

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

CALL TO ORDER

Council President Stanley Witczak called the February 4, 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:

Councilman Stanley Witczak
Council President John Andrus
Councilman David Sharkey
Councilwoman Veronica Daly
Councilman Louis Garubo
Councilman Brad Badal

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

Absent: Mayor Neil Henry

CONSENT AGENDA:

Approval of the minutes of the executive session meeting of 12.17.12
Approval of the minutes of the regular meeting of 1.7.13
Approval of the minutes of the regular meeting of 1.21.13
Approval of the minutes of the executive session meeting of 1.21.13
Approval of the minutes of the special meeting of 1.26.13 (Executive Session)*
Approval of Raffle App-Minutemen Sports Club-Tricky Tray
(On-Premise Draw) May 2, 2013
Approval of Raffle App-Minutemen Sports Club-50/50 Cash
(Off- Premise Draw) May 2, 2013
Approval of Raffle App-Minutemen Sports Club-Off-Premise Draw
(Merchandise) May 2, 2013
Res. #34-13 Transfer of Funds
(*Clerk verbally corrected at meeting)

Motion to approve the consent agenda was made by Councilman Sharkey
Seconded by Councilman Garubo
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrus, Sharkey, Daly, Garubo, Badal, Witczak
Opposed: None
Abstain: None
Absent: None

DISCUSSION: Girl Scout Troop 4060- Garabrant Center Project:

Leaders: Eileen Lupo, Barbara Stanton
A wonderful presentation was given by the members of Troop 4060:
Maggie Stanton
Jaclyn Lupo
Jennifer McManus
Claudia McConnell
Jackie Egerter
Sara Hafemeister
Michelle Fanelli
Kiersten Callahan
Aubrey Egerter

Amanda Cantale
Olive D'Agostino
Sophia Rose Glassner

Each Girl Scout presented the governing body with a suggestion for the renovation and beautification of the Garabrant Center. The presentation was well received by the public, Mayor and Council.

Motion to have Superintendent O'Brien work with Girl Scout Troop 4060 on the proposed renovation/beautification Garabrant Center project was made by Councilman Andrus
Seconded by Councilman Garubo

Discussion: No further discussion was held.

On this motion that was duly made, seconded and unanimously carried by a voice vote of the Council.

Abstain: None

Absent: None

ORDINANCE INTRODUCTION: No ordinances for introduction.

ORDINANCE PUBLIC HEARING/ADOPTION: No ordinances for adoption.

ACTIONS TO BE TAKEN:

Res. #30-13 The ARC, Morris Chapter's Adaptive Recreation Program (McARP)

(Copy of Res. #30-13 attached to these minutes)

Motion to adopt Resolution #30-13 was made by Councilman Andrus

Seconded by Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

Res. #31-13 Award contract QC Labs-Bioassay Testing WRF

(Copy of Res. #31-13 attached to these minutes)

Motion to adopt Resolution #31-13 was made by Councilman Badal

Seconded by Councilman Garubo

Discussion: None

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

Res. #32-13 Sanitary Sewer App-B1902/L 20-7 Hilltop Rd.-Seven Hilltop Holdings

(Copy of Res. #32-13 attached to these minutes)

Motion to adopt Resolution #32-13 was made by Councilman Andrus

Seconded by Councilman Badal

Discussion: Councilman Badal asked Atty. Semrau why this was being addressed again by resolution. It was noted that this resolution will rescind the prior one due to an incorrect address.

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

Res. #33-13 Developer's Agreement-Land Limited, LLC-B604/L7

(Copy of Res. #33-13 attached to these minutes)

Motion to adopt Resolution #33-13 was made by Councilman Andrus

Seconded by Councilman Badal

Discussion: Atty. Semrau mentioned that this was agreement was reviewed by him and Borough Engineer Paul Ferriero. There was some question as to the number of lots and Mr. Semrau confirmed from the agreement before him states 2 lots. Subdivision approval was in February, 2012.

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

Res. #35-13 Electrical Sub Code Official Title Correction

(Copy of Res. #35-13 attached to these minutes)

Motion to adopt Resolution #35-13 was made by Councilman Sharkey

Seconded by Councilman Garubo

Discussion: None

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

ADMINISTRATOR REPORT:

Administrator Sandman's report was circulated to the governing body prior to this meeting. Ms. Sandman gave an update on the monies received from FEMA which is \$110,000 with a remaining of \$142,000 requested. She reported that after her inquiry with FEMA on the remaining money, she was informed that after the paving of Maple Avenue a large project claim must be filed to obtain the outstanding \$142,000.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilman Badal circulated a draft ordinance for consideration at the next meeting to modify LOSAP.

Councilwoman Daly reported that she attended a meeting today with Peggnet Computers, Jim Hendren (First Aid), Administrator Sandman and Chief Libertino to discuss technical needs such as new phone system, hardware, software and firewalls which is the primary to protection of sensitive material.

Councilman Sharkey will continue to work with Administrator Sandman and Superintendent O'Brien on a tree sales and an Arbor Day project.

Councilman Andrus reported that the 2013 budget is being formed and gathering information on some of the major projects.

Council President Witczak asked the governing body for any comments on the signs for the upcoming high school graduation fun raiser that was discussed at the last meeting. Atty. Semrau added that he has discussed this issue with the Borough Planner Chuck McGroarty. As a solution, a resolution could be adopted, permitting for a certain period of time, the suspending of enforcement of the sign ordinance. Atty. Semrau will contact Kristie Prokop, PhD., teacher at Mendham High School, to review and will have a resolution for consideration at the next meeting.

The Council was in agreement, with a comment from Councilman Badal that he agrees for this year only.

Councilman Witczak reported that there is ice skating at Mountain Valley Park. The ice has to be 5" thick; it is at 3" today so the park is closed. He further reported that the 'salt paste' truck used this year has saved man hours. He continued by noting correspondence received from Mike Ackerman commenting on the great job of collecting the debris from storm "Sandy" by the Department of Public Works.

ATTORNEY ITEMS: No further comments.

MAYOR'S ITEMS: Mayor Henry was not present at this meeting and no items for reporting were submitted.

PUBLIC COMMENT:

David Spandrel, 18 North Linden Lane, commented on how well the Borough did with collection and removal of debris compared to other municipalities.

Lucy Monahan, 28 Drake Road, reported that her and husband attended the CERT training and noted that it is a great program. She suggested additional public awareness of this program and is looking further to follow up training.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated February 4, 2013

Motion to approve the February 4, 2013 bill list was made by Councilman Andrus

Second by Councilman Garubo

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: There was no executive session held.

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 9:15 P.M. next to convene At the Regular Meeting on February 19, 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