

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #110-2023

**RESOLUTION APPOINTING MARILYN ALTHOFF TO THE MENDHAM BOROUGH COUNCIL FOR
AN UNEXPIRED TERM ENDING DECEMBER 31, 2023**

WHEREAS, on July 24, 2023, the Mayor and Borough Council accepted the resignation of Brad Badal; and

WHEREAS, Mr. Badal's term of office commenced on January 1, 2021, and expires on December 31, 2023; and

WHEREAS, pursuant to N.J.S.A. 40A:16-1 et seq., and Section 4-18 of the Borough Code, the Mayor and Council may fill the vacant Council seat for its unexpired term; and

WHEREAS, in accordance with the referenced citation, the Morris County Committee has submitted to the Borough three names for consideration to fill the vacancy; and

WHEREAS, the Mayor and Council desire to appoint Marilyn Althoff to the Borough Council for the unexpired term ending December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, County of Morris, State of New Jersey, that Marilyn Althoff is hereby appointed as a Borough Council member for the unexpired term ending December 31, 2023.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #111-2023

RESOLUTION AUTHORIZING A FIVE-YEAR AGREEMENT BETWEEN PASSAIC VALLEY SEWERAGE COMMISSION AND THE BOROUGH OF MENDHAM FOR THE TREATMENT AND DISPOSAL OF WASTE AND OTHER RELATED MATTERS

WHEREAS, the Borough of Mendham and its operation of its sanitary sewer system requires the need to dispose of certain waste; and

WHEREAS, Passaic Valley Sewerage Commission, public entity, has proposed a five (5) year agreement with a rate commencing at \$51.00 per thousand gallons to provide such services; and

WHEREAS, it is estimated that the total cost of such services on an annual basis will not exceed \$150,000.00; and

WHEREAS, the award of this contract would be permitted under the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(2), as the Passaic Valley Sewerage Commission is a public agency; and

WHEREAS, the Superintendent of Water Reclamation Facility hereby recommend that the Council enter into an agreement with the Passaic Valley Sewerage Commission.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris, and State of New Jersey, hereby authorized to enter into an agreement with the Passaic Valley Sewerage Commission for the disposal of waste and other related matters.

BE IT FURTHER RESOLVED that a copy of this agreement is on file in the Borough Clerk's office and the administration is hereby authorized to take any and all necessary action to effectuate the terms of this agreement.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #112-2023

RESOLUTION AUTHORIZING THE 2023 SEWER CAPITAL IMPROVEMENT PROJECT PURCHASE OF CONFINED SPACE ENTRY EQUIPMENT FROM USA BLUEBOOK ON A 'NON-FAIR AND OPEN' BASIS PURSUANT TO THE 'PAY-TO-PLAY' LAW

WHEREAS, the Borough of Mendham has a need to acquire various confined space entry equipment on a 'non-fair and open' contract pursuant to the provision of the New Jersey Local Unit Pay-To-Play Law, P.L. 2004, Chapter 19 (as amended by P.L. 2005, Chapter 51), N.J.S.A. 19:44A20.4 et seq.; and

WHEREAS, the Borough solicited and received quotes from interested providers; and

WHEREAS, the Borough desires to award the quote from USA Bluebook dated June 23, 2023, in the amount of \$21,363.50, attached hereto and made part of this resolution; and

WHEREAS, USA BlueBook has completed and submitted a Business Entity Disclosure Certification and has not made any reportable contributions in the previous one year, and that the contract prohibits USA BlueBook from making any reportable contributions through the term of the contract; and

WHEREAS, the purchase was approved as part of Ordinance #06-2023 for General Capital Improvements; and

WHEREAS, the Chief Financial Officer has certified that funds are currently available for the purpose; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham hereby authorizes the purchase of various confined space entry equipment from USA BlueBook as provided in the herein referenced pricing quote, in the amount not to exceed \$21,363.50; and

BE IT FURTHER RESOLVED, all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of the resolution.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #113-2023

**RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME LABORER/SEASONAL EMPLOYEE AT
THE WATER RECLAMATION FACILITY**

WHEREAS, the Borough of Mendham has a need to hire Part-Time Laborer/Seasonal Employee at the Water Reclamation Facility; and

WHEREAS, the Superintendent of the Water Reclamation Facility has recommended that Jack Paino be hired as a Part-Time Laborer/Seasonal Employee at the Water Reclamation Facility at the pay rate of \$15.00 per hour, with no other benefits, and with an effective starting date of July 5, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that they hereby approve and authorize the hiring of Jack Paino as a Part-Time Laborer/Seasonal Employee at the Water Reclamation Facility at the pay rate of \$15.00 per hour, with no other benefits, and with an effective starting date of July 5, 2023.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #114-2023

**RESOLUTION AUTHORIZING ACCEPTANCE OF A \$2,500 DONATION FROM THE IRENE FAMILY
IN MEMORY OF ANNE IRENE TO THE BOROUGH OF MENDHAM 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 has established a Dedicated Trust by Rider Account for Police Department donations; and

WHEREAS, the Borough of Mendham Police Department has received a generous donation from the Irene Family in memory of Anne Irene beloved Mother and Wife and longtime Borough resident, and owner of Irene's Spring Tree Farm and Equestrian Center in the amount of \$2,500.00; and

WHEREAS, the Borough wishes to accept the donation and express gratitude to Mr. Irene for this 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 \$2,500.00 from the Irene Family in memory of Anne Irene to the Borough Police Department.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #115-2023

**RESOLUTION APPOINTING A CLASS II SPECIAL LAW ENFORCEMENT OFFICER IN THE
MENDHAM BOROUGH POLICE DEPARTMENT**

WHEREAS, pursuant to N.J.S.A. 40A:14-146.10, any local unit may, as it deems necessary, appoint special law enforcement officers sufficient to perform the duties and responsibilities as permitted by local ordinance or resolution, as appropriate, and as permitted by N.J.S.A. 40A-14-146.8 et seq.; and

WHEREAS, there exists a need to fill a Class II Special Law Enforcement Officer position in the Mendham Borough Police Department (“Department”); and

WHEREAS, Police Chief John Camoia has determined that Daniel Taquinto possesses the necessary qualifications to serve as a Class II Special Law Enforcement Officer and has recommended, with the concurrence of the Borough’s Safety Committee, Personnel Committee and Administrator, that Daniel Taquinto be appointed as a Class II Special Law Enforcement Officer to perform such duties and responsibilities as set forth in the Shared Services Agreement between the Borough and the West Morris Regional High School District for the 2023-2024 school year, effective July 24, 2023 at a pay rate of \$37.00 per hour; and

WHEREAS, Chief Camoia has further determined that the Department would be able to utilize a Class Two Special Law Enforcement Officer when needed outside the scope of the Shared Services Agreement and has recommended, with the concurrence of the Borough’s Safety Committee, Personnel Committee and Administrator, that Daniel Taquinto also be appointed as a Class II Special Law Enforcement Officer to the Department, effective July 24, 2023 at the pay rate of \$37.00 per hour.

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

1. Daniel Taquinto is hereby appointed as a Class II Special Law Enforcement Officer in the Borough of Mendham Police Department to perform such duties and responsibilities as set forth in the Shared Services Agreement between the Borough of Mendham and the West Morris Regional High School District for the 2023-2024 school year (“Agreement”), effective July 24, 2023 at a pay rate of \$37.00 per hour.
2. Daniel Taquinto is hereby appointed as a Class II Special Law Enforcement Officer in the Borough of Mendham Police Department to perform, when needed, duties

and responsibilities outside the scope of the Agreement, effective July 24, 2023 at the pay rate of \$37.00 per hour.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #116-2023

**RESOLUTION APPOINTING A CLASS III SPECIAL LAW ENFORCEMENT OFFICER IN THE
MENDHAM BOROUGH POLICE DEPARTMENT**

WHEREAS, pursuant to N.J.S.A. 40A:14-146.10, any local unit may, as it deems necessary, appoint special law enforcement officers sufficient to perform the duties and responsibilities as permitted by local ordinance or resolution, as appropriate, and as permitted by N.J.S.A. 40A-14-146.8 et seq.; and

WHEREAS, there exists a need to fill a Class III Special Law Enforcement Officer position in the Mendham Borough Police Department (“Department”); and

WHEREAS, Police Chief John Camoia has determined that Wade Ryerson possesses the necessary qualifications to serve as a Class III Special Law Enforcement Officer and has recommended, with the concurrence of the Borough’s Safety Committee, Personnel Committee and Administrator, that Wade Ryerson be appointed as a Class III Special Law Enforcement Officer to perform such duties and responsibilities as set forth in the Shared Services Agreement between the Borough and the Mendham Borough Board of Education for the 2023-2024 school year, effective July 24, 2023 at a pay rate of \$37.00 per hour.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, Wade Ryerson is hereby appointed as a Class III Special Law Enforcement Officer in the Borough of Mendham Police Department to perform such duties and responsibilities as set forth in the Shared Services Agreement between the Borough of Mendham and the Mendham Borough Board of Education for the 2023-2024 school year (“Agreement”), effective July 24, 2023 at a pay rate of \$37.00 per hour.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #117-2023

**RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES FOR PROPERTY
LOCATED AT 27 LOWERY LANE, BLOCK 1401, LOT 64**

WHEREAS, a 1st quarter 2023 tax payment was received for property located at 27 Lowery Lane, Block 1401, Lot 64; and

WHEREAS, the payment was processed by the homeowners mortgage company before this parcel was approved as a 100% disabled veteran exemption and taxes were canceled; and

WHEREAS, the Tax Collector, has verified proof of the overpayment and hereby recommends said overpayment totaling \$6,982.82 be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham that the Chief Financial Officer is hereby authorized to process a refund for the 1st quarter 2023 property taxes as follows:

| <u>PROPERTY OWNER</u> | <u>AMOUNT TO BE REFUNDED</u> |
|---|-------------------------------------|
| James Walker 27 Lowery Lane Mendham, NJ 07945 | \$6,982.82 |

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #118-2023

**RESOLUTION INSERTING AN ITEM OF REVENUE IN THE 2023 BUDGET AS REQUIRED
BY N.J.S.A 40A:4-87 CHAPTER 159 (STATE OF NEW JERSEY CLEAN COMMUNITIES GRANT)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services (the "Director") may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of any item or appropriation for an equal amount; and

WHEREAS, the Borough budgeted \$10,000.00 for Clean Communities in the 2023 Budget.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mendham hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the adopted 2023 Municipal Budget in the sum of \$3,251.46 which is now available as revenue from a grant received from the State of New Jersey Clean Communities Grant program; and

BE IT FURTHER RESOLVED that the sum of \$3,251.46 be made and the same is hereby appropriated in the budget account under the caption "Operations-Excluded from "CAPS" – Public and Private Programs Offset by Revenues – State of New Jersey Clean Communities"; and

BE IT FURTHER RESOLVED that the insertion of the item of revenue is the result of monies being provided to the municipality pursuant to N.J.S.A. 40A:4-87; and

BE IT FURTHER RESOLVED that the Chief Financial Officer shall forward an electronic certified copy of this resolution to the Office of the Director of Local Government Services as required by law.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #119-2023

**RESOLUTION RENEWING MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL JOINT
INSURANCE FUND**

WHEREAS, The Borough of Mendham is a member of the Morris County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2023, unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Mendham agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

This resolution shall take effect immediately.

Dated: July 24, 2023

**AGREEMENT TO RENEW MEMBERSHIP IN THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Morris County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, is currently a member of said Fund; and

WHEREAS, effective December 31, 2023, said membership will expire unless earlier renewed; and

WHEREAS, the Governing Body of the Borough of Mendham has resolved to renew said membership.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Mendham hereby renews its membership in the Morris County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2024, and ending January 1, 2027*. **12:01 am*
2. The Borough of Mendham hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Morris County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Banking and Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Borough of Mendham agrees to be a participating member of the Fund for the period herein provided for and to comply with all the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Borough of Mendham in the Morris County Municipal Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Borough of Mendham.
5. Executed the 24th day of July 2023 as the lawful and binding act and deed of the Borough of Mendham, which execution has been duly authorized by public vote of the governing body.

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #121-2023

RESOLUTION CREATING A MAYOR'S AD HOC HISTORIC COMMITTEE

WHEREAS, it is in the best interest of the Borough to form a Mayor's Ad Hoc Historic Committee to preserve and promote the history of the Borough; promote historic (cultural heritage) tourism, encourage historic preservation and fundraising to maintain historic resources.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Mendham, County of Morris, State of New Jersey, that the Mayor's Ad Hoc Historic Committee be established.

This resolution shall take effect immediately.

Dated: July 24, 2023

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #122-2023

**RESOLUTION INSERTING AN ITEM OF REVENUE IN THE 2023 BUDGET AS REQUIRED
BY N.J.S.A 40A:4-87 CHAPTER 159 (STATE OF NEW JERSEY WATER RESOURCES PLANNING
MANAGEMENT - STORMWATER ASSISTANCE GRANT)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services (the "Director") may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of any item or appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mendham hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the adopted 2023 Municipal Budget in the sum of \$25,000.00 called State of New Jersey Water Resources Planning Management – Stormwater Assistance Grant which is now available as revenue from a grant received from the State of New Jersey, Department of Environmental Protection Bureau of NJPDES Stormwater Permitting and Water Quality Management's Water Resources Planning Management – Stormwater Assistance Grant program; and

BE IT FURTHER RESOLVED that the sum of \$25,000.00 made and the same is hereby appropriated in the budget account under the caption "Operations-Excluded from "CAPS" – Public and Private Programs Offset by Revenues – State of New Jersey Water Resources Planning Management – Stormwater Assistance Grant"; and

BE IT FURTHER RESOLVED that the insertion of the item of revenue is the result of monies being provided to the municipality pursuant to N.J.S.A. 40A:4-87; and

BE IT FURTHER RESOLVED that the Chief Financial Officer shall forward an electronic certified copy of this resolution to the Office of the Director of Local Government Services as required by law.

This resolution shall take effect immediately.

Dated: July 24, 2023