

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

CALL TO ORDER

Mayor Henry called the April 6, 2015 meeting of the Mayor and Council to order at 8:04PM 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 Witczak
Council President Veronica Daly

Also present:

Fred Semrau, Borough Attorney
Richard Merkt, Borough Administrator

CONSENT AGENDA

Approval of the minutes of the regular meeting of 3/16/15
Tier 1 Banner Approval for MBA: Sidewalk/Garage Sale
Tier 1 Banner Approval for MBA: Holly Trail

Motion to approve Consent Agenda

First: 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

DISCUSSION

2015 Fishing Derby

Mayor Henry referred to correspondence received from the PBA requesting funds for the 2015 Fishing Derby to be held on May 3, 2015. Councilman Witczak stated that the Finance Committee had already included the appropriation as a line item in the recreation budget. There was consensus that the request be approved and Ms. Kaye was directed to notify Officer Farry of the Council's approval.

ORDINANCE PUBLIC HEARING/ADOPTION

ORDINANCE # 2-15

**REFUNDING BOND ORDINANCE AUTHORIZING THE
ISSUANCE OF \$3,800,000 REFUNDING BONDS OF THE
BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW
JERSEY.**

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

ORDINANCE # 2-15

**REFUNDING BOND ORDINANCE AUTHORIZING THE
ISSUANCE OF \$3,800,000 REFUNDING BONDS OF THE
BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW
JERSEY.**

Was published in full in the Observer Tribune.

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

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

ORDINANCE # 2-15

**REFUNDING BOND ORDINANCE AUTHORIZING THE
ISSUANCE OF \$3,800,000 REFUNDING BONDS OF THE
BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW
JERSEY.**

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 #2-15 was made by 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: None

Absent: None

Motion was approved.

ACTIONS TAKEN

Res. #60-15: Community Forestry Mgmt Plan (Supersedes Res. #54-15)

Motion to approve: Councilman Sharkey

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. #61-15 Rotary Club of the Mendhams: Sign Ordinance – Temp Exemption

Motion to approve: Councilman Andrews

Second: Councilman Sharkey

Discussion: Mayor Henry reiterated that the signage under consideration has advertised the Auction for many years and Councilman Andrus suggested that the signage exemption be permanent. Mr. Semrau indicated that the ordinance would have to be amended in order to do so. Mayor asked Mr. Merkt to reach out to the Land Use Committee and draft a brief amendment for consideration.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #62-15 Roxiticus Golf Club: Fireworks Display on 6/6/15 (Raindate 6/7/15)

Motion to approve: Councilman Witczak

Second: Councilman Badal

Discussion: Councilman Badal indicated that the insurance certificate provided by Roxiticus does not include Mendham Borough as additional insured. Mr. Semrau explained that the resolution states that the event is contingent upon appropriate insurance and permitting.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #63-15 Cancellation of General Capital Appropriations

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. #64-15 Sanitary Sewer App – B601/L17 (Highmark Properties, LLC)

Motion to approve: Councilman Badal

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. #65-15 Appoint CERT Members

Motion to approve: Councilman Sharkey

Second: Councilman Witczak

Discussion: Mr. Nick Witczak, OEM Coordinator, was recognized by the Mayor for his efforts and achievements since being appointed. Mr. Witczak gave a brief history of the OEM program and introduced its newest members including Cliff Straub, Marc Ogoff, Kevin Wood, Robert Allain, Annchen Brown, Sandy Jarp and Patricia Charney.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #66-15 Executive Session

Motion to approve: Councilwoman Daly

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

ADMINISTRATOR REPORT

The Administrator's report was distributed to the Council previously. In response to Councilman Badal's question regarding the water main project, Mr. Merkt confirmed that the permanent, curb-to-curb road repair will occur once the temporary paving settles.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrus – The budget is still being tweaked with regard to capital expenditures including the fire house, a new ambulance, video cameras for the police department and roadway paving. The remaining issue to be resolved is the appropriate amount to leave in the capital fund. Additional information is expected from Mr. Jones regarding same.

Councilman Andrews – no report.

Councilman Badal – The Personnel Committee is meeting on April 9, 2015 to discuss the employee handbook. Recommendations should be available shortly.

Councilman Sharkey – The Borough has once again been approved for Tree City USA status.

Councilman Witczak – The DPW is in the process of filling two (2) positions and has started work on Borough fields and recreation facilities. With regard to water reclamation, the dry portion of the south clarifier is being disassembled and the rowboat used to maintain Borough ponds is being replaced.

Councilwoman Daly – A meeting is scheduled with Mr. Merkt on April 9, 2015 to discuss changes to the fire ordinance as proposed by the Fire Department.

ATTORNEY ITEMS

Mr. Semrau stated a number of OPRA requests have been coming in and that the Borough has not been named in the tax information suit filed against a number of municipalities.

MAYOR'S ITEMS

Mayor Henry stated that the regional school feasibility study report should be completed by April 15, 2015. A meeting will be scheduled with the other mayors involved after which the findings will be presented to the Council.

Mayor Henry furthered reminded all those present that the Mendham TV Mendies are being held on Friday, April 10th and that the 1975 High School State Champion Football Team is being honored.

PUBLIC COMMENT

Mayor Henry opened the meeting to questions/comments from the public. Hearing none, the public portion was closed.

APPROVAL OF VOUCHERS

Minute Book Attachment Bill List dated March 16, 2015

Motion to approve: Councilman Sharkey

Second: Councilwoman Andrews

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

EXECUTIVE SESSION

The meeting was adjourned to closed session at 8:35PM.

The Council returned to open session at 9:24PM.

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 9:25PM next to convene at the

Regular Meeting on April 20, 2015 at 8:00 PM at the Garabrant Center, 4 Wilson Street,
Mendham, New Jersey 07945.

Respectfully submitted,

Margot G. Kaye
Borough Clerk