

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #051-2023

**RESOLUTION APPOINTING HOUSING PARTNERSHIP AS ADMINISTRATIVE AGENT FOR
AFFORDABLE HOUSING AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
WITHOUT COMPETITIVE BIDDING WITH SAME**

WHEREAS, the Borough of Mendham’s Housing Element and Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), and applicable Council on Affordable Housing (“COAH”) and Uniform Housing Affordability Controls (“UHAC”) regulations; and

WHEREAS, the Borough is required to appoint an Administrative Agent to perform duties set forth in the applicable UHAC regulations, including those related to affirmative marketing, household certification, affordability controls, resales and re-rentals, processing requests from unit owners, and enforcement, and other applicable provisions of the Borough Code; and

WHEREAS, the Borough wishes to appoint the Housing Partnership of Dover, New Jersey to provide such services, in accordance with its proposal and Professional Services Agreement attached hereto as Exhibit A; and

WHEREAS, the Borough Administration, Borough Planner and Borough Attorney have reviewed the proposal and Professional Services Agreement and find them acceptable; and

WHEREAS, the Borough’s Chief Financial Officer 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.

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

1. The Borough hereby awards and authorizes the Mayor and Borough Clerk to execute an agreement with the Housing Partnership to provide professional Administrative Agent services for affordable housing in accordance with, and at rates not to exceed those set forth in, its proposal and Professional Services Agreement attached hereto.
2. The contract is awarded without competitive bidding as a professional service

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 fees authorized for this contract shall not exceed those set forth in the attached proposal and Professional Services Agreement, effective February 11, 2023, through February 10, 2024, without the prior written approval of the Borough Council.
4. Notice of this action shall be published once in the Borough's official newspaper as required by law.
5. A copy of this resolution shall be provided to the Borough's Chief Financial Officer and to the Housing Partnership, 2 East Blackwell Street, Suite 12, Dover, NJ 07801, for their information and guidance.

This resolution shall take effect immediately.

Dated: February 21, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #052-2023

**RESOLUTION AUTHORIZING PAYMENT OF FREIGHT CHARGES IN THE AMOUNT OF \$1,239.43
TO DAVE HEINER ASSOCIATES, INC. IN CONNECTION WITH THE PURCHASE OF A
PULSAFEEDER 2 PUMP SKID SYSTEM**

WHEREAS, on August 22, 2022, the Mayor and Council of the Borough of Mendham adopted Resolution #110-2022 authorizing a contract with Dave Heiner Associates, Inc. for the purchase of a Pulsafeeder 2 Pump skid system in the amount of \$37,207.00, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, at the time of contract the system ship date was unknown, and because freight amounts were fluctuating, the parties agreed that the product would be shipped “Best Way FOB Factory”; and

WHEREAS, the system shipped on January 31, 2023 and has been received by the Borough in satisfactory condition; and

WHEREAS, per the attached invoice, the freight amount due is \$1,239.43; and

WHEREAS, the Chief Financial Officer has certified that funds are currently available for the purpose of awarding this contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that they hereby authorize the payment of freight charges in the amount of \$1,239.43 to Dave Heiner Associates, Inc. in connection with the purchase of a Pulsafeeder 2 pump skid system received by the Borough, per the Invoice and Purchase Order attached hereto and incorporated herein.

This Resolution shall take effect immediately.

Dated: February 21, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #053-2023

**RESOLUTION AUTHORIZING DRIVEWAY ACCESS MODIFICATION IN CONNECTION
WITH 13 EAST MAIN STREET (BLOCK 1501, LOT 5)**

WHEREAS, Rick Weijlard, Jr. is the owner (the “Owner”) of the property located at 13 East Main Street (Block 1501, Lot 5) (the “Property”); and

WHEREAS, the Property’s previous owner received certain land use approvals that resulted in the then-owner conveying an access easement to the Borough, which easement permits ingress and egress via a driveway connecting Route 24 to the municipal parking lot behind the Property; and

WHEREAS, the Owner has applied to the Borough’s Joint Land Use Board (JLUB) to convert some existing commercial space on the Property to residential space; and

WHEREAS, because the Property is located on a County road, the Morris County Planning Board had jurisdiction to review the application, which it approved conditioned upon the driveway from Route 24 to the municipal parking lot being limited to one-way ingress because of its width; and

WHEREAS, the JLUB provided approvals subject to the ingress-only limitation imposed by the Morris County Planning Board and directed the Owner to secure confirmation from the Borough Council that this restriction is acceptable; and

WHEREAS, the Borough Council discussed the request at the February 8, 2023 public meeting and authorized the ingress-only limitation for this specific application only, with no changes to be made to the original access Easement Agreement.

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

1. The Borough does hereby authorize modifying access of the driveway from Route 24 to the municipal parking lot behind 13 East Main Street (Block 1501, Lot 5) to ingress only for the limited purpose of the specific application referenced herein.
2. The Borough reserves the right to amend this modification in the future.
3. There shall be no changes made to the original access Easement Agreement.

This resolution shall take effect immediately.

Dated: February 21, 2023