

**MINUTES OF THE REGULAR MEETING  
OF THE  
BOROUGH OF MENDHAM  
MAYOR AND COUNCIL**

**January 18, 2018**

**CALL TO ORDER**

Mayor Henry called the January 18, 2018 Regular Meeting of the Mayor and Council to order at 6:30 p.m. in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

**INVOCATION AND FLAG SALUTE**

Mayor Henry led a moment of silence and then proceeded with the Pledge of Allegiance.

**MAYOR'S OPENING STATEMENT**

Adequate notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the *Daily Record* and *Observer Tribune*, and was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

**ROLL CALL**

Mayor Neil Henry  
Councilman John Andrews  
Council President John Andrus  
Councilman Brad Badal  
Councilwoman Christine Serrano Glassner  
Councilman David Sharkey  
Councilman Stanley Witzcak, III

Also present were:

Dawn Sullivan for Fred Semrau, Borough Attorney  
Joyce Bushman, Borough Administrator  
Robin Kline, Acting Borough Clerk

**EXECUTIVE SESSION**

**Resolution #29-18 Personnel/Contract Negotiations**

Motion to approve: Councilwoman Glassner

Second: Councilman Andrews

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witzcak

Opposed: None

Abstain: None

Absent: None

Mayor Henry and the Borough Council adjourned into Executive Session at 6:35 p.m.

# # #

Mayor Henry and the Borough Council returned to Open Session at 7:35 p.m.

**Resolution #32-18 Appoint Mimi M. Marlor as Borough Clerk**

Motion to approve: Councilwoman Glassner

Second: Councilman Andrews

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witzcak

Opposed: None

Abstain: None

Absent: None

Before calling for a short recess until 8:00 p.m., Mayor Henry thanked Councilwoman Glassner and the Personnel Committee for their efforts in the recruitment and hiring of a new Borough Clerk

# # #

Mayor Henry reconvened the Open Session at 8:00 p.m.

**ROLL CALL UPON RETURN TO OPEN SESSION**

Mayor Neil Henry

Councilman John Andrews

Council President John Andrus

Councilman Brad Badal

Councilwoman Christine Serrano Glassner

Councilman David Sharkey

Councilman Stanley Witzcak, III

Also present were:

Dawn Sullivan for Fred Semrau, Borough Attorney

Joyce Bushman, Borough Administrator

Robin Kline, Acting Borough Clerk

**CONSENT AGENDA**

Items on the Consent Agenda are considered routine and will be acted upon by the Borough Council by a single vote unless a member of the public, the Borough Council or the Mayor request that an item be removed and considered separately.

1. Minutes of the January 4, 2018 Reorganization Meeting
2. Mendham Hose Company Appointment: Matthew R. Bruin, Probationary Member
3. Raffle License Approval: Mendham Twp. HSA, Casino Night, 2/24/18

Motion to approve: Councilman Andrews

Second: Councilman Sharkey

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witzcak

Opposed: None

Abstain: None

Absent: None

**DISCUSSION**

**Scott Barn Recommendation Report**

Council President Andrus reported that the Open Space Advisory Committee is recommending that the Borough should stabilize and preserve the Scott farm barn for its historic and scenic value. He mentioned that the Committee's report (dated 11/17/2017) provides a description of the type of stabilization work to be performed and further recommends that the Borough should budget up to \$50,000.00 for the stabilization work and for the removal of all barbed wire on the property. Council President Andrus confirmed that the condition of the barn poses a safety concern and mentioned that the Borough should address the stabilization of the structure sooner rather than later and further reported that monies from the Open Space Trust Fund could be used for the stabilization and preservation of the barn structure. He will be meeting with the Borough's Auditor and Chief Finance Officer to confirm the balance currently available in the trust fund. Council President Andrus reminded the Council that monies from the trust fund have been used for the dam project and also mentioned that monies from the trust fund will earmarked for the Rowe sheep farm as the Borough continues to move forward with the open space acquisition of that parcel.

At the end of the discussion, the Council's consensus was to further explore the stabilization of the Scott Farm barn and move forward on the project, contingent upon the availability of monies in the Open Space Trust Fund.

**ORDINANCE INTRODUCTION**

**ORDINANCE #01-18**

**AN ORDINANCE CONCERNING SALARIES FOR OFFICERS AND EMPLOYEES  
OF THE BOROUGH OF MENDHAM**

**BE IT RESOLVED**, by the Borough Council of the Borough of Mendham that Ordinance #01-18 be passed on first reading by title; and

**BE IT FURTHER RESOLVED**, that said Ordinance will be considered for final passage and adoption at the meeting of the Borough Council of the Borough of Mendham to be held on February 1, 2018 at 8:00 p.m. prevailing time, in the Garabrant Center, 4 Wilson Street, Mendham, at which time all interested persons shall be given an opportunity to be heard concerning said Ordinance; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice for said Ordinance in the Observer Tribune according to law.

**Motion to introduce Ordinance #01-18: Councilwoman Glassner**

Second: Councilman Andrews

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: None

**ORDINANCE PUBLIC HEARING/ADOPTION**

None

**ACTIONS TAKEN**

**Resolution #26-18 Construction Permit Fee Refund, 15 Balbrook Drive,  
Block 2601, Lot 2.04**

Motion to approve: Councilman Andrews

Second: Councilman Glassner

Discussion: Councilman Badal inquired whether the requested refund amount included construction fees associated with the pool house only, or does the refund amount also include construction fees associated for pool. Mayor Henry suggested that the Council consider approval of this resolution contingent upon the Borough Administrator's verification that the amount to be refunded is for construction fees associated with the pool house only.

Amended Motion to approve: Councilman Andrews amended his motion and moved for the approval of Resolution #26-18 contingent upon the Borough Administrator's verification that the refund of construction fees is for the pool house only.

Amended Motion Second: Councilman Glassner

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: None

**Resolution #27-18 Appointment of JIF Fund Commissioner – Joyce Bushman**

Motion to approve: Councilman Badal

Second: Councilman Sharkey

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: None

**Resolution #28-18 Approval of Change Order #1 – Cherry Lane Road Improvements,  
Phase I**

Motion to approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: None

**Resolution #30-18 Transfer of Appropriation Reserves**

Motion to approve: Council President Andrus

Second: Councilman Sharkey

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: None

**Resolution #31-18 Replenish Open Space Trust Fund**

Motion to approve: Council President Andrus

Second: Councilman Sharkey

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Sharkey, Witczak

Opposed: Glassner

Abstain: None

Absent: None

**ADMINISTRATOR'S REPORT**

Ms. Bushman mentioned that she had distributed her Administrator's report to the Mayor and Council in advance of the meeting and briefly provided the following report:

1. A meeting was held with the Borough's IT provider to begin the process of exploring a new IT system for the Borough.
2. The heating system in the Phoenix House has been serviced and all doors and windows have been sealed for drafts to improve energy efficiencies.
3. The Morris County Joint Insurance Fund offers a \$7,500 incentive deductible on cyber-related claims for municipalities who participate in its Cyber Risk Management Program. The Borough will be enrolled in the program.
4. The Mayor and Council passed a Resolution tonight to hire a new Borough Clerk. Ms. Bushman thanked Councilwoman Glassner and the Personnel Committee for their expedient efforts in the recruitment and hiring process of a Borough Clerk.
5. A meeting was held with the Finance Committee chair, Bond Counsel and the Chief Finance Office to review the 2018 budget proposals. Bond Council has recommended that monies remaining in the escrow account for the sale of the water utility assets should be transferred to the current fund balance.
6. A meeting was held with the Public Safety Committee. The Police Department will be working with Mendham Township officials on enforcing speed limits on Hardscrabble Road and will work with the county engineer on the installation of interactive crosswalk signage.
7. The Engineer is preparing the conceptual subdivision plan for the Rowe sheep farm for the submission to the county's farmland preservation program.
8. The Resolution approving the replenishment of Open Space Trust Fund monies used for the dam rehabilitation project was approved tonight.
9. The Uniform Fire Code LEA (Local Enforcing Agencies) fire inspection report has been completed.

10. The Borough's Chief Finance Officer is setting up training for employees to use the new purchase order system.
11. A meeting will be scheduled to review proposals received for professional planning services.

#### **COUNCIL REPORTS, OLD & NEW BUSINESS**

##### **Recreation Committee**

Councilman Witzak reported that applications for day camp counselor positions are now being accepted and further mentioned that the Recreation Committee is recommending an increase in the hourly rate of pay for day camp counselors, which will be discussed at a future Council meeting. Councilman Witzak further reported that the planning of the Food Truck Fest is underway and invited Mr. Bruce DiBisceglie to provide a brief report.

Food Truck Fest: Mr. Bruce DiBisceglie reported that this year's event will be held on Saturday, June 16<sup>th</sup> (rain date Sunday, June 17<sup>th</sup>) at Borough Park, 11:00 a.m. to 7:00 p.m. This year's Food Truck Fest will host over 20 gourmet food trucks and feature four bands. Abner Doubleday Day will be celebrated with a retro baseball game at the Doubleday Field, complete with players in vintage uniforms. Handicap accessible parking will be available at the park entrance on Park Avenue. A \$5.00 entrance fee will be charged for individuals 10 years of age and older. A portion of the proceeds will be donated to the local food pantry and a one-time award (in lieu of a scholarship) will be earmarked for a deserving high school student.

##### **Finance Committee**

Council President Andrus inquired about the status of the proposed bathroom house at Westfield. Mayor Henry reported that the donor's engineer was working on plans for the construction of a pavilion with restrooms. Borough Administrator Bushman will follow up on the project's status. Council President Andrus further reported that the Open Space Advisory Committee is undertaking a comprehensive review of open space parcels in the Borough based on revised grading system criteria for potential future acquisition. He also reported that the budget process is nearing completion and mentioned that the Finance Committee will be meeting to discuss the capital budget.

##### **Land Use Committee**

Councilman Sharkey reported that the Dunkin Donuts land use application has not yet been submitted. He also reported that an outside dining application has been received and mentioned that more information will follow once the application is fully reviewed.

##### **Public Safety Committee**

Councilman Andrews reported that the Public Safety Committee recently held a meeting to discuss the enforcement of the speed limit on Hardscrabble Road and also discussed the installation of flashing crosswalk signage on Tempe Wick Road and on Main Street at the High School. He further reported that the Police Department has two new LEAD (Law Enforcement Against Drugs) program officers for anti-drug education in the schools. Councilman Andrews also reported that "Smart911," a free service sponsored by the county, is available to Borough residents. Residents register their mobile phone numbers and create a safety profile for their household, providing key information helpful to first responders in the event of an emergency.

##### **Personnel Committee**

Councilwoman Glassner reported that the Personnel Committee will be examining salary comps for all positions. She further reported that the Local Economic Development Committee (LEDC) met with the Executive Director of the Morris County Economic Development Corporation, Meghan Hunter, to discuss free resources that the county's organization can provide to municipalities. The LEDC will be working with the Borough to create a multi-color promotional brochure to welcome business and families to the Borough. She further mentioned that a new webpage is being developed to add a local business directory to the Borough's website.

##### **Public Works and Utilities Committee**

Councilman Badal reported that the Public Works Department has been keeping busy with snow plowing operations and have been doing a great job keeping roads open and safe. He further reported that the public works crew cleaned up after the Twelfth Night Celebration and Christmas Tree Bon Fire recently hosted by the Mendham Fire Department.

**ATTORNEY ITEMS**

Ms. Sullivan had no report.

**MAYOR'S ITEMS**

Mayor Henry had nothing new to report.

**PUBLIC COMMENT**

Mayor Henry opened the meeting to the public for comments.

Bruce DiBisceglie commented that the Recreation Committee is reviewing salaries that other towns pay for its Day Camp Counselors so that the Borough remains competitive in recruiting and retaining its staff. He further commented that the committee will be recommending an increase in the hourly fee for the day camp program to \$3.60/hour.

Ron Weismann, 15 Tempe Wick Road, commented that many high school students park at Kings and then walk to the High School, crossing Route 124 at Tempe Wick Road. He suggested that a traffic safety officer be assigned to that location, or perhaps a school bus stop can be added to take students to and from the Kings parking lot to the High School. Mr. Weismann also inquired what options could be implemented by the Borough to prevent students from cutting through private property to get to the High School. Mayor Henry responded that he will direct the Police Department to investigate his concerns and to assign a patrolman to the Kings location if needed. Mr. Weismann also inquired whether Borough officials have received the Engineer's report regarding the extent of Stormwater run-off and off-site discharges along the eastly side of Main Street and along Tempe Wick Road. He commented that the run-off continues to erode the streambed and embankments. Councilman Badal asked Mr. Weissman to provide the Borough Engineer with a listing of all locations where there is a concern and offered to follow up with the Engineer and provide a report a future Council meeting.

Stacy McClutchy, 19 Hilltop Road, inquired if Mendham Borough would allow homeowners to pay their property taxes as a charitable donation. She commented that a few towns in New Jersey are allowing residents to donate the dollar amount charged for 2018 property taxes to pay for municipal services in lieu of making the property tax payment. The charitable donation is 100% tax deductible, whereas the federal and state deduction allowable for property tax payments are capped at \$10,000. Ms. Sullivan advised that the Borough is not able to provide an answer to her inquiry until further legal research is conducted into the matter.

Seeing no one else wishing to be heard, Mayor Henry closed the public comment portion of the meeting.

**APPROVAL OF VOUCHERS**

**Bill Lists dated January 18, 2018.**

Motion to approve: Council President Andrus

Second: Councilman Sharkey

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: None

**EXECUTIVE SESSION**

**Resolution #29-18 Personnel/Contract Negotiations**

Motion to approve: Councilman Andrews

Second: Council President Andrus

Discussion: None

Roll Call:

In favor: Andrews, Andrus, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: None

Mayor Henry and the Borough Council adjourned into Executive Session at 9:05 p.m.

# # #

Mayor Henry and the Borough Council returned to Open Session at 9:35 p.m.

**ADJOURNMENT**

There being no other business to be conducted, on a motion duly made, seconded and unanimously carried by a voice vote, the meeting was adjourned at 9:36 p.m.

The next Regular Meeting of the Mayor and Council will convene on Thursday, February 1, 2018 at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

Respectfully Submitted:



Robin R. Kline, MAS, RMC, CMIR  
Acting Borough Clerk  
BOROUGH OF MENDHAM