

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

CALL TO ORDER

Mayor Henry called the December 2, 2013 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 silence 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
Council President Stanley Witczak
Councilman John Andrus
Councilman David Sharkey
Councilwoman Veronica Daly
Councilman Louis Garubo
Councilman Brad Badal

Also present: Atty. Fred Semrau
Borough Clerk Maureen Massey
Administrator Ellen Sandman

Absent: None

CONSENT AGENDA:

- Approval of the minutes of the regular meeting of 11.18.13
- Approval of the executive session minutes of 11.18.13
- Approval of Blue Light Permit-Salvatore Bracco-First Aid Squad
- Approval of Blue Light Permit-David Charkin-First Aid Squad (Added at the Mtg.)

Motion to approve the consent agenda was made by Councilman Witczak

Seconded by Councilman Andrus

Discussion: Councilman Badal make a correction to the minutes to reflect his absence.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly (Arrived at 8:20PM)

DISCUSSION

JIF Coverage/Organization Insurance Coverage-Banners:

Atty. Semrau reported that a letter was sent from the MEL and it confirmed that they will provide coverage for Borough activities. There was a question from Councilman Garubo about organizations obtaining coverage for displaying of their banners. The MEL will not cover the organizations for events that are not Borough endorsed. It was determined that the organizations can contact the MEL and obtain the coverage that the MEL/JIF would require at their expense. The Mayor asked Atty. Semrau to provide the contact names and phone numbers to the Clerk who can refer those organizations in need of coverage.

RMS-CIJS System-Morris County Computer Generated Summonses:

Chief Libertino initiated this discussion with some basic information such as the fact that the Borough will no have any up-front costs; it will be approximately \$3.00 per summons; and the County does not require municipalities to sign on for this service.

The Chief introduced Mr. Ugalde who gave the details of the program and answered questions from the Council. Mr. Ugalde shared his experience in law enforcement, such as holding the

RMS-CIJS System-Morris County Computer Generated Summonses: (Cont'd.)

position of Chief of Police in Dover for 27 years. This experience has given him the opportunity and ability to answer and understand questions with regard to this program. He described the amount of time in manpower that would be saved and the accuracy of using this system. It was determined that if the Borough did decide to participate they would need to purchase equipment for 5 cars and for the Police Station.

He further shared that there is no license fee, no additional fees after purchase of a printer and card swipe reader at a cost of approximately \$1,600 or less per location. If the Borough decides to purchase the equipment, the cost for use of the system will be \$1.50 per summons. If the Borough does not want the up-front cost of the equipment then the cost to use the system will be \$3.00 per summons. Installation of the equipment is not included in the price quoted. The system will result in an efficient system of issuing summons and the data will be put into the web base transmitted through the Communications Center. The input of information can be accessed and used for reports and for use of the same information at a later time.

Councilman Badal commented on a competitive system that is available. The major discrepancy is the requirement to issue a determined number of tickets. The municipality will be billed for the difference if they do not attain this number. It was further noted that this company supplies and bills for the paper that is needed.

This agreement and resolution will be on the December 16th agenda for consideration and approval of the governing body.

ORDINANCE INTRODUCTION: None

ORDINANCE ADOPTION:

ORDINANCE #12-13

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 4, "ADMINISTRATIVE ORGANIZATION," ARTICLE VII, "PURCHASING," OF THE CODE OF THE BOROUGH OF MENDHAM, NEW JERSEY, IN ORDER TO ESTABLISH A BOROUGH POLICY FOR THE AWARDED OF PUBLIC PROFESSIONAL SERVICE AND VENDOR CONTRACTS

(A copy of Ordinance #12-13 is attached to these minutes)

Was published in full in the Observer Tribune

Mayor Henry opened the public hearing.

No one wished to be heard, the public hearing was closed.

Be it resolved, by the Borough Council of the Borough of Mendham that:

ORDINANCE #12-13

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 4, "ADMINISTRATIVE ORGANIZATION," ARTICLE VII, "PURCHASING," OF THE CODE OF THE BOROUGH OF MENDHAM, NEW JERSEY, IN ORDER TO ESTABLISH A BOROUGH POLICY FOR THE AWARDED OF PUBLIC PROFESSIONAL SERVICE AND VENDOR CONTRACTS

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 #12-13 was made by Councilwoman Daly

Second by Councilman Badal

Discussion: None

Roll Call - the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

ACTIONS TO BE TAKEN:

Res. #136-13 Cancel Unexpended Balace in the Current Fund

Motion to adopt Resolution #136-13 was made by Councilman Andrus
Seconded by Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrus, Sharkey, Daly, Garubo, Badal, Witczak
Opposed: None
Abstain: None
Absent: None

Res. #137-13 Transfer of Funds

Motion to adopt Resolution #137-13 was made by Councilman Witczak
Seconded by Councilman Badal
Discussion: None
Roll Call – the vote was as follows:
In favor: Sharkey, Daly, Garubo, Badal, Witczak, Andrus
Opposed: None
Abstain: None
Absent: None

Res. #138-13 Appoint Patricia Fischer-Construction Code/Zoning Officer

Mayor Henry held this resolution for consideration after Executive Session discussion.

Res. #139-13 Tax Appeals Settlement

Motion to adopt Resolution #139-13 was made by Councilwoman Daly
Seconded by Councilman Sharkey
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: There was no written report circulated to the Mayor and Council before this meeting.

Administrator Sandman reported the blessing of the new fire truck; dedication of Tranquility Garden; and the installation of the signage at West Field by resident Chris Nicolson. Ms. Sandman will organize a meeting with the high school to discuss further the paving of roads damage during the construction at the school. A meeting will be held to discuss creations of a 'Strategic Grammar School' which she will attend. She reported on the starting of plans to create a warming center at the Garabrant Center for use by residents when needed and the purchasing and budgeting of radio systems from Winchester which aims to enhance communication for public safety.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilman Badal reported on the arrival of the new Police Department truck at the dealership. He further noted that the old patrol car will not be sold but kept of the use of its spare parts for the other cars.

Councilwoman Daly and Councilman Sharkey will discuss their items in executive session.

Councilman Andrus reported that the tax and sewer collection is on target. He reminded everyone about the budget meeting for the 14th. Mr. Andrus commented on the money in the open trust account and noted that the Scotts Farm is for sale. This farm is part in the Township and has been noted as an "A Tier" property in the Borough.

It was mentioned that this farm goes into Patriots Path and could be used as passive recreation. It also backs up to the pond and Mendham Commons. Mayor Henry stated that the County offers Open Space grants and this year only 3 municipalities filled. The governing body suggested there may be money that the Borough could get in the form of a grant for purchase.

Administrator Sandman will contact the owners of Scotts Farm for more information and report back to the governing body.

COUNCIL REPORTS, OLD & NEW BUSINESS: (Cont'd.)

Councilman Andrus informed the Council that Laurie Felber suggested the Borough purchase the Hudson Bank property for municipal offices and in turn use the Phoenix House as a museum.

Councilman Andrus has started a list of on-going projects (budgets, employee reviews, revision to the handbook, GC warming center, computers for PD, paving of road, recycle contract quotes, Edmonds Accounting System, combining of the Planning Board/BOA, Court merger, grants for Phoenix House) for time management of the many items that are outstanding. Suggested time frames for completion would also help to keep items on track.

Atty. Semrau referenced a letter he circulated to the Council regarding the Cosma Track and the 99 year contract for \$1.00. There was discussion held regarding Laurie Felber suggesting hiking trails, plantings to attract birds, and obtaining of grants to complete these ideas. Administrator Sandman will contact Laurie to discuss.

Councilman Witczak reported on the completion of the work at the Carriage House, installing of doors to separate the bays at the Fire House, repair of the Phoenix House front door, park cleanup and a water main break at the WRF which resulted in replacement of piping that was done by Borough employees.

ATTORNEY ITEMS:

Atty. Semrau reported Councilman Badal's request to increase the parking fines. Parking fees at other towns were referenced. It was noted there is time to consider this because the ordinance could not be amended until next year. Feedback was mixed on the Council with Councilman Badal citing a particular location that he feels is dangerous. Consideration to increasing fines for this particular situation was favorable. The Mayor suggested that the Public Safety Committee review and come back to the governing body with additional information.

Atty. Semrau commented on a seminar he did for elected officials in Atlantic City at the League this year. He will schedule this seminar for the Borough in February.

MAYOR'S ITEMS:

Mayor Henry reported that the RFP's are due shortly for the high school funding formula report. He asked Atty. Semrau to follow up on the RFP's that were sent out by his office.

PUBLIC COMMENT: There were no comments from the public.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated November 18, 2013

Motion to approve the November 18, 2013 bill list was made by Councilman Witczak

Second by Councilwoman Daly

Discussion: None

Roll Call - the vote was unanimous as follows:

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

Opposed: None

Abstain: None

Absent: None

EXECUTIVE SESSION:

Res. #140-13 Executive Session: (Personnel/Contract Negotiations)

*OEM Joint Agreement with Mendham Twp./Employee Vacancies

Motion to adopt Resolution #140-13 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, Garubo

Opposed: None

Abstain: None

Absent: None

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

Res. #138-13 Appoint Patricia Fischer-Construction Code/Zoning Officer)

Motion to adopt Resolution #138-13 was made by Councilman Garubo

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

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 10:17P.M. next to convene at the Regular Meeting on December 16, 2013 at 8:00 P.M. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Maureen Massey, RMC, CMC
Borough Clerk