

**MINUTES OF A MEETING
OF THE
MAYOR AND COUNCIL**

CALL TO ORDER

Mayor Henry called the October 20, 2014 meeting of the Mayor and Council to order at 8:00p.m. in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

INVOCATION AND FLAG SALUTE

Mayor Henry offered a moment of silent meditation, followed by the Pledge of Allegiance.

OPENING STATEMENT

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

ATTENDANCE: Mayor Neil Henry

Councilman Brad Badal
Councilman John Andrus
Council President David Sharkey
Councilwoman Veronica Daly

Also present: Atty. Fred Semrau, Esq.
Interim Administrator Bob Casey
Maureen Massey, Borough Clerk

Absent: Councilman Lou Garubo, Councilman Stanley Witzcak

CONSENT AGENDA:

Approval of the minutes of the regular session meeting of 10.06.14 (Tabled to next meeting)

Approval of Blue Light Permits-G. Viveiros and J. Hendren Jr.-First Aid Squad

Motion to approve the consent agenda was made by Councilman Badal

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

In favor: Badal, Andrus, Sharkey, Daly

Opposed: None

Abstain: None

Absent: Garubo, Witzcak

DISCUSSION:

Proclamation: “Pancreatic Cancer Awareness Month”:

Mayor Henry noted that by Proclamation the month of November has been declared “Pancreatic Cancer Awareness Month” by the governing body of the Borough of Mendham.

The Clerk will forward this proclamation to the volunteer organization that made the request.

Police Exterior Emergency Phone:

Mr. Casey shared that while reviewing bills he noticed a \$75.00 a month expense for two pay phones. After some research he determined that one was at the Garabrant Center and the other at Police Headquarters. Mr. Casey wanted to discuss a proposal received and determine if the governing body would consider moving forward on the removal of the pay phone at Police Headquarters.

Administrator Casey reviewed the proposal received for a new emergency phone arrangement which will provide direct access to the Morris County Dispatch Center. In addition to a phone there will be a camera so that the dispatch center can view the caller. This has been discussed with the Police Chief Libertino who in turn contacted the dispatch center and obtained contractor information to obtain this proposal. The cost of \$4,714 and he stressed the public safety benefits. This contractor

Police Exterior Emergency Phone: (Cont'd.)

is a state approved vendor. The proposal addresses replacing/upgrading of the existing Borough equipment with a direct connect phone at the same location; a camera aimed at the phone from the opposite side of the building. The bonus of the camera recording any person or persons entering and leaving the Police station and/or anyone hanging around the entrance was mentioned.

Mayor Henry discussed this new arrangement with Mr. Peoples from the County. Chief Liberto is in favor of this new emergency phone arrangement. No decision was made this evening. Members of the governing body suggested it be reviewed further. Mr. Casey stressed that the Council consider the public safety enhancement with this new suggested emergency phone arrangement.

Single 'Land Use' Board:

Mr. Casey commented on information gathered and circulated to the Mayor and Council provided by the Land Use Coordinator to enhance this discussion. Also circulated for reference purposes were a memo from the Borough Attorney and an article from Bloustein School of Planning and Public Policy (approximately 5-6 years old).

Atty. Semrau shared that Mount Olive merged the two boards and are not considering going back to two separate. They no longer need to search for members to fill the positions.

Mr. Casey researched the cost savings for the Borough and concluded there was none. He did add that there would only be a need for (1) one attorney and (1) one engineer resulting in a nominal cost savings to the Borough.

It was noted that the towns referenced were not similar to the Borough. The inability to fill the spots on the boards was a reason for consolidation. The Mayor commented that there are many young residents who are anxious to get involved. Councilman Sharkey asked if the consolidation would increase the number of members needed. Atty. Semrau responded that there would be fewer members than with two boards and that elected members would not 'hear' (review or vote on) Board of Adjustment applications.

Councilman Sharkey expressed his concern that consolidation would result in longer meetings discouraging members to serve and applicants not wanting to wait to be heard.

Mayor Henry explained that this ordinance would make bonuses available for those employees in good standing that have reached the top of their salary range. This monetary compensation will not be calculated for pension purposes.

ORDINANCE INTRODUCTION: (A copy of this ordinance is attached to the minutes)

ORDINANCE #6-14
AN ORDINANCE TO SUPPLEMENT CHAPTER 4, ADMINISTRATIVE ORGANIZATION, OF THE CODE OF ORDINANCE OF THE BOROUGH OF MENDHAM, MORRIS COUNTY, NJ TO PROVIDE FOR A NEW ARTICLE V111: SALARIES

BE IT RESOLVED, by the Borough Council of the Borough of Mendham that:

ORDINANCE #6-14
AN ORDINANCE TO SUPPLEMENT CHAPTER 4, ADMINISTRATIVE ORGANIZATION, OF THE CODE OF ORDINANCE OF THE BOROUGH OF MENDHAM, MORRIS COUNTY, NJ TO PROVIDE FOR A NEW ARTICLE V111: SALARIES

Be passed on first reading by title; and

BE IT FURTHER RESOLVED, that said Ordinance be further considered for final passage and adoption at the meeting of the Borough Council of the Borough of Mendham to be held on November 3, 2014 at 8:00 PM prevailing time, in the Garabrant Center, 4 Wilson Street in said Borough, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

BE IT FURTHER RESOLVED, that the Clerk be authorized and directed to advertise said Ordinance in the Observer Tribune, according to law.

Motion to introduce Ordinance #6-14 was made by Councilwoman Daly
Seconded by Councilman Badal
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrus, Sharkey, Daly, Badal
Opposed: None
Abstain: None
Absent: Garubo, Witczak

ORDINANCE INTRODUCTION: (A copy of this ordinance is attached to the minutes)

ORDINANCE #7-14
**CHAPTER 155 OF THE CODE OF ORDINANCES OF THE BOROUGH OF MENDHAM
ESTABLISHING A PROPERTY MAINTENANCE CODE IS HEREBY REPEALED IN
ITS ENTIRETY AND THE CODE OF ORDINANCES OF THE BOROUGH OF
MENDHAM IS AMENDED AND SUPPLEMENTED BY THE ESTABLISHMENT OF
A NEW CHAPTER 155 ENTITLED 'PROPERTY MAINTENANCE**

Mayor Henry stated that there have been some suggested revisions to the draft of this ordinance. The Mayor asked the governing body to consider a motion to 'table' the introduction of this ordinance to a future meeting.

Motion to table Ordinance #7-14 was made by Councilman Andrus
Seconded by Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Badal, Andrus, Sharkey, Daly
Opposed: None
Abstain: None
Absent: Garubo, Witczak

Ordinance Public Hearing/Adoption:

ACTIONS TO BE TAKEN: (A copy of the resolution is attached to the minutes)

Res. #139-14 Tax Appeal Settlements (2013)

Motion to adopt Resolution #139-14 was made by Councilman Andrus
Seconded by Councilman Badal
Discussion: None
Roll Call – the vote was as follows:
In favor: Badal, Andrus, Sharkey, Daly
Opposed: None
Abstain: None
Absent: Garubo, Witczak

Res. #140-14 Temporary Electrical Inspector

Motion to adopt Resolution #140-14 as amended to reflect "electrical inspector" was made by Councilwoman Daly
Seconded by Councilman Andrus
Discussion: None
Roll Call – the vote was as follows:
In favor: Badal, Andrus, Sharkey, Daly
Opposed: None
Abstain: None
Absent: Garubo, Witczak

Res. #141-14 Transitional Assistance-Borough Administrator-Canning Group, LLC

Motion to adopt Resolution #141-14 was made by Councilman Sharkey

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrus, Sharkey, Daly, Badal

Opposed: None

Abstain: None

Absent: Garubo, Witczak

ADMINISTRATOR REPORT:

Mr. Casey reported that the 2014 Emergency Dispatching Agreement has not been executed with the County for their services. He requested that the governing body consider the adoption of a resolution which was circulated prior to this meeting.

**Res. #143-14 Authorizing the Execution of an Interlocal Agreement with Morris County-
“Emergency Dispatching Services” (2014)**

Motion to adopt Resolution #143-14 was made by Councilman Badal

Seconded by Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrus, Sharkey, Daly, Badal

Opposed: None

Abstain: None

Absent: Garubo, Witczak

Mr. Casey continued reporting on the results of interviews to fill the part-time position at Police Headquarters. The possible candidates have requested no less than \$20.00/hr. due to the ‘on-call’ aspect of the position. Mr. Casey asked the governing body for approval of this rate of pay. Receiving confirmation, Mr. Casey will make calls for a second interview this week with Councilman Sharkey/Garubo.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilman Badal reported on the submission/completion by the OEM Coordinator of EOP (Emergency Operating Procedures).

Councilwoman Daly informed the governing body that she will be meeting with Mr. Merkt on the 7th to discuss personnel evaluations, in line quality candidates for succession planning.

Councilman Sharkey asked Bruce DiBisegellie who in the audience if he had anything to report on Recreation. Bruce commented that the commission is working on budget and field scheduling. Mr. Sharkey reported the land use committee is working on the snow and ice removal ordinance that will deal with the basics (snow blowing and plowing into the street).

Councilman Andrus anticipates the 2015 budget will be completed in record time. Review meeting will be scheduled for December.

ATTORNEY ITEMS:

Atty. Semrau reported that Cross River Fiber has been requesting the Borough adopt a consent ordinance for a 50 year period. After negotiating with them, Mr. Semrau has an agreement with them for 15 years but would also like governing body approval to continue talks and request to be treated ‘in a favorable way’ as other municipalities have been. Councilman Andrus asked about the placement of the ‘boxes’ that would be installed. Atty. Semrau will have that conversation with Cross River Fiber and request a representative to come to the Borough’s ordinance introduction meeting.

MAYOR’S ITEMS:

The Mayor reported that there is a meeting this evening in Chester with Mr. Ross Haber discussing the high school feasibility study. Ross has a power point presentation and will send a copy to the Mayor and in turn will be circulated to the Council. Mr. Henry shared that the study should be completed in late January or early February.

PUBLIC COMMENT: No public comments this evening.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated October 20, 2014
Motion to approve the October 20, 2014 bill list was made by Councilman Badal
Second by Councilman Sharkey
Discussion: None
Roll Call - the vote was unanimous as follows:
In favor: - Badal, Andrus, Sharkey, Daly
Opposed: None
Abstain: None
Absent: Garubo, Witczak

Res. #142-14 Executive Session: Contract Negotiations/Personnel

Motion to adopt Resolution #142-14 was made by Councilwoman Daly
Seconded by Councilman Badal
Discussion: None
Roll Call – the vote was as follows:
In favor: Badal, Andrus, Sharkey, Daly
Opposed: None
Abstain: None
Absent: Garubo, Witczak

On a motion duly made, seconded and unanimously carried, the Council returned to open session.

ADJOURNMENT:

There being no further business scheduled for the consideration of the Mayor and Council at this time, on a motion duly made, seconded and unanimously carried by a voice vote, the meeting was adjourned at approximately 9:35 P.M. next to convene at the Regular Meeting on November 3, 2014 at 8:00 P.M. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Maureen Massey, RMC, CMC
Borough Clerk