Boonton, New Jersey as Municipal Attorney for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #013-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO NISIVOCIA LLP
FOR MUNICIPAL AUDITING AND CONSULTING SERVICES**

WHEREAS, the Borough of Mendham has a need to acquire professional Municipal Auditing and Consulting services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Nisivoccia, LLP has submitted a proposal indicating that they will provide such services in an amount projected to exceed \$17,500; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Francis J. Jones of Nisivoccia, LLP; and

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

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

1. The Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with Francis J. Jones of Nisivoccia, LLP, Mount Arlington, New Jersey as Municipal Auditor for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #014-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO FERRIERO ENGINEERING, INC.
FOR MUNICIPAL ENGINEERING SERVICES**

WHEREAS, the Borough of Mendham has a need to acquire professional Municipal Engineering services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and

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

WHEREAS, Ferriero Engineering, Inc. has submitted a proposal indicating that they will provide the Municipal Engineering services in an amount projected to exceed \$17,500; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Paul Ferriero of Ferriero Engineering, Inc.; and

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

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

1. The Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with Paul Ferriero of Ferriero Engineering, Inc., Chester, New Jersey as Municipal Engineer for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #015-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO JAMES R. WANCHO OF PAULUS, SOKOLOWSKI AND SARTOR, LLC
FOR CONSULTING ENGINEERING SERVICES FOR THE WATER RECLAMATION FACILITY**

WHEREAS, the Borough of Mendham has a need to acquire professional consulting engineering services for the Water Reclamation Facility without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and

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

WHEREAS, Paulus, Sokolowski, and Sartor, LLC has submitted a proposal indicating that they will provide professional consulting engineering services for the Water Reclamation Facility in an amount projected to exceed \$17,500.00; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to James Wancho of Paulus, Sokolowski, and Sartor, LLC; and

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

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

1. The Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with Paulus, Sokolowski, and Sartor, LLC, of Warren, New Jersey for professional consulting engineering services for the Water Reclamation Facility for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #016-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO CLEARY, GIACOBBE, ALFIERI, JACOBS LLC
FOR MUNICIPAL LABOR ATTORNEY SERVICES**

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

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

WHEREAS, Cleary, Giacobbe, Alfieri, Jacobs, LLC has submitted a proposal indicating that they will provide the Municipal Labor Attorney services in an amount projected to exceed \$17,500.00; and

WHEREAS, Matthew Giacobbe of Cleary, Giacobbe, Alfieri, Jacobs, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Cleary, Giacobbe, Alfieri, Jacobs, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Mendham in the previous one year, and that the contract will prohibit Cleary, Giacobbe, Alfieri, Jacobs, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Matthew Giacobbe of Cleary, Giacobbe, Alfieri, Jacobs, LLC; and

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

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

1. The Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with Matthew Giacobbe of Cleary, Giacobbe, Alfieri, Jacobs, LLC, Oakland, New Jersey as Labor Attorney for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #017-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO HAWKINS, DELAFIELD AND WOOD, LLC
FOR MUNICIPAL BOND COUNSEL SERVICES**

WHEREAS, the Borough of Mendham has a need to acquire professional Municipal Bond Counsel services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and

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

WHEREAS, Hawkins, Delafield & Wood, LLC has submitted a proposal indicating that they will provide the Municipal Bond Counsel services in an amount projected not to exceed \$17,500.00; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Robert H. Beinfield of Hawkins, Delafield & Wood, LLC; and

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

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

1. The Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with Robert H. Beinfield of Hawkins, Delafield & Wood, LLC, Newark, New Jersey as Bond Counsel for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #018-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO SKYLANDS RISK MANAGEMENT, INC.
FOR MUNICIPAL RISK MANAGEMENT SERVICES**

WHEREAS, the Borough of Mendham has a need to acquire professional Municipal Risk Management services without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and

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

WHEREAS, Skylands Risk Management, Inc. has submitted a proposal indicating that they will provide Municipal Risk Management services in an amount projected not to exceed \$17,500.00; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Skylands Risk Management, Inc.; and

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

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

1. The Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with Skylands Risk Management, Inc., of Newton, New Jersey for Municipal Risk Management services for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #019-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO J. CALDWELL & ASSOCIATES, LLC
FOR MUNICIPAL PLANNER SERVICES**

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

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

WHEREAS, J. Caldwell & Associates, LLC has submitted a proposal indicating that it will provide Municipal Planning services in an amount projected to exceed \$17,500.00; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to J. Caldwell & Associates, LLC; and

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

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

1. The Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with J. Caldwell & Associates, LLC, of Newton, New Jersey for Municipal Planning Services for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #020-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO STORMWATER COMPLIANCE SOLUTIONS, LLC
FOR NJDEP STORMWATER PERMITTING COMPLIANCE CONSULTING SERVICES**

WHEREAS, the Borough of Mendham has a need to acquire professional consulting services for NJDEP stormwater permitting compliance without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Stormwater Compliance Solutions, LLC has submitted a proposal indicating that they will provide professional consulting engineering services for the NJDEP Stormwater Permitting Compliance in an amount projected not to exceed \$17,500.00; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Stormwater Compliance Solutions, LLC; and

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

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

1. The Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with Stormwater Compliance Solutions, LLC, of Chester, New Jersey for professional consulting services for NJDEP stormwater permitting compliance for the year 2022.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as herein referenced.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #021-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO MOREHOUSE ENGINEERING, INC.
FOR GENERAL SUPPORT OF THE SCADA SYSTEM FOR THE WATER RECLAMATION FACILITY**

WHEREAS, the Borough of Mendham has a need to acquire professional engineering services in connection with Electrical, Control and Instrumentation Systems General Support of the SCADA system for the Water Reclamation Facility, without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Morehouse Engineering, Inc. has submitted a proposal indicating that they will provide Engineering services in an amount projected not to exceed \$17,500; and

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Morehouse Engineering, Inc.; 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 Borough Council hereby awards and authorizes the Mayor and Borough Clerk to execute an agreement with Morehouse Engineering, Inc. to provide professional engineering services in connection with Electrical, Control and Instrumentation Systems General Support of the SCADA system for the Water Reclamation Facility at a cost not to exceed \$10,000.00, in accordance with its proposal.
2. The contract is awarded 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.
3. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution Council.
4. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
5. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2021

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #022-2022

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO PAULUS, SOKOLOWSKI & SARTOR, LLC
FOR INTERIM S-3 LICENSED WASTEWATER TREATMENT OPERATOR SERVICES AND C-2 LICENSED
COLLECTION SYSTEM OPERATOR SERVICES AT THE BOROUGH'S WATER RECLAMATION FACILITY**

WHEREAS, the Borough of Mendham has a need to acquire interim professional services for a S-3 Licensed Wastewater Operator and C-2 Licensed Collection System Operator at the Borough's Water Reclamation Facility without competitive bidding pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Paulus, Sokolowski and Sartor, LLC ("PS&S") LLC has submitted a proposal indicating that they will provide services in an amount projected to exceed \$17,500.

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

WHEREAS, the Mayor and Council of the Borough of Mendham desire to award the contract to Paulus, Sokolowski and Sartor, LLC ("PS&S"); 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 Borough Council hereby authorizes execution by the Mayor and Borough Clerk of a professional services agreement with PS&S to provide interim professional services for a S-3 Licensed Wastewater Operator and C-2 Licensed Collections System Operator at the Borough's Water Reclamation for the year 2022.
2. The interim professional services for a S-3 Licensed Wastewater & C-2 Licensed Collection System Operator shall be at a cost not exceed \$12,500 per month without the prior written approval of the Borough Council.
3. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
4. The Business Entity Disclosure Certification, and the Determination of Value shall be placed on file with this resolution.
5. This Resolution is subject to the Chief Financial Officer certifying to the availability of funds in the amount as set forth in N.J.A.C. 5:30-5.5.
6. A Notice of this action shall be published once in the official newspaper as required by law.

This Resolution shall take effect as provided herein.

Dated: January 7, 2022