

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

CALL TO ORDER

Mayor Henry called the December 7, 2015 meeting of the Mayor and Council to order at 8:00PM in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

INVOCATION AND FLAG SALUTE

Mayor Henry led 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 John Andrews
Councilman John Andrus
Councilman Brad Badal
Councilman David Sharkey
Councilman Stanley Witzczak
Council President Veronica Daly

Also present: Nanette Thomas for Fred Semrau, Borough Attorney
Richard Merkt, Borough Administrator

CONSENT AGENDA

Approval of the minutes of the regular meeting of 11/2/15

Blue Light Permit Applications: William Timpson – First Aid Squad
Bob Marold – First Aid Squad

Red Light/Siren Permit Application: Stanley N. Witzczak – Office of Emergency Management

Minutemen Sports Club Raffles: On-Premise Merchandise Draw - 1/16/16
On-Premise Merchandise Draw - 2/9/16

Promotion of Harrison Drahzal (Jr Member) to Regular Member – Mendham Hose Co.

Motion to approve Consent Agenda

First: Councilwoman Daly

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Andrus, Badal, Sharkey Witzczak, Daly

Opposed: None

Abstain: Witzczak – Red Light/Siren Permit Application only

Absent: None

DISCUSSION: None

ORDINANCE INTRODUCTION: None

ORDINANCE ADOPTION:

ORDINANCE #7-15

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE ZONING ORDINANCE TO ALLOW FOR A RELIGIOUS CAMPUS OVERLAY ZONE AT 350 BERNARDSVILLE ROAD BLOCK 2301, LOT 13 (SISTERS OF CHRISTIAN CHARITY)

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

ORDINANCE #7-15

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE ZONING ORDINANCE TO ALLOW FOR A RELIGIOUS CAMPUS OVERLAY ZONE AT 350 BERNARDSVILLE ROAD BLOCK 2301, LOT 13 (SISTERS OF CHRISTIAN CHARITY)

Was published in full in the Observer Tribune.

Mayor Henry opened the public hearing for comment. Hearing none, the public hearing was closed.

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

ORDINANCE #7-15

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE ZONING ORDINANCE TO ALLOW FOR A RELIGIOUS CAMPUS OVERLAY ZONE AT 350 BERNARDSVILLE ROAD BLOCK 2301, LOT 13 (SISTERS OF CHRISTIAN CHARITY)

Be passed and adopted on this, the final reading by title, and that the Clerk be authorized and directed to advertise final passage and adoption of said ordinance in the Observer Tribune, according to law.

Motion to approve Ordinance #7-15

First: Councilman Andrews

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

ACTIONS TAKEN

Res. #177-15 Tax Overpayment Refund – 36 Aberdeen Dr, Block 1102, Lot 171

Motion to approve: Councilman Witczak

Second: Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #178-15 2015 Budget Transfers

Motion to approve: Councilman Andrus

Second: Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #180-15 Sanitary Sewer – 5 West Main Street, Block 301, Lot 34

Motion to approve: Councilman Witczak

Second: Councilman Andrews

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #181-15 Tax Lien Redemption – 22 Deerfield Road, Block 201, Lot 37

Motion to approve: Andrus

Second: Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #183-15 Sanitary Sewer – 15 West Main Street, Block 301, Lot 33

Motion to approve: Councilman Witczak

Second: Councilman Andrews

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #184-15 Tax Overpayment Refund – 290 Mountainside Road, Block 101, Lot 23

Motion to approve: Councilman Andrus

Second: Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #185-15 Tax Overpayment Refunds - various

Motion to approve: Councilman Sharkey

Second: Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #186-15 Tax Overpayment Refund – 3 Hilltop Road, Block 1902, Lot 22

Motion to approve: Councilman Andrus

Second: Councilman Sharkey

Discussion: Councilman Witczak stated that he is a member of the Pastime Club, but not an officer.

Roll Call – the vote was as follows:

In favor: Andrus, Badal, Sharkey, Witczak, Daly

Opposed: None

Abstain: Andrews – Officer of the Pastime Club

Absent: None

Res. #187-15 Police Secretary Appointment (FT) – Jennifer Price

Motion to approve: Councilman Badal

Second: Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #188-15 Seasonal Laborer Appointment (PT) – Andrew Cascais

Motion to approve: Councilman Witczak

Second: Councilman Andrews

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #189-15 Inspection Fee Refund – 3 Emery Avenue, Block 705, Lot 2

Motion to approve: Councilman Andrews

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

ADMINISTRATOR REPORT

The Administrator's report was distributed to the Mayor and Council previously.

Councilman Badal requested clarification regarding payment for the new firehouse roof. Mr. Merkt confirmed that partial payment had been made and that final payment will not be remitted until after inspection.

Councilman Sharkey asked whether any resolution has been reached regarding incidents involving Daytop residents. Mr. Merkt stated that he and Chief Libertino met with Daytop management to inform them that it is their responsibility to fix the issue. He further stated that the state imposed oversight regulations that hinder Daytop's ability to contact parents should a resident leave the property without authorization. Councilman Andrus was adamant that an increase in overnight supervision is required as part of any solution suggested by Daytop officials.

The Mayor thanked Mr. Merkt along with Councilman Andrus for the state of the initial budgets and the efficiency of the budget meeting.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrews – The proposed outdoor dining ordinance and the revised generator/AC pad language are scheduled to be introduced at the Council meeting on January 18, 2016.

Councilman Andrus – The budget is in good shape and the department head meeting went well. Mr. Merkt will be scheduling a Finance Subcommittee meeting for prioritization of capital expenditures.

Councilman Badal – A vote will be taken at tonight’s meeting for the Police Secretary candidate and work continues on staffing the Zoning Department. The Mayor indicated that he has been contacted regarding lack of staffing and Mr. Merkt stated that he intends to have a plan in place by the end of December.

Councilman Sharkey – Holly Trail was a success and field allotment is underway. A photo contest is being held to encourage tree maintenance in the Borough. Residents can submit a photo of their favorite tree and winners will received one of 2,000 seedlings being provided based on the Borough’s Tree City USA designation.

Councilman Witczak – The DPW has created a mockup of the Borough Park scoreboard and placement (location and height) is still being considered. Mr. Merkt requested that the Council take a few minutes to stop at the park to assess the current location and report back with any comments.

Councilwoman Daly – The Public Safety Committee and DPW continue to explore options for snow shoveling of Borough sidewalks.

ATTORNEY ITEMS

Ms. Thomas stated that the firm continues to monitor COAH status.

MAYOR’S ITEMS

No report.

PUBLIC COMMENT

Mayor Henry opened the floor to comments/questions from the public. Mr. David Sprandel, North Linden Lane, complimented the newly-installed hand railings on the Phoenix House front stairs. He further asked Councilman Sharkey whether the seedlings being given out were fruit trees and Councilman Sharkey confirmed that they were shade trees. Mr. Sprandel inquired on the status of the puddingstone wall in front of 34 East Main Street. Mr. Merkt indicated that work has begun to repair the wall with like-for-like materials.

Sister Mary Edward, Bernardsville Road, thanked the Mayor and Council and expressed sincere gratitude for the adoption of Ordinance #7-15.

Hearing no further comments, the Mayor closed the public portion of the meeting.

APPROVAL OF VOUCHERS

Minute Book Attachment Bill Lists dated November 16, 2015 and December 7, 2015

Motion to approve: Councilwoman Daly

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: Witczak – Check no. 1468 only

Absent: None

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 8:28PM next to convene at the Regular Meeting on December 21, 2015 at 8:00PM at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Margot G. Kaye

Margot G. Kaye, RMC
Borough Clerk