

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

October 18, 2018

CALL TO ORDER

Council President Andrus called the October 18, 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

Council President Andrus led a moment of silence and then proceeded with the Pledge of Allegiance.

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:

Councilman John Andrews
Councilman Brad Badal
Councilwoman Christine Serrano-Glassner
Councilman David Sharkey
Councilman Stanley Witczak
Council President John Andrus

ABSENT:

Mayor Neil Henry

Also present were:

Fred Semrau, Esquire
Joyce Bushman, Borough Administrator
Mimi M. Marlor, RMC, Borough Clerk

CONSENT AGENDA

1. Minutes – Regular Meeting of October 4, 2018
Executive Session of October 4, 2018
2. Application for Blue Light Permit – Christopher Creamer

Motion to approve: Councilman Sharkey

Second: Councilwoman Glassner

Discussion: Councilman Witczak asked for clarification and amendment of the minutes regarding the explanation of the comp time issue pertaining to resolution 161-2018. Attorney Semrau stated that at the last meeting we made it clear that sub paragraph #4 will affect those employees making less than the federal wage standard act. In review, he wasn't sure Mendham had any employees that fell into that category but it was done as a MEL compliance standard. Attorney Semrau asked that we include the memorandum of October 2nd as a part of the October 4, 2018 minutes and that explanation be identified in the minutes of this meeting.

Roll Call:

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

Opposed: None

Recusal: Andrus (for Regular and Executive Session minutes of October 4, 2018)

Badal (for Regular and Executive Session minutes of October 4, 2018)

Andrews (for Blue Light Permit)

Absent: None

DISCUSSION ITEMS

None

ACTION TAKEN – ORDINANCE 09-2018

09-2018 Ordinance of the Borough of Mendham, County of Morris, State of New Jersey, to Amend Chapter 4 of the Borough Code Entitled Administrative Organization, Article II Council, By Establishing Section 4-13 Entitled “Selection of Labor Day Parade Grand Marshall”

*Introduction/No Public Input/Published in the Daily Record 10/09/2018
2nd Reading/Public Hearing/Final Adoption 10/18/2018*

Council President Andrus asked for the motion to open the Public Hearing for Ordinance 09-2018.

Motion: to open the Public Hearing: Councilman Witczak

Second: Councilman Sharkey

Discussion: None

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

Seeing no one wishing to comment Council President Andrus closed the Public Hearing

Motion to Adopt Ordinance 09-2018 as amended: Councilwoman Glassner

Second: Councilman Badal

Discussion: There was a request for an incidental clarification made to section 1. Qualifications: (e) Volunteers or employees of the Borough and their contributions. This will be made part of the final adopted Ordinance.

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

ACTIONS TAKEN – OTHER RESOLUTIONS

170-2018 Resolution Recognizing Gavin Purdy’s Appointment to the Mendham Hose Company #1 as a Regular Member

Motion: to Approve: Councilman Andrews

Second: Councilwoman Glassner

Discussion: None

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

171-2018 Resolution Recognizing Andrew J. Spiegel’s Appointment to the Mendham Hose Company #1 as a Regular Member

Motion: to Approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: None

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

172-2018 Resolution of the Borough of Mendham, in the County of Morris and State of New Jersey, Authorizing the Award of a Professional Services Contract

without Competitive Bidding to Heyrich Architects in Connection with Phase
I of the Scott Farm Barn Project

Motion: to Approve: Councilman Sharkey

Second: Councilman Andrews

Discussion: None

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

173-2018 Resolution to Authorize an Off Premise 50/50 Raffle for the Mendham Home
& School Association

Motion: to Approve: Councilman Witczak

Second: Councilwoman Glassner

Discussion: None

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

174-2018 Resolution Authorizing Lien Redemption

Motion: to Approve: Councilman Badal

Second: Councilman Sharkey

Discussion: None

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

175-2018 Resolution Authorizing Refund of Overpayment of Property Tax to Scott and
Alexandra Leibold at 30 Spring Hill Road

Motion: to Approve: Councilwoman Glassner

Second: Councilman Sharkey

Discussion: None

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

176-2018 Resolution Authorizing the Award of a Contract to Maplecrest Ford, Inc. of
Mendham, New Jersey for the Furnishing and Delivering of One (1) 2019 Ford
F550 Dump Truck with Related Equipment

Motion: to Approve: Councilman Badal

Second: Councilman Andrews

Discussion: Councilman Witczak asked if the bid included the plow package and the Superintendent
of Public Works confirmed that it did.

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

177-2018 Resolution of the Borough of Mendham, in the County Of Morris and State Of
New Jersey, Authorizing the Award of a Contract to Reed Systems Ltd Of
Ellenville, New York for the Replacing of a Dump Body on the Borough's 2008
Ford F550 Dump Truck

Motion: to Approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: None

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

178-2018 A Resolution of the Borough of Mendham, County of Morris, State of New Jersey, Authorizing Change Order No. 1 for Additional Work for the Garabrant Center Generator Project

Motion: to Approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: Attorney Semrau explained the need for the change order as the project was not completed to the satisfaction of the Borough and at the recommendation of the Engineer we should proceed with the changes. Councilman Badal stated that he agrees with the need for the resolution to move forward to correct the problem but he wanted to state for the record that he believes the \$900.00 difference lies with the general contractor, not with the subcontractor.

Roll Call:

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

Opposed: None

Recusal: None

Absent: None

ADMINISTRATOR'S REPORT

Hearing no comments the Council President Andrus moved on.

COUNCIL REPORTS, OLD & NEW BUSINESS

Recreation Committee

Councilman Witczak stated the Recreation Committee is working on introducing a Holiday Lighting Contest. He noted the Mendham Borough Business Association is donating the prizes for the event. They plan to market the event on the Borough website and send a flyer out by E-blast to residents. They plan to have three judges and the judging will take place between December 14th and December 16th around the time of the Holly Trail. Councilman Witczak asked Councilman Andrews to report on the traffic impact on the turf field upgrades by West Morris Soccer Club. Councilman Andrews reported that the traffic study examined by Fire and EMS was complete and they don't believe there will be any impact causing parking issues. He noted that traffic can be managed with signage and area parking directed to the gravel lot in the back. He also noted that they would like to put up a small set of bleachers. Councilman Witczak noted he'd like to move on the turf field and tennis courts as soon as possible. He had nothing else to report and concluded his remarks.

Land Use Committee and Environmental Commission

Councilman Sharkey stated that he had nothing new to report on Environmental/ Shade Tree front. He shared that the Land Use Planning Board's next meeting is scheduled for November 13, 2018 and the Dunkin Donuts application is still in review and on-going. Councilman Sharkey concluded his report.

Public Safety Committee

Councilman Andrews stated that he attended the quarterly 'Critical Incident' meeting at the Firehouse earlier that evening with Fire Chief Bruin, Police Chief Camoia and himself representing EMS. He reported that these meetings allow to plan and share information so they are all on the same page if an incident arises. Our next meeting will be in early December. He reported that this morning was the Crosswalk Blitz. It was sponsored by an AAA grant for our officers to enforce "failure to stop for pedestrians" law which is a \$200.00 fine together with 2 points. The Police Department made contact with 65 motorists and gave everyone an AAA pamphlet – 53 warnings were given and 12 summons were issued. He shared that the Police Department parking lot is lacking adequate safety lighting and new lights are on order and will be installed shortly by the DPW. He updated that the traffic data has been collected regarding Lake Drive traffic issues and the Chief is

looking into some traffic calming solutions, such as speed signs that can be moved around. These will be proposed in the upcoming budget and are estimated to cost around \$3,000.00 each. Councilman Andrews reiterated that the meeting took place at the Firehouse last week regarding the proposed multi use turf field and he repeated they do not think there will be any traffic parking issues. Councilman Andrews had nothing else and concluded his report.

Personnel Committee and Local Economic Development Committee

Councilwoman Glassner reported that the Personnel Committee met to review the personnel manual for updates. They plan to meet again soon to continue their review. Councilwoman Glassner concluded her report.

Public Works and Utilities Committee

Councilman Badal reported that DPW continues to address and take care of projects in a timely manner. He noted that he would not list each item tonight and concluded his report.

Finance Committee

Council President Andrus noted that he was still awaiting the final sewer numbers and hoped to schedule a meeting the following week. The Administrator confirmed they should have the number and are ready to schedule the meeting. He concluded his report.

ATTORNEY ITEMS

Attorney Semrau stated that he had received confirmation that the Borough is in compliance with the JIF and meets the most favorable deductibles. He also shared that there are a few tax appeals remaining and he hopes to conclude those soon. He concluded his comments.

PUBLIC COMMENT

Council President Andrus opened the meeting to the public for comments.

Henry Niemczyk, 55 Dean Road, shared that he has concerns about the traffic patterns on Dean Road and the surrounding area. He states that he believes there is a safety issue and would like permanent signage.

Brennan Riley, 14 New Street, also stated that the traffic is problematic in this neighborhood and concurs that signage is necessary.

Seeing no one else wishing to be heard, Council President Andrus closed the public session.

APPROVAL OF VOUCHERS

Bill Lists dated October 18, 2018.

Motion to approve: Councilman Sharkey

Second: Councilman Witczak

Roll Call:

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

Opposed: None

Abstain: None

Absent: None

ADJOURNMENT

The Council President asked for a motion to adjourn. There being no other business to be conducted, on a motion duly made by Councilman Andrews, seconded by Councilwoman Glassner, and unanimously carried by a voice vote, the meeting was adjourned at 8:42 pm.

The next Regular Meeting of the Mayor and Council will convene on November 1, 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