

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

**CALL TO ORDER**

Mayor Henry called the December 1, 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 Louis Garubo  
Councilman Brad Badal  
Councilman Stanley Witczak  
Councilman John Andrus  
Council President David Sharkey  
Councilwoman Veronica Daly

Also present: Atty. Fred Semrau  
Richard Merkt, Administrator  
Borough Clerk Maureen Massey

Absent: None

**CONSENT AGENDA:**

Approval of the minutes of the regular session meeting of 11.17.14  
Approval of the minutes of the executive session meeting of 11.17.14  
Approval of Blue Light Permit-Jonathan Alperin-First Aid Squad

Motion to approve the consent agenda was made by Councilman Witczak

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: Councilman Andrus and Garubo abstained from the approval of the minutes since they were not in attendance at this meeting.

Absent: None

**DISCUSSION:** -Risk Management

Frank Covelli of Professional Insurance Associates

Mr. Covelli referenced the 'request for quote' that was requested and submitted to the Borough at the request of Mr. Casey. He briefly outlined that the risk manager will advise, consult and offer oversight on insurance matters while assuming the liability. PIA carries \$10 million professional liability coverage.

Mr. Covelli provided the governing body with information outlining the 'scope of services' and credentials on the service team (examples of issues and accomplishments, references).

It was estimated that the cost for this service to the Borough would be approximately \$9400 yearly.

Atty. Semrau did comment that Mr. Covelli does attend meetings of the Joint Insurance Fund and that he consistently fights for coverage for the towns he represents.

Questions were asked and responded to regarding 'Sandy/Irene' and how it would be handled by PIA; JIF coverage adequate for the Borough's needs and elected officials training for premium reduction. Mr. Covelli responded that for storm assistance he would mobilize and assist and quantify the losses. He would evaluation of insurance coverage and assist in getting the most from insurance. Mr. Covelli or Mr. Semrau can offer the training and set it up for before a Council meeting for convenience.

Thoughts and comment were solicited. It was agreed that the Administrator should seek out and contact additional vendors for comparison a make a recommendation.

**ORDINANCE ADOPTION:**

**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 CODE**

Was published in full in the Observer Tribune  
The Mayor then opened the hearing to the Public for Comments on the ordinance.  
There being no one seeking to comment, the Public Hearing was closed.

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

**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 CODE**

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

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

**Res. #154-14 Transfer of Funds**

Motion to adopt Resolution #154-14 was made by Councilman Andrus  
Seconded by Councilman Witczak  
Discussion: None  
Roll Call – the vote was as follows:  
In favor: Garubo, Badal, Witczak, Andrus, Sharkey, Daly  
Opposed: None  
Abstain: None  
Absent: None

**ADMINISTRATOR REPORT:**

Administrator Merkt reported that interviews are continuing to fill the upcoming vacancy in the Borough Clerk's office. He asked that the Saturday budget meeting be pushed to December 13<sup>th</sup> since some of the department heads were not available for the 6<sup>th</sup>. He further commented that the camera and phone installation will be tomorrow and Councilman Elect John Andrews will attend an orientation to the municipal departments on the 17<sup>th</sup>.

**COUNCIL REPORTS, OLD & NEW BUSINESS:**

Councilman Badal reported that the CERT training took place with 8 participants.

Councilman Andrus asked for the budget documents to be distributed before the 13<sup>th</sup> workshop meeting in enough time for the governing body to review. As an open space member report he commented that the Scott farm has not sold and no feedback to the Borough has been received. Mr. Andrus will stay on top of this. Administrator Merkt suggested and the governing body was in agreement for him to reach out and introduce himself to the owners.

Councilman Witczak reported that the DPW crew took down the fence at the pastime field; the snow storm was handled well and the removal of the dead trees was postponed and rescheduled due to weather. Mr. Witczak reminded everyone that as of January 1<sup>st</sup> Blue Diamond will be collecting recyclables in the Borough.

**ATTORNEY ITEMS:**

Atty. Semrau congratulated the Clerk on the birth of her grandson Hunter Paul. Mr. Semrau will have an item for executive session under Atty.-Client Privilege (Land Use issue).

**MAYOR'S ITEMS:**

Mayor Henry commented with the adoption of the property maintenance ordinance the Maple Avenue property that has been an issued can be addressed. Administrator Merkt did acknowledge and has a letter ready for mailing.

Mr. Henry will be meeting with Mr. Haber and the mayors to review his progress.

**PUBLIC COMMENT:** No one from the public wished to be heard.

Mr. Sprandel commented on the change in the recycling carrier for the Borough and expressed his hope that they don't pick up very early in the morning to give him time to get it to the curb.

**APPROVAL OF VOUCHERS:**

Minute Book Attachment Bill List dated December 1, 2014  
Motion to approve the December 1, 2014 bill list was made by Councilman Badal  
Second by Councilman Garubo  
Discussion: None  
In favor: Garubo, Badal, Witczak, Andrus, Sharkey, Daly  
Opposed: None  
Abstain: Councilman Witczak did not approve #9913 on the bill list.  
Absent: None

**Res. #155-14 Executive Session: Contract Negotiations/Atty. Client Privilege  
(PBA, Land Use Issue)**

Motion to adopt Resolution #155-14 was made by Councilman Garubo  
Seconded by Councilwoman Daly  
Discussion: None  
Roll Call – the vote was as follows:  
In favor: Badal, Witczak, Andrus, Sharkey, Daly  
Opposed: None  
Abstain: None  
Absent: None  
They reconvened from the Executive Session at 9:50PM.  
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 9:54P.M. next to convene at the Regular Meeting on December 15, 2014 at 8:00 P.M. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

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Maureen Massey, RMC, CMC  
Borough Clerk