

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

March 1, 2018

CALL TO ORDER

Mayor Henry called the March 1, 2018 Regular Meeting of the Mayor and Council to order at 8:03 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

PRESENT:

Mayor Neil Henry

Councilman John Andrews

Councilman Brad Badal

Councilwoman Christine Serrano-Glassner

Councilman David Sharkey

Councilman Stanley Witczak, III

Council President John Andrus

Also present were:

Fred Semrau, Esquire, Borough Attorney

Joyce Bushman, Borough Administrator

Mimi M. Marlor, RMC, 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. Approve Minutes of the regular meeting of 2/15/18

Motion to approve: Councilman Andrews

Second: Councilman Sharkey

Discussion: None

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

DISCUSSION

None

ORDINANCE ADOPTION

- 02-18** Ordinance of the Borough of Mendham, County of Morris, State of New Jersey, Amending Chapter 102, Fees, Section 102.1, Schedule of Fees, to Establish a New Fee for Engineering Review of Applications Exempt from Site Plan Approval

Mayor Henry announced this is the Public Hearing for Ordinance 02-2018 and he opened the Public Hearing for comment. Seeing no one wishing to speak on Ordinance 02-18 he closed the Public hearing.

Motion to Adopt Ordinance #02-18: Councilwoman Glassner

Second: Councilman Sharkey

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

ACTIONS TAKEN - RESOLUTIONS

43-2018 Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

Motion to approve: Councilwoman Glassner

Second: Councilman Witczak

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

44-2018 A Resolution of the Mayor and Council of the Borough of Mendham, County of Morris, State of New Jersey, Supplementing its Background Checks Requirement For Daycamp Employees

Motion to approve: Councilman Sharkey

Second: Council President Andrus

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

45-2018 Resolution for the 2017 Tonnage Grant Application

Motion to approve: Councilman Badal

Second: Councilwoman Glassner

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

46-2018 A Resolution of the Mayor and Council of the Borough of Mendham, County Of Morris and State Of New Jersey, Approving the Sanitary Sewer Connection Application of Brett and Jamie Ressler, Regarding The Property Located At 73 Mountain Avenue, Block 901, Lot 1

Motion to approve: Councilman Sharkey

Second: Councilwoman Glassner

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

- 47-2018** Resolution to Authorize Off Premise Merchandise Raffle for the West Morris High School PTO
Motion to approve: Councilman Andrews
Second: Council President Andrus
Roll Call:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak, Andrus
Opposed: None
Abstain: None
Absent: None
- 48-2018** Resolution to Authorize Off Premise 50/50 Raffle for the West Morris High School PTO
Motion to approve: Councilwoman Glassner
Second: Councilman Andrews
Roll Call:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak, Andrus
Opposed: None
Abstain: None
Absent: None
- 49-2018** Resolution to Authorize On Premise Merchandise Raffle for the West Morris High School PTO
Motion to approve: Councilman Badal
Second: Councilman Andrews
Roll Call:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak, Andrus
Opposed: None
Abstain: None
Absent: None
- 50-2018** Resolution of the Borough of Mendham Authorizing the Settlement of Certain Tax Appeals
Motion to approve: Councilman Witczak
Second: Council President Andrus
Roll Call:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak, Andrus
Opposed: None
Abstain: None
Absent: None
- 51-2018** A Resolution Authorizing a Refund of Property Taxes – Lakeland Bank
Motion to approve: Councilman Witczak
Second: Councilwoman Glassner
Roll Call:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak, Andrus
Opposed: None
Abstain: None
Absent: None
- 52-2018** A Resolution Authorizing a Refund of Property Taxes – Wells Fargo
Motion to approve: Councilman Badal
Second: Councilwoman Glassner
Roll Call:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak, Andrus
Opposed: None
Abstain: None
Absent: None
- 53-2018** A Resolution Authorizing a Refund of Property Taxes – CoreLogic
Motion to approve: Councilwoman Glassner

Second: Councilman Badal

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

54-2018 Resolution Authorizing the Award of a Contract Pursuant to a Fair and Open Process to provide Planning Services

Motion to approve: Councilwoman Glassner

Second: Councilman Sharkey

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

ADMINISTRATOR'S REPORT

Administrator Bushman reported that her Administrator's report was provided to the Mayor and Council in advance of the meeting. She added that they are sorting out repairs to the Culvert. She shared photos and stated that she has a report from the Engineer. Councilman Witczak noted that the County has been at the culvert regularly to make repairs. Administrator Bushman hearing no other questions concluded her report.

COUNCIL REPORTS, OLD & NEW BUSINESS

Recreation Committee

Councilman Witczak reported that he had nothing to report that evening.

Finance Committee

Council President Andrus reported that the Finance Committee has completed the budget and he believes they are ready to go. He did note that the sewer budget may run short and need to raise funds at a later time as the reserves are diminishing. The Auditor is in the process of running a four year projection for needs and he should have that soon. He concluded his report.

Land Use Committee

Councilman Sharkey stated he had toured the Borough with DPW Manager, Jeff Cooper and Pete Hafemeister to review the ash tree situation. He commented that he would like to create a long term plan for the replacement of the anticipated loss of trees. He shared that the Borough has neglected their strip on Main Street to improve the look over the years. He noted that the Tree City Planting Program will start in a couple of weeks. These are projects for the Girl Scouts and Boy Scouts and he will ask Lisa Smith to coordinate some improvements. He also noted that the Dunkin Donuts application has been resubmitted and will be considered in April / May at the Planning Board.

Councilman Witczak asked the employees to refrain from commenting on social media.

Mayor Henry commented that they are entitled to their opinions but asked Administrator Bushman to remind employees to be clear that they are not speaking on behave of the Borough.

Councilman Sharkey stated that he had nothing else and concluded his report.

Public Safety Committee

Councilman Andrews reported that there were five candidates that completed the 6 week EMR's class requirements and additionally two police (Nolan and Crugar) recently passed the class too. He thanked Chief Camoia for the new process where the officers exit their cars during drop off at school. He also shared they reviewed the options on securing the Borough building sites and no decision has yet been made but he is has had a planning meeting with Chief Camoia and Administrator Bushman. Lastly he reported that the Home School Association had approached him about donating an "Emergency Services Experience" for an upcoming auction fundraiser. The Fire, Police and Ambulance will all participate on one of three dates in May. Councilman Andrews acknowledged he would coordinate all the backup for the event and he concluded his report.

Personnel Committee and Local Economic Development Committee

Councilwoman Glassner reported that she had nothing on Economic to report this evening but commented that the Personnel Committee is finalizing the salary review. She also reported that she has attended two of the superintendent's presentations where they are discussing the school ranking that was recently released. She believes the schools know what they need to do to improve. She shared that the growth percentage ranking is calculated differently now; hence if you are consistently good, your ranking will not improve. She stated that she would like to put together a letter to State Department of Education and Mayor Henry commented he would be happy to help to work with her on putting together a letter. She concluded her report.

Public Works and Utilities Committee

Councilman Badal stated he nothing specific to report but noted that he would like to arrange a meeting with Public Works, Joyce, Doug and Mr. Wancho to understand all the pieces of the water reclamation report before undertaking these projects. The Mayor asked that he arrange that with the Administrator. He concluded his report.

ATTORNEY ITEMS

Attorney Semrau stated that he has distributed the proposed Beekeeping Resolution. He reminded Council that the comment period has passed but Councilman Sharkey is reviewing this memo and would like to speak with a beekeeping expert. He wants to get a clear understanding and address this at a later time. He suggested that Councilman Sharkey plan to report at the next meeting. He concluded his comments.

MAYOR'S ITEMS

Mayor Henry acknowledged the passing of Doug Black. He was instrumental in the starting of Mendham TV. He was very young and died suddenly from a heart attack and I'd like recognize him and the loss to the community.

He also asked that the procedure for the selection of the Grand Marshall of the Labor Day parade be reviewed so that procedure may be memorialized for picking the Grand Marshall in the years to come. He asked Attorney Semrau to look at that procedure. He concluded his report.

PUBLIC COMMENT

Mayor Henry opened the meeting to the public for comments.

Ron Weissman, Mendham, NJ – He noted that he had two comments this evening. With the amount of planning and projects that are coming up for the Council, such as Scott Farm, tennis courts and any other municipal property being considered for resurfacing , he'd ask that they look at the stormwater issues, bio-filtration and tree scape opportunities. Additionally he noted that sediment is running off of Prentice Lane and can they look at that for remediation. The Mayor asked the Administrator to have DPW Manager, Jeff Cooper look at that and report back.

Mr. Bob Muchaly, Mendham, NJ – He thanked Council for inviting him to be the Grand Marshall of the Labor Day parade. He acknowledged his son-in-law and commended him on his public service to Mendham. He shared some Borough history and accomplishments of the past. He noted that it was a unique period of time when they were able to do a lot for the blueprint of the Borough. He shared his concerns for the future and would like to see the departments work together to provide how they can best make fiscally sounds decisions for the Borough. He thanked the Mayor and Council for listening and concluded his comments.

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

APPROVAL OF VOUCHERS

Bill Lists dated February 15, 2018.

Motion to approve: Councilman Sharkey

Second: Councilman Andrus

Roll Call:

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

Opposed: None

Abstain: None
Absent: Badal

EXECUTIVE SESSION

None.

ADJOURNMENT

There being no other business to be conducted, on a motion duly made by Councilman Badal, seconded by Councilwoman Glassner, and unanimously carried by a voice vote, the meeting was adjourned at 8:51 p.m.

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

Respectfully Submitted:

Mimi M. Marlor, RMC, CMR
Borough Clerk
BOROUGH OF MENDHAM