

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #036-2023

RESOLUTION REQUESTING PERMISSION FROM THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER ACCOUNT FOR POLICE DEPARTMENT DONATIONS PURSUANT TO N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 allows municipalities to receive donations, bequests and legacies designated for a Police Department; and

WHEREAS, the Borough of Mendham Police Department has received a donation in the amount of \$5,000.00 from the Cedar Street Charitable Foundation, as recommended by Frank & Marisa Martire of Ponte Vedra Beach, Florida; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the bequest by are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement; and

WHEREAS, this resolution has been reviewed by the Safety Committee and Borough Auditor.

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

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to establish a dedicated rider account pursuant to N.J.S.A. 40A:4039 for an account entitled "Police Donations Rider."
2. The Borough Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

This resolution shall take effect immediately.

Dated: January 18, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #037-2023

RESOLUTION AUTHORIZING ACCEPTANCE OF A \$5,0000 DONATION FROM THE CEDAR STREET CHARITABLE FOUNDATION TO THE BOROUGH POLICE DEPARTMENT

WHEREAS, pursuant to N.J.S.A. 40A:12-5 and N.J.S.A. 40A:5-29, municipalities may receive donations, bequests and legacies; and

WHEREAS, the Borough of Mendham Police Department has received a donation in the amount of \$5,000.00 from the Cedar Street Charitable Foundation, as recommended by Frank & Marisa Martire of Ponte Vedra Beach, Florida; and

WHEREAS, the Borough wishes to accept the donation and thank the Martires for their generous gift.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Mendham, County of Morris, State of New Jersey, that the Borough Council does hereby accept a donation in the amount of \$5,000 from the Cedar Street Charitable Foundation to the Borough Police Department.

This resolution shall take effect immediately.

Dated: January 18, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #038-2023

RESOLUTION AUTHORIZING THE REFUND OF A TAX LIEN FOR 2021 DELINQUENT SEWER CHARGES FOR PROPERTY LOCATED AT 22 W. MAIN STREET, BLOCK 1903, LOT 7

WHEREAS, property located at 22 W. Main Street, Block 1903, Lot 7 was subject to Tax Sale on November 30, 2022 for delinquent 2021 sewer charges; and

WHEREAS, the tax sale lien on the property was sold to Pro Cap 8 FBO Firsttrust Bank; and

WHEREAS, Dovenmuehle Mortgage has a legal interest in the property and paid the tax sale lien for the delinquent 2021 sewer charges; and

WHEREAS, a refund to the third party lienholder is due; and

WHEREAS, the Tax Collector of Borough of Mendham has calculated the amount necessary to refund the lienholder is \$1,117.34; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that the Treasurer is authorized to issue a check in the amount of \$1,117.34 to refund the tax sale lienholder for property located at 22 W. Main Street, Block 1903, Lot 7, as follows:

<u>LIENHOLDER</u>	<u>AMOUNT TO BE REFUNDED</u>	
Pro Cap 8 FBO Firsttrust Bank	\$1,017.34	Amount of the Lien
PO Box 774	<u>\$ 100.00</u>	<u>Amount of Premium</u>
Fort Washington, PA 19034-0774	\$1,117.34	Grand Total

This resolution shall take effect immediately.

Dated: January 18, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #039-2023

**RESOLUTION AUTHORIZING THE REFUND OF AN APPLICATION FEE FOR
BLOCK 1501, LOT 34, 14 HILLTOP ROAD, SERVICE PROFESSIONALS INC.**

WHEREAS, the Borough of Mendham has collected from the below listed application fee;
and

WHEREAS, after it was determined that the work to be performed did not require approval by the Historic Preservation Commission; and

WHEREAS, the Historic Preservation Secretary has reviewed the status of this payment and has recommended that the monies be returned in full; and

WHEREAS, the amount will be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mendham that the following be refunded to the below listed applicant:

BLOCK	LOT	REFUND TO	AMOUNT
1501	34	Service Professionals Inc.	\$95.00

BE IT FURTHER RESOLVED that the Municipal Finance Officer of the Borough of Mendham is hereby authorized and directed to prepare a refund for the above named.

This resolution shall take effect immediately.

Dated: January 18, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #040-2023

RESOLUTION AUTHORIZING A PLACE-TO-PLACE TRANSFER – EXPANSION OF PREMISES AND CHANGE OF CORPORATE STRUCTURE FOR LIQUOR LICENSE #1418-44-002-004, JIYA & KIRTAN, LLC, VILLAGE WINE & LIQUORS

WHEREAS, an application has been filed for a Place-to-Place Transfer – Expansion of Premises and Change of Corporate Structure of Plenary Retail Distribution License #1418-44-002-004, Village Wine & Liquors for the purpose of expanding the premises and adding a partner; and

WHEREAS, the Mendham Borough Police Department has completed fingerprinting and background investigations for the new partner who will have an interest in the Liquor License; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current 2022 – 2023 license term.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Mendham, County of Morris, State of New Jersey, does hereby approve, the Place-to-Place Transfer – Expansion of Premises and Change of Corporate Structure of Plenary Retail Distribution License #1418-44-002-004, Village Wine & Liquors located at 88 E. Main Street, Mendham, New Jersey.

BE IT FURTHER RESOLVED, that the Borough Clerk shall file a certified copy of this Resolution with the Director of the Division of Alcoholic Beverage Control.

This resolution shall take effect immediately.

Dated: January 18, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #041-2023

**RESOLUTION AMENDING FIVE-YEAR CONTRACT WITH BLUE DIAMOND DISPOSAL, INC.
FOR CURBSIDE COLLECTION AND DISPOSAL OF RECYCLABLE MATERIAL AND BULK WASTE
(TYPE 13) TO AUTHORIZE \$5.00/TON TIPPING FEE INCREASE AS REQUIRED BY LAW**

WHEREAS, on January 13, 2021 the Borough of Mendham awarded a five-year contract to Blue Diamond Disposal, Inc. (“Blue Diamond”) for the collection and disposal of Recyclable Material and Bulk Waste (Type 13) beginning February 1, 2021, in accordance with the Local Public Contracts Law and Solid Waste Utility Regulations; and

WHEREAS, on January 12, 2023, the Borough received a letter from Blue Diamond advising that due to a \$5.00 per ton tipping fee increase authorized by resolution of the Morris County Municipal Utilities Authority (“MCMUA”) effective January 1, 2023, Blue Diamond would need to pass along the County increase to the Borough; and

WHEREAS, N.J.A.C. 7:26H-6.77(h)211 mandates that all municipal solid waste contracts provide for modification to the such contracts due to an increase or decrease in solid waste costs resulting from lawful increases or decreases in the rates, fees, or charges imposed on the disposal of solid waste at the facility utilized by the person to whom the contract is awarded; and

WHEREAS, in accordance with law, the Borough must amend the contract with Blue Diamond to authorize an increase of \$5.00 per ton tipping fee retroactive to January 1, 2023; and

WHEREAS, the Borough’s Chief Financial Officer has certified that sufficient funds are available for this contract.

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 five-year contract with Blue Diamond Blue Diamond Disposal, Inc. for the curbside collection and disposal of single-stream Recycling Material and Bulk Waste (Type 13) for the period of February 1, 2021 through January 31, 2026 is attached hereto and incorporated herein.
2. The Borough hereby amends the contract to include an increase of \$5.00/ton tipping fee for the period of January 1, 2023 (the effective date of the MCMUA increase) through January 31, 2026.

3. This Resolution shall be available for public inspection in the office of the Borough Clerk.

This Resolution shall take effect immediately.

Dated: January 18, 2023