

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #119-2021

**RESOLUTION EXTENDING THE PAYMENT DUE DATE FOR
THIRD QUARTER 2021 PROPERTY TAX BILLS**

WHEREAS, N.J.S.A. 54:4-64 requires municipal property tax bills to be mailed at least 47 days prior to August 1st of each year and further provides that property taxpayers shall be given adequate notice of the date when taxes are due before interest is charged on delinquent tax payments; and

WHEREAS, due to the delay in the certification of the Borough's tax rate by the Morris County Tax Board, the mailing of the third quarter 2021 property tax bills were delayed; and

WHEREAS, the Tax Collector has recommended that payments for the third quarter property taxes should be extended; and

WHEREAS, N.J.S.A. 54:4-66.3(d) provides that the current year's taxes shall not be subject to interest until the twenty-fifth day after the tax bill for third installment is mailed; and

WHEREAS, the Tax Collector has confirmed that his office mailed out the 2021 Annual Tax Bills to property owners in the Borough on July 30, 2021 and that the grace period for payment of the third quarter property taxes should therefore be extended to August 23, 2021, after which time said payments shall be delinquent and subject to interest penalties calculated from August 1, 2021 in accordance with law; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that they hereby provide authorization to extend the payment due date for the third quarter 2021 property tax bills and that the third quarter 2021 property tax bills shall not be subject to interest until August 23, 2021 in accordance with law; and

BE IT FURTHER RESOLVED, that the Tax Collector shall provide adequate notice on the property tax bills of the date when taxes are due before interest is charged on delinquent tax payments.

Dated: August 23, 2021

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #120-2021

**RESOLUTION APPROVING THE SANITARY SEWER CONNECTION APPLICATION OF
15 WEST MAIN, LLC REGARDING PROPERTY LOCATED AT
15 WEST MAIN STREET, BLOCK 0301, LOT 39**

WHEREAS, 15 West Main, LLC has applied for a sanitary sewer connection permit in connection with its pending application to the Mendham Borough Joint Land Use Board for a use variance to convert the existing attic space to two (2) two-bedroom apartments at property located at 15 West Main Street, Block 0301, Lot 39; and

WHEREAS, the requested use of the space will result in an increase of 450 gpd in the existing sewerage flow generated by the use of the subject property; and

WHEREAS, there is a fee of \$7200.00 to purchase 450 gpd of additional sanitary sewer flow based on the price of \$16 per gallon; and

WHEREAS, the Borough Engineer, Paul Ferriero, P.E., has reviewed the application, and has recommended the approval of the connection; and

WHEREAS, based upon the information submitted by the applicants under date of August 4, 2021, the application meets the requirements of Chapter 168 of the Borough Code.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, that the aforesaid application be approved, subject to the following conditions of approval: compliance with all applicable subsections of Chapter 168 of the Borough Code and Planning Board approval, if required; and

BE IT FURTHER RESOLVED that the approval of the sanitary sewer connection application is based upon the representations made by the applicant as well as the information contained in the sanitary sewer connection application; and

BE IT FURTHER RESOLVED that the allocation of 450 gpd of additional sanitary sewer flow shall be effective only upon approval from the Mendham Borough Joint Land Use Board; and

BE IT FURTHER RESOLVED that the approval is conditioned upon all plumbing on the premises to comply with all existing provisions of the Plumbing Code; and

BE IT FURTHER RESOLVED that prior to any occupancy of the facility for the proposed use, the applicant must contact the Borough Plumbing Official to schedule an inspection prior to a certificate of occupancy to verify that the compliant fixtures are in place; and

This Resolution shall take effect immediately, but the approval hereby granted shall be subject to revocation if the flow standard as projected is exceeded in actual use or if the Applicant were to violate the applicable sections of the Borough Code.

Dated: August 23, 2021

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #121-2021

**RESOLUTION APPROVING THE SANITARY SEWER CONNECTION APPLICATION OF EUGENE RA,
REGARDING THE PROPERTY LOCATED AT 21 EAST MAIN STREET, BLOCK 1501, LOT 9**

WHEREAS, Eugene Ra has applied for a sanitary sewer connection permit in connection with his proposal to convert the existing commercial use at property located at 21 East Main Street, Block 1501, Lot 9 to residential use; and

WHEREAS, the requested use of the space will result in an increase of 70 gpd in the existing sewerage flow generated by the use of the subject property; and

WHEREAS, there is a fee of \$1,120.00 to purchase 70 gpd of additional sanitary sewer flow based on the price of \$16 per gallon; and

WHEREAS, the Borough Engineer, Paul Ferriero, P.E., has reviewed the application, and has recommended the approval of the connection; and

WHEREAS, based upon the information submitted by the applicant under date of August 9, 2021, the application meets the requirements of Chapter 168 of the Borough Code.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, that the aforesaid application be approved, subject to the following conditions of approval: compliance with all applicable subsections of Chapter 168 of the Borough Code and Zoning Permit approval; and

BE IT FURTHER RESOLVED that the approval of the sanitary sewer connection application is based upon the representations made by the applicant as well as the information contained in the sanitary sewer connection application; and

BE IT FURTHER RESOLVED that the allocation of 70 gpd of additional sanitary sewer flow shall be effective only upon approval from the Zoning Officer; and

BE IT FURTHER RESOLVED that the approval is conditioned upon all plumbing on the premises to comply with all existing provisions of the Plumbing Code; and

BE IT FURTHER RESOLVED that prior to any occupancy of the facility for the proposed use, the applicant must contact the Borough Plumbing Official to schedule an inspection prior to a certificate of occupancy to verify that the compliant fixtures are in place; and

This Resolution shall take effect immediately, but the approval hereby granted shall be subject to revocation if the flow standard as projected is exceeded in actual use or if the Applicant were to violate the applicable sections of the Borough Code.

Dated: August 23, 2021

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #122-2021

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS REGARDING THE STATE OF
NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL,
FOR THE SFY2021 BODY-WORN CAMERA GRANT PROGRAM**

WHEREAS, the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General (OAG) received funds from the SFY2021 Budget to administer the Body-Worn Camera Grant Program, and

WHEREAS, the State of New Jersey Law and Public Safety Office of the Attorney General has given notice of availability of funds for Body-Worn Camera Grant Program, and

WHEREAS, the name of the program is "SFY2021 Body-Worn Camera Grant Program" (BWC Grant Program), and

WHEREAS, the BWC Grant Program is designed to provide eligible law enforcement agencies with State funding to aid in the purchase of body-worn cameras, ancillary equipment and storage, and

WHEREAS, under the BWC Grant Program, law enforcement agencies are eligible to receive grant funding for the purchase of body-worn cameras and related expenses, and

WHEREAS, the recipients of BWC Grant Program funding will be allotted a fixed dollar amount for each camera to be purchased; this dollar amount will exceed the cost of a camera and the excess funding is to be used for ancillary equipment such as clips, chargers, batteries, etc., as well as storage costs, and

WHEREAS, funding is to be used towards the cost of implementing the BWC Grant Program and applicants must certify that all grant funds will be used exclusively for the purposes specified in the grant award and that the applicant will pay for all costs in excess of the grant award.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham, County of Morris in the State of New Jersey, that the Borough Council approves and affirms the submission of the grant application to the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General, for the SFY2021 Body-Worn Camera Grant Program; and

BE IT FURTHER RESOLVED that the Mayor is the Authorized Official and is authorized to endorse all required documents.

Dated: August 23, 2021

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #123-2021

RESOLUTION AWARDING A THREE-YEAR CONTRACT FOR PUMPING, HAULING AND DISPOSAL OF SLUDGE TO RUSSELL REID WASTE HAULING AND DISPOSAL SERVICES CO., INC.

WHEREAS, the Borough of Mendham solicited bids for the pumping, hauling and disposal of sludge for the three-year period of October 1, 2021 to September 30, 2024; and

WHEREAS, two sealed bids were received and opened on August 3, 2021, in accordance with the advertised date for acceptance of bids; and

WHEREAS, the bids were duly reviewed by the Acting Superintendent of the Mendham Borough Waste Reclamation Facility, who determined that Russell Reid Waste Hauling and Disposal Services Co., Inc. ("Russell Reid") was the lowest apparent bidder; and

WHEREAS, the Borough Attorney has reviewed the bid from Russell Reid and determined that it is legally responsive and substantially in compliance with the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq., rendering Russell Reid the lowest responsive, responsible bidder; and

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

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 Council hereby awards a three-year contract for the period October 1, 2021 to September 30, 2024 to Russell Reid for the pumping, hauling and disposal of sludge, in accordance with its bid proposal.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute said contract.
3. This Resolution and contract shall be available for public inspection in the office of the Borough Clerk.

This Resolution shall take effect immediately.

Dated: August 23, 2021

[Proposal attached]

**PROPOSAL FOR PUMPING, HAULING AND DISPOSAL OF SLUDGE
FROM THE MENDHAM BOROUGH SEWAGE TREATMENT PLANT**

DATE:

Proposal of Russell Reid Waste Hauling and Disposal Service Co., Inc. (hereinafter called, "Bidder"), a corporation, a partnership, an individual (~~delete inapplicable designations~~) of the State of New Jersey Russell Reid Waste Hauling and Disposal Service Co., Inc. doing business as _____,

To The Borough of Mendham, County of Morris, and State of New Jersey (hereinafter called, "Owner")

Gentlemen:

The Bidder, in compliance with your invitation for bids for the Pumping, Hauling and Disposal of Sludge from the Mendham Borough Sewage Treatment Plant, having examined the Specifications with related Contract Documents, and being familiar with all of the conditions surrounding the project, hereby proposes to pump, haul and disposal of sludge from the Mendham Borough Sewage Treatment Plant in accordance with the detailed specifications, within the time set forth herein at the price hereinafter stated. This price is to cover all expenses incurred in the pumping, hauling and disposal of sludge, including all applicable taxes, from the Mendham Borough Sewage Treatment Plant, 35 Ironia Road, Mendham Borough, Morris County, NJ.

Bidder hereby agrees to commence work on this contract on or before a date to be specified in a written "Notice to Proceed" of the Owner.

Bidder further agrees to pay as liquidated damages the sum of \$200.00 for each consecutive calendar day thereafter as hereinbefore provided in the Instructions to Bidders.

Bidder agrees to pump, haul and dispose of sludge as described in the Specifications as follows:

PRICE PER GALLON FIRST YEAR (10/1/21 – 9/30/22):

\$ 0.0437

Four and thirty seven hundredths cents

(Words)

PRICE PER GALLON SECOND YEAR (10/1/22 – 9/30/23):

\$ 0.0459

Four and fifty nine hundredths cents

(Words)

PRICE PER GALLON THIRD YEAR (10/1/23 – 9/30/24):

\$ 0.0505

Five and five hundredths

(Words)

**(Amounts to be shown in both words and figures. In case of discrepancy,
the amount in words will govern)**

Bidder understands that he will be legally responsible if these specifications are not met. Bidder further understands that the Owner reserves the right to reject any or all bids and to waive any informalities.

The Bid Security attached is in the sum of \$ Ten (10) percent of the total bid amount not to exceed Twenty Thousand (20,000) Dollars and is to become the property of the owner in the event the contract and Bond are not executed within the time set forth in the Instructions to Bidders.

ATTEST: _____

Respectfully submitted,

BOROUGH OF MENDHAM

MORRIS COUNTY, NEW JERSEY

RESOLUTION #124-2021

**RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF MICHAEL COSTA
AS A PART TIME PLUMBING SUBCODE OFFICIAL/INSPECTOR**

WHEREAS, the Borough of Mendham has a need to appoint a part-time licensed Plumbing Subcode Official/Inspector as provided by state law; and

WHEREAS, after considering all interested and qualified candidates, the Construction Official/Building Sub-code Official has recommended that Michael Costa should be hired to fill the part-time Plumbing Subcode Official/Inspector in the Construction Department at the pay rate of \$45.00 per hour for four (4) hours per week, with no other benefits, and with an effective hire date of August 23, 2021.

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham that they hereby approve and authorize the hiring of Michael Costa as a part-time Plumbing Subcode Official/Inspector in the Construction Department at the pay rate of \$45.00 per hour for four (4) hours per week, with no other benefits, and with an effective date of hire August 23, 2021.

Dated: August 23, 2021

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #125-2021

RESOLUTION AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #2020-2

WHEREAS, property located at 15 East Main Street [Block 1501, Lot 6] was subject to Tax Sale on November 18, 2020 for delinquent 2019 sewer charges; and

WHEREAS, the tax sale lien on the property was sold at the Tax Sale and Tax Sale Certificate #2020-2 was issued to the lienholder US Bank Cust/Pro Cap 8; and

WHEREAS, the parties who have a legal interest on the property have requested to redeem the Tax Sale Certificate; and

WHEREAS, the Tax Collector of Borough of Mendham has calculated that the amount necessary to redeem the lien is \$5,368.35 with interest calculated to August 27, 2021; and

WHEREAS, the lienholder paid a premium in the amount of \$1,100.00 to the Borough of Mendham at the time of the sale, which also must be refunded; and

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 \$6,468.35 in full satisfaction of the redemption of Tax Sale Certificate #2020-2 for property located at 15 East Main Street [Block 1501, Lot 6] to the lienholder as follows:

<u>Lienholder</u>	<u>Amount to be refunded</u>	
US Bank Cust/Pro Cap 8	\$5,368.35	Amount of the lien redemption
50 South 16 th Street	<u>\$1,100.00</u>	Amount of Premium
Suite 2050	\$6,468.35	Grand Total
Philadelphia PA 19102		

Dated: August 23, 2021

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #126-2021

**RESOLUTION AUTHORIZING THE BOROUGH OF MENDHAM'S PARTICIPATION
IN THE NEW JERSEY VOLUNTEER TUITION CREDIT PROGRAM (P.L. 1998, c. 145)**

WHEREAS, the State of New Jersey enacted P.L. 1998, c. 145, which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government; and

WHEREAS, the Mayor and Council of the Borough of Mendham in the County of Morris deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Borough of Mendham; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Mendham in the County of Morris that the Volunteer Tuition Credit Program as set forth in P.L. 1998, c. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

BE IT FURTHER RESOLVED that the Borough Clerk is herewith delegated the responsibility to administer the program and is authorized to issue a Certificate of Authorization/Voucher on behalf of Mendham Borough for qualifying firefighting and emergency medical volunteers and to enter into all agreements and to maintain files of all documents as may be required by law.

Dated: August 23, 2021

[Attachment]

VOLUNTEER TUITION CREDIT PROGRAM
P.L. 1998, CHAPTER 145

C.18A: 71-78.1 Tuition-free enrollment in postsecondary program for certain volunteers, family members.

1. A person who is an active member of a volunteer fire company or volunteer first aid or rescue squad or association in good standing and the dependant children and spouse of a volunteer shall be allowed to enroll in a postsecondary program on a tuition-free basis in county college, county vocational school or county technical institute and be eligible to receive tuition credit in an amount not to exceed a maximum of \$2,400 for the member, children and spouse; provided that available classroom space permits and that tuition paying students constitute the minimum number required for the course. Nothing herein shall preclude a county college, county vocational school or county technical institute from requiring registration and lab fees for individuals attending courses pursuant to this act.

C.18A:71-78.2 Eligibility for tuition credit.

2. In order to be eligible to receive tuition credit at a county college, county vocational school or county technical institute, a person shall agree to serve as a member of a volunteer fire company or volunteer first aid or rescue squad or association for a minimum of four years and sign an agreement with the municipality in which the squad or association is located pledging four years of service in exchange for the tuition credit. Following each year of volunteer service performed, the volunteer or the spouse or dependant children shall be entitled to receive tuition credit of up to \$600, not to exceed a maximum of \$2,400 for the member, children and spouse over a four-year service period.

C.18A:71-78.3 Verification of service, transcript records.

3. Upon being accepted and enrolled in a county college, county vocational school or county technical institute, the volunteer, dependant child or spouse shall provide verification to the institution that the volunteer has performed the service required for the tuition credit. Upon completion of each semester, the volunteer shall submit a transcript to the municipality to be maintained in a permanent record. The volunteer or the dependant child or spouse shall maintain a "C" grade average in order to continue eligibility for the tuition credit program.

C.18A:71-78.4 Issuance of letter of eligibility.

4. A municipality which chooses to participate in the tuition credit program shall issue a letter of eligibility to the volunteer, to be presented to the appropriate institution, stating that the individual is a member in good standing of a volunteer fire company, volunteer first aid or rescue squad or association.
5. This act shall take place immediately.

VOLUNTEER TUITION CREDIT PROGRAM

GENERAL PROGRAM INFORMATION:

Known as the Volunteer Tuition Credit Program, it covers members of a volunteer organization who are active and in good standing, their spouse, and their dependent children. The law defines a volunteer organization as a volunteer fire company, or a first aid, or rescue squad association. They are allowed to enroll in postsecondary courses on a tuition credit basis in specific learning institutions: county colleges, county vocational schools or county technical institutes. A dependant child shall be any student who does not meet any of the eligibility criteria listed in N.J.S.A. 9A: 9-2.6 (a) or (b) for independent student status.

Each volunteer is eligible to receive tuition credit in the amount of \$600 per year, not to exceed a maximum of \$2400 over a four year service period, provided that classroom space is available and that tuition paying students constitute the minimum number required for the course.

PROCEDURES FOR CREATING/IMPLEMENTING A VOLUNTEER TUITION CREDIT PROGRAM

- To participate in the program, the municipality must pass a resolution allowing the governing body to enact the Program along with delegating the responsibility of record maintenance and authorization of volunteer participation to a municipal employee.
- The volunteer must agree to serve as a member of a volunteer organization for a minimum of four years.
- Following each year of active volunteer services, the volunteer organization must provide the municipality with a letter verifying that the volunteer has been a member in good standing for the past twelve month period.
- Upon verification the municipal official (i.e., the municipal clerk) shall issue a Certificate of Authorization to be presented to the learning institution by the volunteer or eligible family member(s) during the enrollment period.
- If registration is authorized, the learning institution will debit the tuition amount of the course on the lower portion of the certificate and maintain a running balance for other courses taken during the year.

Frequently Asked Questions about the Volunteer Tuition Credit Program

1. Q: How does the tuition credit work? Does the volunteer member pay the fee to the learning institution and is then reimbursed by the municipality?

No. No money is exchanged. Once the volunteer is deemed eligible by the municipality to participate in VTC, he/she is given a Certificate of Authorization to be presented to the learning institution. If registration is authorized, the learning institution will debit the tuition amount of the course on the lower portion of the certificate and maintain a running balance for other courses taken during the year.

2. Q: Can the State provide standards or criteria to define a "member in good standing?"

A "member in good standing" is one that complies with the by-laws or the rules/regulations of the volunteer organization of which they are a member.

3. Q: Callers have indicated that some colleges require students who qualify for the tuition credit program to withdraw from all their classes. The students then try to reregister for the same courses after the required number of tuition-paying students register for the class. Because the students are required to drop courses and then reregister, they may be excluded from core classes required for their majors. Potential candidates for the tuition credit question how the State regulates the procedures employed by the county colleges for awarding the credit. Potential candidates also question what sanctions the State will impose on colleges who fail to enforce the Tuition Credit Program?

Students should exercise caution when using the VTC program for selection of core and/or major requirements because the program limits credits to open enrollment registrations. It would be advisable for a student to use VTC for their elective courses because there is more flexibility in their options in the event a course is dropped or is filled. The VTC law does not allow the State to enact rules and regulations for the implementation of the program. DLGS established the forms, guidelines and procedures in cooperation with the Municipal Clerks Association, NJ County College Association, NJ Vo-Tech Association, and the Division of Fire Safety. The law does not provide for sanctions against any institution that does not enforce the program.

4. Q: How is the State addressing problems with implementation of the Tuition Credit Program?

To date, most complications have been amicably worked out over the phone. The majority of situations that arose were mostly lack of understanding of the program.

5. What is the distinction between a volunteer and a non-volunteer squad? Does the volunteer squad apply to the individual or to the squad?

Volunteers are unpaid squad members while non-volunteers are employed by the municipality. The volunteer status applies to the member not the squad. For example, in a municipality where there are paid firemen, volunteer firefighters are used as backup or evening shift coverage. Only the volunteers are eligible for LOSAP even though he department is mixed.

6. Q: Does the four years in the law refer to four calendar years or four years total? (Suppose a student does not attend school for four consecutive years. Would the student still remain eligible for tuition credit?)

The program can be implemented at any time of the year. The four-year period is for the total number of years not calendar years. The student is eligible as long as the volunteer meets the eligibility requirements as stated in the statute. The program can be renewed numerous times.