

BOROUGH OF MENDHAM
MEETING OF THE MAYOR AND COUNCIL
May 26, 2020
MINUTES

CALL TO ORDER

Mayor Christine Serrano-Glassner called the May 26, 2020 Regular Meeting of the Mayor and Council to order at 8:00 p.m. in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

MOMENT OF SILENCE AND FLAG SALUTE

Mayor Serrano-Glassner led a moment of silence and then proceeded with the Pledge of Allegiance.

MAYOR'S OPENING STATEMENT

Mayor Serrano-Glassner read the following statement:

Notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the Daily Record and Star Ledger, posted in the Phoenix House, and was filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act.

ROLL CALL

The following officials were present:

- Mayor Christine Serrano-Glassner
- Council Member Steven Andrew [via video conferencing]
- Council Member John Andrews [via video conferencing]
- Council President Brad Badal [via video conferencing]
- Council Member James Kelly [via video conferencing]
- Council Member Mary Sue Martin [via video conferencing]
- Council Member Brennan Reilly [via video conferencing]

Also present were:

- Joyce Bushman, Borough Administrator
- Fred Semrau, Esq., Borough Attorney [via video conferencing]
- Robin R. Kline, Borough Clerk [via video conferencing]

CONSENT AGENDA ITEMS

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 Governing Body requests that an item be removed and considered separately.

- 1. Approval of Minutes:** May 13, 2020 Regular Meeting
- 2. Banner Permit Applications:** Mendham Diamond Club
June 1, 2020 through June 7, 2020
Cub Scout Pack 133
August 3, 2020 through August 9, 2020
- 3. Raffle License Application:** #14-2020 - Minutemen Sports Club
Off-Premise Sales for Merchandise Raffle Game
September 11, 2020, High School Football Game Halftime Draw
- 4. Special Event Permit Application:** In Motion Dance
Dance Recital for Young Students Borough Park & Gazebo
August 15, 2020; Rain date August 16, 2020

Motion to Approve Items 1., 2., and 3. on the Consent Agenda. Item 4., Special Event Application, was removed from the Consent Agenda for separate discussion and Council action.

Motion to Approve: Council Member Kelly
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

Discussion of Item 4., Special Event Permit Application for In Motion Dance.

Mayor Serrano-Glassner recognized Ms. Kathie Kececi, the applicant for the Special Event Permit who was in attendance via Zoom video-conferencing.

Ms. Kececi, 17 Franklin Road, Mendham commented that the students' dance recital could not be held in an indoor facility due the Governor's executive order concerning the COVID-19 state of emergency restrictions. She noted, however, that up to 25 individuals may gather in outdoor areas and parks provided social distancing is maintained. She confirmed that the scheduled event would be in full compliance.

Council President Badal set forth for the record that Mendham Borough historically has not allowed private for-profit organizations use of borough facilities or parks. He recognized, however, that the COVID-19 state of emergency has created a unique time and situation and therefore stated he would be willing to make an exception and provide his approval of the application. Approval would be subject to the applicant complying with all state of emergency conditions and restrictions.

Mr. Semrau, Mayor Serrano-Glassner and Council Member Andrew further confirmed that in past years the Borough had never permitted the use of borough facilities to for-profit organizations for their benefit. Considering the extenuating circumstances created by the declared state of emergency, Mayor Serrano-Glassner advised that Council approval should only be considered on the condition that the applicant coordinate with the Chief of Police to ensure that public safety and all state of emergency restrictions are complied with. The Council expressed its concurrence.

Motion to Approve Item 4., Special Event Permit Application, on the Consent Agenda:

Motion to Approve: Council Member Kelly moved to approve the Special Event Permit Application subject to the stipulation that the applicant coordinate with Chief Camoia to ensure that public safety and all state of emergency restrictions are complied with.
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

ORDINANCES FOR INTRODUCTION

#03-2020 ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN IN AND BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$790,436 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH

Mayor Serrano-Glassner announced that the Public Hearing for this Ordinance is scheduled for June 10, 2020 and inquired if there were any comments or questions from the Council.

Council Member Andrew, a member of the Finance Committee, recalled that only one of the two Fire Department items, either the jaws of life rescue tool (\$25,000) or the pass device system (\$60,000), had been recommended for inclusion in this Ordinance and inquired why both items have been included in section 2. of the Ordinance.

Ms. Bushman confirmed that although both items have been included in the Ordinance, purchases would only be made if funds were to be appropriated.

There was no further Council discussion.

Motion to Approve: Council Member Kelly
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

#04-2020 ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE SANITARY SEWERAGE SYSTEM IN AND BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$62,000 THEREFOR FROM THE SEWER CAPITAL FUND OF THE BOROUGH.

Mayor Serrano-Glassner announced that the Public Hearing for this Ordinance is scheduled for June 10, 2020 and inquired if there were any comments or questions from the Council.

There was no Council discussion.

Motion to Approve: Council Member Kelly
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

#05-2020 BOND ORDINANCE APPROPRIATING \$390,000, AND AUTHORIZING THE ISSUANCE OF \$370,500 BONDS OR NOTES OF THE BOROUGH, FOR THE ACQUISITION OF EQUIPMENT BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY [Requires not less than two-thirds of all the members thereof affirmatively concurring]

Mayor Serrano-Glassner announced that the Public Hearing for this Ordinance is scheduled for June 10, 2020 and inquired if there were any comments or questions from the Council.

There was no Council discussion.

Motion to Approve: Council Member Kelly
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

ORDINANCE FOR PUBLIC HEARING/ADOPTION

None.

RESOLUTIONS

#080-2020 RESOLUTION TEMPORARILY MODIFYING CERTAIN OUTDOOR DINING REQUIREMENTS TO ENABLE LOCAL RESTAURANTS TO IMPLEMENT SOCIAL DISTANCING AND FACILITATE SMALL BUSINESS RECOVERY IN LIGHT OF THE COVID-19 PUBLIC HEALTH EMERGENCY

Mayor Serrano-Glassner confirmed that this Resolution would also be subject to any executive order issued by the Governor, and in effect, and inquired if there were any comments or questions from the Council.

Council Member Martin recommended that the Borough waive any fee associated with obtaining an Outdoor Dining Permit, particularly, she stated in light of the financial hardships local restaurants have faced since the COVID-19 state of emergency restrictions were enacted in March.

Mr. Semrau confirmed that the Borough Code provides for an annual fee for outdoor dining and further advised that the Council could waive those fees upon motion and affirmative vote.

After discussion by the Council, Mayor Serrano-Glassner announced there was unanimous consent by the Council to waive the fee for outdoor dining during the period Resolution #080-2020 is in effect and asked for a motion.

Motion to Approve: Council Member Kelly moved to approve Resolution #080-2020 and to waive the fee for outdoor dining during the period the subject Resolution remains in effect.
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

#081-2020 RESOLUTION AWARDED NON-FAIR AND OPEN CONTRACT FOR MONITORING WELL TESTING

There was no Council discussion.

Motion to Approve: Council Member Kelly
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

#082-2020 RESOLUTION AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS

There was no Council discussion.

Motion to Approve: Council Member Kelly
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

#083-2020 RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME ADMINISTRATIVE INTERN

There was no Council discussion.

Motion to Approve: Council Member Kelly
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

#084-2020 RESOLUTION AUTHORIZING THE FORGOING OF INTEREST ON PROPERTY TAX TO STACEY PUZINO

There was no Council discussion.

Motion to Approve: Council Member Kelly
Second: Council Member Martin
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly
Nays: None

ADMINISTRATOR'S REPORT

Ms. Bushman reported that employees working remotely would be transitioned back to Borough offices in June. Employees are required to have a COVID-19 test (scheduled for May 28th) before they can return to their offices.

COUNCIL COMMITTEE REPORTS

Finance [Standing Committee of the Council]

Council President Badal reported that three capital ordinances were introduced earlier in the meeting and mentioned that once the ordinances are adopted, capital purchases should be deferred until after August.

Board of Health

Council Member Andrew reported that the Bernards Township Health Department continues to provide weekly updates on COVID-19.

Recreation and Parks [Standing Committee of the Council]

Council Member Andrew reported that the Recreation Committee met on May 24th.

Mayor Serrano-Glassner mentioned that the Borough Council would need to discuss whether the Borough should proceed with the Summer Day Camp program and the Summer Concert series in light of the Governor's declared COVID-19 state of emergency. Discussion took place during her Mayor's report.

Board of Education

Council Member Andrew had nothing new to report.

Public Safety [Standing Committee of the Council]

Council Member Andrews reported that U.S. flags were posted at all veteran grave sites in the Borough prior to Memorial Day and a small Memorial Day Ceremony was held attended by less than 25 persons because of the COVID-19 state of emergency social distancing restrictions that were in place. The Memorial Day Ceremony included the laying of a wreath and the playing of taps. He expressed his gratitude to the volunteers who helped place U.S. Flags at veteran gravesites and to those who participated in the Memorial Day Ceremony. Council Member Andrew also thanked those in attendance, including the many Veterans, Assemblywoman Aura Dunn, Mayor Serrano-Glassner, Council President Badal and Council Member Andrew.

Personnel [Standing Committee of the Council]

Council Member Martin reported that interviews for the tax collector position would be scheduled via Zoom video-conferencing.

Public Works and Utilities [Standing Committee of the Council]

Council Member Kelly reported that the repaving of Hilltop Road and Talmage Road has created unanticipated traffic congestion on New Street and Prospect Street and recommended that temporary "No Parking" signage should be posted on those streets. Chief Camoia confirmed that signage would be posted and noted that the detour should only be in place for about three days.

Land Use [Standing Committee of the Council] and ECOSST Committee

Council Member Reilly reported that the ECOSST Committee is finalizing several park and open space improvement projects. Students from St. Joe's are interested in partnering with ECOSST for their service projects. Proposed projects include installing interpretive kiosks at the Mountain Valley Park and the India Brook Park; installation of a wooden fence, fire pit, rain garden and chicken coop at the upper portion of the Scott Farm property along Mountainside Avenue. The Public Works Superintendent has been asked to assist in providing project material cost estimates. Council Member Reilly will provide a detailed report at the next Council meeting.

ATTORNEY'S ITEMS

Mr. Semrau applauded the governing body for their efforts in cutting through the governmental "red tape" in their efforts to help local businesses during the state's COVID-19 state of emergency.

MAYOR'S ITEMS

Mayor Serrano-Glassner reported that the Pastime Club sent a letter to the governing body informing that the club continues to go forward with its annual Labor Day fireworks display and requesting that the Borough Council consider approving an authorizing resolution. The Council provided its concurrence. A resolution will be placed on the June 10th agenda for Council action.

2020 Summer Concert Series

Mayor Serrano-Glassner advised that at the Recreation Committee's May 24th meeting, its members had made a recommendation to cancel the 2020 Summer Concert Program series. She further reported that prior to the Borough Council acting on the committee's recommendation, a cancellation announcement was sent out to the public and also was posted to the website. Bruce DiBisceglie, Recreation Director, provided clarification on the Recreation Committee's decision and why he believed it was important to send out an immediate cancellation announcement without the Borough Council's concurrence or consent.

Upon further questioning and discussion by the governing body, Mr. DiBisceglie acknowledged there was flexibility in scheduling concerts on a week-by-week basis, subject to the current status of Governor Murphy's executive orders concerning outdoor gatherings and social distancing restrictions. The governing body asked Mr. DiBisceglie to provide a tentative concert schedule for further review and discussion at the June 10th Council meeting. Mr. Semrau will distribute an advisory memorandum to the governing body for further guidance and consideration.

2020 Summer Day Camp Program

Mayor Serrano-Glassner then advised that at its May 24th meeting, the Recreation Committee also voted to cancel a “physical” Mendham Day Camp based on CDC and American Camping Association standards concerning COVID-19 restrictions and protocols required for the sanitation of facilities and equipment and social distancing. In lieu of a physical day camp program, the Recreation Committee proposed a “Virtual” Day Camp program.

Mr. DiBisceglie informed the governing body that a virtual day camp would be conducted via three Zoom video-conferencing accounts and that some additional IT equipment/resources would be procured to conduct a virtual program. The virtual day camp program would allow 20 campers to participate in activities designed for three camp age/grade levels and would require eight camp staff members to run. The virtual camp would begin June 29th, during the hours of 9AM to 11AM, Monday – Friday.

Upon further questioning and discussion by the governing body, the Borough Council did not favor a virtual day camp program and proceeded to discuss the logistics of operating the physical day camp program.

Mr. DiBisceglie informed the governing body that five camp directors have been working since January, planning and preparing the 2020 Summer Day Camp program. Additional camp counselors would need to be hired and trained to run the day camp activities. He further mentioned that the summer day camp program costs approximately \$15,000 to operate and that a minimum of 100 registered participants per week are required for the program to break even. Mr. DiBisceglie estimated that \$3,300 had been spent to date in planning the 2020 Summer Day Camp program.

Mr. Semrau advised that liability insurance coverage is in place for municipal day camp programs and cautioned that additional costs may be required to accommodate participants with special needs, which also must also be considered.

Upon discussion, the Borough Council concurred that due to the unrepresented public health concerns and unknown costs associated with complying with CDC and American Camping Association standards concerning COVID-19 restrictions, it would be in the best interest to cancel the 2020 Summer Day Camp program. Mr. DiBisceglie was directed not to incur any further costs for the 2020 Summer Day Camp program as of May 27th.

Council President Badal requested Mr. DiBisceglie to provide the Finance Committee with a spreadsheet of anticipated costs and revenues for the Day Camp Program and the Summer Concert series.

2020 Summer Movie Series

Mayor Serrano-Glassner advised that the Recreation Committee proposes to schedule 5-6 drive-in movie events over the summer months. Planning and logistics would be discussed with OEM, the Police Department and the Borough’s Attorney.

PUBLIC COMMENT – AUDIENCE PARTICIPATION

Mayor Serrano-Glassner opened the public comment portion of the meeting.

Seeing and hearing no one wishing to speak, Mayor Serrano-Glassner closed the public comment portion of the meeting.

APPROVAL OF VOUCHERS

Bills List prepared by the Chief Financial Officer dated May 26, 2020.

Mayor Serrano-Glassner advised that Resolution #059-2020 passed at the March 18, 2020 Special Meeting provided the Borough Administrator authorization to approve vouchers subject to the availability of funds.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

Having no further business to conduct, Mayor Serrano-Glassner asked for a motion to adjourn. Council Member Kelly made a motion to adjourn. Council Member Martin seconded the motion. Upon a voice vote, the motion was passed unanimously.

Meeting adjourned at 9:49 p.m.

The next scheduled meeting of the Mayor and Council of the Borough of Mendham will convene on June 10, 2020 at 8:00 PM, the Garabrant Center, 4 Wilson Street, Mendham.

Respectfully Submitted:

Robin R. Kline

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