

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

CALL TO ORDER

Mayor Henry called the June 1, 2017 regular meeting of the Mayor and Council to order at 8:06PM 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 *Daily Record* and was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

ATTENDANCE

Present: Mayor Neil Henry
Councilman John Andrus
Councilman Brad Badal
Councilwoman Christine Glassner
Councilman David Sharkey
Council President Stanley Witczak

Excused: Councilman John Andrews

Also present: Fred Semrau, Borough Attorney
Richard Merkt, Borough Administrator
Margot Kaye, Borough Clerk

CONSENT AGENDA

Minutes of the regular meeting of 5/18/17

Minutes of the executive session of 5/18/17

Tier IV Banner Application – Mendham Borough PBA Local #384 Golf Outing (9/11/17 - 9/25/17)

Motion to approve Consent Agenda

First: Councilman Andrus

Second: Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: Sharkey (regular and executive session minutes only due to absence)

Absent: Andrews

DISCUSSION:

Engineering Projects Update

Present: Paul Ferriero, Borough Engineer

Mountain Valley Park Pond – Due to insurance and legal implications of the project, the matter will be discussed in executive session. Mr. Semrau reiterated that the discussion falls under Attorney/Client Privilege and added that an update may be provided to Borough residents once the Mayor and Council have determined the appropriate course of action.

Orchard Street Paving – Paving was stalled due to the state-wide project freeze, however, the contractor has agreed to honor his original pricing. The project has been further delayed by inclement weather but is expected to resume soon.

Cherry Lane – Phase I - The project is currently under design and plans should be available within 30-60 days.

West Field Improvements – Plans for four (4) accessible parking spaces have been completed and the NJ Conservation Foundation has granted conceptual approval of same. The DPW will install the spaces per project specifications.

Scott Farm Loop Trail – Permit documents have been signed and will be filed with the NJDEP in the coming days. A stream crossing is not part of the project at this time.

Vacant Property Registration Form Approval

Mr. Semrau explained that the amended vacant property ordinance set forth the elements of the registration form which has been finalized and put before the Council for formal approval.

Motion to approve the Vacant Property Registration Form: Councilman Andrus

Second: Councilman Witczak

Discussion: Mr. Semrau confirmed that the owner of record is responsible for filing the form and paying any associated penalties; in cases of foreclosure, the mortgage company would assume responsibility. Ms. Kaye indicated that the Construction Official manages the registration process internally on behalf of the Borough.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrews

ORDINANCE INTRODUCTION: None

ORDINANCE ADOPTION: None

ACTIONS TAKEN

Res. #107-17 Tax Lien Redemption – 17 Halstead Road, Block 705, Lot 15

Motion to approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrews

Res. #114-17 Interlocal Agreement – Community Development & Home Activities Program

Motion to approve:

Second:

Discussion: Resolution #114-17 was tabled pending further information from County Counsel.

Roll Call – the vote was as follows:

In favor:

Opposed:

Abstain:

Absent:

Res. #117-17 Municipal Alliance Supplemental Funding

Motion to approve: Councilwoman Glassner

Second: Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrews

Res. #118-17 Sanitary Sewer Approval – 2A Hilltop Road, Block 1501, Lot 1

Motion to approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: Councilman Sharkey asked whether the anticipated Dunkin Donuts on Main Street is proposing to sell ice cream. Ms. Kaye indicated that a land use application has not been filed however drawings submitted to the HPC do not indicate ice cream or freezer cases. Mayor Henry confirmed that the Mendham Creamery applicant is a Borough resident and business owner.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrews

Res. #119-17 2017 Salaries

Motion to approve: Councilwoman Glassner

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrews

Res. #120-17 Cash Management Plan
Motion to approve: Councilman Andrus
Second: Councilman Witczak
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrus, Badal, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Andrews

ADMINISTRATOR REPORT

Mr. Merkt presented the following verbal report:

1. The installation and training for the financial software is scheduled for mid-June with a go-live date of July 1st.
2. A public meeting will be scheduled to allow for a Council visit to the proposed node locations with representatives from Tilson.
3. A meeting to discuss shared MASH transportation services is scheduled for June 13, 2017 at 6PM.
4. The energy aggregation public information session has been rescheduled for June 29, 2017 at 6PM.
5. A copy of the structural engineering report for the Scott Farm barn has been provided to the Borough Engineer for review.

Discussion followed regarding the bright exterior lighting at Chase Bank. Mr. Merkt agreed to review the Planning Board resolution to ascertain whether the bank is in compliance with the approval. He added that Chase had agreed to install timers on the exterior fixtures and will coordinate with the Zoning Officer to ensure enforcement of all requirements.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrews – excused.

Councilman Andrus – The DPW has submitted its long-range capital request plan. A meeting will be scheduled to review same.

Councilman Badal – The DPW performed work on the Carriage House and repaired damaged water lines at the Phoenix House. Tree removal continues throughout the Borough.

Councilwoman Glassner – Salary comparisons have been completed and the Department Head attendance calendar has been posted. A meeting is scheduled with Action Data Services to discuss time-tracking software features.

Councilman Sharkey – It was suggested that Council meetings be held in various locations around the Borough, e.g., the DPW, PD, MFD, rather than just the Garabrant Center. Discussion followed regarding logistical challenges and Mayor Henry asked the Personnel Committee to consider feasibility of same.

Councilman Witczak – Foerster Landscape Inc. was commended for its beautification of Borough Park in preparation for Memorial Day. Mayor Henry instructed the park's memorial plaque be updated.

ATTORNEY ITEMS

Mr. Semrau stated that there are five (5) items for executive session including a discussion regarding Pending Litigation. Other matters protected under Attorney/Client Privilege include tax appeals, Mountain Valley Park pond, the police promotion policy and Daytop. Information relating to these items will be available upon conclusion of each matter.

MAYOR'S ITEMS

Mayor Henry requested that Mr. Merkt prepare an RFP for IT Consultants and distribute it to the Council for input.

PUBLIC COMMENT

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

APPROVAL OF VOUCHERS

Bill Lists dated June 1, 2017

Motion to approve: Councilman Andrus

Second: Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrews

EXECUTIVE SESSION

Res. #121-17 Attorney/Client Privilege, Pending Litigation

Motion to approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: Mayor Henry stated that action may or may not be taken upon return to open session.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrews

Mayor and Council entered into executive session at 8:40PM.

Mayor and Council returned to open session at 10:37PM.

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 10:38PM next to convene at a regular meeting on June 15, 2017 at 8PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

Margot G. Kaye

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Borough Clerk