

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

February 1, 2018

CALL TO ORDER

Mayor Henry called the February 1, 2018 Regular Meeting of the Mayor and Council to order at 8:00 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 Witczak, III

Also present were:
Fred Semrau, Borough Attorney
Joyce Bushman, Borough Administrator
Robin Kline, Acting Borough Clerk

Mayor Henry reported that the Honorable Rodney Frelinghuysen, Congressman for the 11th Congressional District, has announced his retirement from public service. He asked the Council for a motion recognizing Congressman Frelinghuysen for his years of public service and expressing the Borough's gratitude for his dedicated representation and service provided to the people of Mendham Borough.

Motion Recognizing the Honorable Rodney Frelinghuysen, Congressman for the 11th Congressional District, for his years of public service to the people of Mendham Borough:

Councilwoman Glassner made a motion recognizing Congressman Frelinghuysen's years of public service and further expressing the Borough's gratitude for his dedicated representation and service provided to the people of Mendham Borough. Councilman Andrews seconded the motion. A voice vote was taken with all in favor. Mayor Henry and the Borough Council expressed their well-wishes to Congressman Frelinghuysen upon his retirement from his congressional office.

WELCOME

Mayor Henry welcomed everyone in attendance. He recognized the following county and local law enforcement and public safety professionals in the audience: Morris County Sheriff John Gannon, Morris County Prosecutor Fred Knapp, Mendham Township Police Chief Johnson, Chester Township Police Chief Williver, Madison Borough Police Chief Dachisen, former Mendham Borough Police Chief Taylor, former Mendham Borough Police Chief Cillo, former Mendham Borough Public Works Superintendent Ken O'Brien and current Mendham Borough Public Works Superintendent Jeff Cooper. Also in attendance were the members of the Mendham Borough Police Department.

Mayor Henry proceeded with Resolution #33-18.

Resolution #33-18 Appointment of John Camoia as Chief of Police

Motion to approve: Councilman Sharkey

Second: Councilwoman Glassner

Discussion: None

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

Administration of the Oath of Office

Mayor Henry mentioned that Police Chief John Camoia has 28 years of law enforcement experience and is celebrating his silver anniversary (25 years) in public service with Mendham Borough. Police Chief Camoia began his law enforcement tenure in the Borough as a patrolman and advancing to Detective, Sergeant, and, in the past year, as Officer in Charge. Mayor Henry recognized Police Chief Camoia for his leadership and for bringing stability to the Police Department.

Mayor Henry administered the oath of office to Police Chief John Camoia. Police Chief Camoia was accompanied by his wife, Debbie.

Mayor Henry called for a brief recess at 8:15 p.m. to allow the governing body and all in attendance to express their congratulations and well-wishes to Police Chief Camoia.

#

Mayor Henry reconvened the Open Session at 8:30 p.m. and proceeded with the Consent Agenda.

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. Approve Minutes of the regular meeting of 1/18/18
2. Approve Minutes of the executive sessions (2) of 1/18/18

Motion to approve: Councilman Sharkey

Second: Councilman Andrews

Discussion: None

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

DISCUSSION

None.

ORDINANCE INTRODUCTION

None.

ORDINANCE PUBLIC HEARING/ADOPTION

Mayor Henry stated that this Ordinance increases the maximum salary range for the position of Chief of Police from \$130,000 to \$140,000.

ORDINANCE #01-18

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

Ordinance #01-18 was introduced by title and passed on first reading at the Regular Meeting of the Mayor and Council held on January 18, 2018 . The Acting Borough Clerk confirmed that said Ordinance was published in full in the Observer Tribune on January 25, 2018 and indicated that the second reading and public hearing would be held at 8:00 p.m. on February 1, 2018 for consideration of final adoption.

Public Hearing

Mayor Henry opened the public hearing on Ordinance #01-18 and invited any member of the public to be heard. Seeing no one wishing to be heard, Mayor Henry closed the public hearing.

Motion to Adopt Ordinance #01-18: Councilman Andrews

Second: Council President Andrus

Discussion: There was no Council discussion.

Roll Call:

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

Opposed: Witczak

Abstain: None

Absent: None

Councilman Witczak clarified that he had cast a negative vote solely because the Personnel Committee would be examining salary ranges for all Borough positions and commented that the Chief of Police salary range should have been incorporated and made part of that examination.

Upon a vote of 5 in favor and 1 opposed, Mayor Henry confirmed that the Council of the Borough of Mendham passed and adopted Ordinance #01-18 upon second reading, and after a public hearing was held, and authorized and directed the Acting Borough Clerk to advertise final passage and adoption of said ordinance in the Observer Tribune in accordance with the law.

ACTIONS TAKEN

Resolution #34-18 Change Order #1: Mountain Valley Park Dam Rehabilitation and Lake Dredging Project

Motion to approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: Councilman Badal questioned the reason for the \$65,622.66 cost reduction for the project and further inquired whether the bid specifications were accurately prepared. Mr. Cooper, Public Works Superintendent, clarified that the rehabilitation of the dam did not require the number of cubic yards of fill material estimated in the bid specifications and confirmed that the bid specifications were accurately prepared for all other aspects of the project.

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

Resolution #35-18 Contract Award: Garabrant Center Generator – TSUJ Corp.

Motion to approve: Council President Andrus

Second: Councilman Badal

Discussion: Mayor Henry reported that the Garabrant Center will be used as a “warming center” for the community once the emergency stand-by generator has been installed.

Councilman Badal inquired whether monies from generator grant could be used to landscape the area around the generator, especially since it will be installed in the front of the Garabrant Center building. Mr. Semrau will review the grant award to confirm if grant funds can be used for landscape screening of the generator.

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

ADMINISTRATOR’S REPORT

Ms. Bushman reported that her Administrator’s report was provided to the Mayor and Council in advance of the meeting.

The Borough Council had no questions or discussion concerning the Administrator’s Report.

Mayor Henry reported that his office received correspondence from the DEP's public liaison concerning the Scott Farm Trail, which he said he provided to the Borough Engineer for review. Mr. Ferriero will prepare a memo summarizing the DEP's letter for the governing body's information.

COUNCIL REPORTS, OLD & NEW BUSINESS

Recreation Committee

Councilman Witczak had nothing new to report. He inquired, however, about accumulated material in the pond and was concerned that it may cause future damage. Mr. Cooper, Public Works Superintendent, reported that the material is a leaf pile that has accumulated in the pond and froze in place with the winter weather. He confirmed that once the ice melts the leaves should dissipate and, if not, the public works department will schedule its removal.

Finance Committee

Council President Andrus reported that the Finance Committee has completed the review of capital project requests and a report has been circulated to the Mayor and Council. He further reported that capital funding for tennis court improvements was not approved; however, quotes will be obtained to determine the amount of costs that may be involved to ascertain whether repairs may be doable later in the year. He thanked all department heads for submitting realistic capital budget requests to help keep costs down.

Council President Andrus further reported that the 2018 operating budget is being finalized and noted that monies will need to be appropriated for police accreditation this year. Ms. Bushman confirmed that she is working with Police Chief Camoia in completing many of the accreditation requirements within the Police Department to help minimize costs.

Councilman Witczak reminded everyone that the proposed purchase and installation of flashing crosswalk signage would need to be included in the budget and inquired if quotes are being obtained.

Land Use Committee

Councilman Sharkey had nothing new to report regarding Land Use. He reported, however, that he met with the Public Works Department to discuss tree maintenance, as well as new Borough tree plantings in the spring.

Councilman Sharkey further reported that the Borough received a resolution from a Morris County municipality requesting that the Borough join other municipalities in opposing the proposed state regulations that would restrict residential standards for beekeeping. Mr. Semrau advised that he believed the public comment period for the proposed beekeeping regulations may have ended, but will research the matter further. Councilman Witczak cautioned that there has been a growing concern with bee hives attracting black bears in neighborhoods.

Public Safety Committee

Councilman Andrews reported that, in efforts to augment the Borough's volunteer first responders, DPW personnel completed the Servo training at no cost to the Borough. He further reported that police patrols are monitoring the high school area to ensure pedestrian safety during times when students are going to and from the school.

Councilman Andrews also reported that there are no AED units (Automated External Defibrillator devices) in the Phoenix House or Garabrant Center. He said grant programs and private donations will be explored to purchase the needed AED units. Lastly, he reported that an audit of the police department building revealed a few non-compliance issues, which are being addressed.

Personnel Committee and Local Economic Development Committee

Councilwoman Glassner reported that the Personnel Committee will be meeting to examine salary comps for all Borough positions.

Councilwoman Glassner further reported that she and the Borough Administrator will be attending the Morris County Economic Development Corporation's presentation on how to establish a Business Improvement District (BID) and further reported that the LEDC will be finalizing the listing of local businesses. She said a survey for local businesses is underway and a webpage is being developed to add a local business directory to the Borough's website.

Lastly, Councilwoman Glassner reported she contacted the New Jersey State League of Municipalities (NJLM) seeking more information about the recently adopted Federal Income Tax Reform bill, which caps the allowable property tax deduction for State and Local Taxes (SALT) at \$10,000.00 per year and further inquiring whether a municipality can establish a charitable foundation that would allow taxpayers to make charitable donations to be utilized for municipal services, in lieu of paying property taxes. She advised that the matter is very complex and could be costly to the Borough. Mr. Semrau agreed and advised that the governing body should wait for future state regulation and IRS rule-making on this matter.

With respect to local development, Mayor Henry added that the Borough's land use ordinances should be reviewed to allow and encourage small businesses to Main Street. He asked that Mr. Semrau review the Borough's land use ordinances and provide recommendations.

Public Works and Utilities Committee

Councilman Badal had nothing new to report.

ATTORNEY ITEMS

Mr. Semrau complimented Mayor Henry and the Borough Council on the legislative process they engaged in over the past year and half in establishing Chief of Police Promotional Guidelines. He said that the requirements and procedures for police officers seeking to be promoted to Chief of Police were adopted by ordinance last year and achieved a seamless transition in the Police Department upon the retirement of the former Chief of Police.

Mr. Semrau further advised that state affordable housing compliance mandates are on hold and confirmed that the Borough is in protective and compliant status. Mayor Henry inquired whether funds are available in the Borough's affordable housing trust fund for rehabilitation of housing units in the Borough. Mr. Semrau cautioned that a "Spending Plan" be must first be identified and approved and recommended that Borough officials wait until a Planner is retained to review this. Mayor Henry confirmed that interviews are being scheduled with Planners and affordable housing compliance will be a main component in selecting a Planner.

Lastly, Mr. Semrau thanked Ms. Kline for her service as Acting Borough Clerk and reported that Ms. Kline performed the duties as Acting Borough Clerk while Borough officials completed the selection process and hiring of a new Borough Clerk.

MAYOR'S ITEMS

Mayor Henry reported that the county has confirmed that Bernardsville Road, from the county line up to Main Street, and Kerby Lane is scheduled for repaving later in the year. Ms. Bushman was asked to calendar a follow up with county officials in the spring to set up a pre-construction meeting.

Mayor Henry thanked Council President Andrus for agreeing to serve on the Morris County Open Space and Farmland Preservation Trust Fund Committee and confirmed that an application has been submitted to the Freeholder Board.

Lastly, Mayor Henry reported that Borough officials are looking forward to welcoming the new Borough Clerk, Mimi Marlor, who will begin employment on Monday, February 5, 2018. He again thanked Ms. Kline for serving as the Acting Borough Clerk during the transition period.

PUBLIC COMMENT

Mayor Henry opened the meeting to the public for comments. Seeing no one from the public wishing to be heard, Mayor Henry closed the public comment portion of the meeting.

APPROVAL OF VOUCHERS

Bill Lists dated February 1, 2018.

Motion to approve: Councilman Witczak

Second: Councilman Sharkey

Discussion: Councilman Andrews recused himself on Bank ID item 4404.

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

EXECUTIVE SESSION

None.

ADJOURNMENT

There being no other business to be conducted, on a motion duly made by Councilman Sharkey, seconded by Councilwoman Glassner, and unanimously carried by a voice vote, the meeting was adjourned at 9:13 p.m.

The next Regular Meeting of the Mayor and Council will convene on Thursday, February 15, 2018 at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

Respectfully Submitted:

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