

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

CALL TO ORDER

Council President Witczak called the July 20, 2017 regular meeting of the Mayor and Council to order at 8:02PM in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

INVOCATION AND FLAG SALUTE

Councilman Witczak 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: Councilman John Andrews
Councilman Brad Badal (8:08PM)
Councilwoman Christine Serrano Glassner
Councilman David Sharkey
Council President Stanley Witczak

Excused: Mayor Neil Henry
Councilman John Andrus

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

CONSENT AGENDA

Minutes of the regular meeting of 6/15/17
Minutes of the executive session of 6/15/17
Block Party Road Closure – New Street and Prospect Street (9/9/17, rain date 9/10/17)
Team Bloke 5K Road Closure (8/5/17)

Motion to approve Consent Agenda

First: Councilman Andrews

Second: Councilwoman Glassner

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: Andrus, Badal

DISCUSSION

Scott Farm Barn Structural Report

Mr. Merkt confirmed that the barn is structurally unsound and outlined the options provided by the Borough Engineer:

1. Disassemble the barn and rebuild it according to code
2. Leave it as-is with a probability of future failure and demolition
3. Document the history of the barn, disassemble it and repurpose the materials

Discussion followed regarding the costs associated with each option. It was noted that grants may be available but the Borough would have to fund the rebuild project without a guarantee of a reimbursement award. Mr. Semrau added that it's possible that the Open Space Trust Fund may be used and agreed to research same.

There was consensus that Mr. Merkt gather cost information relating to the different options and report back the Mayor and Council.

Tennis Court Repairs

Mr. Merkt stated that all four (4) Borough courts are in a state of disrepair and estimated a restoration cost of \$200-\$250K. He noted that crack repairs are not a long-term remedy and cautioned against potential liability should a player be injured on the court. Several recommendations were offered relating to the timeline and number of courts to be repaired. Mr. Semrau stated that he would research whether Open Space funding can be used.

Mr. Merkt suggested that the issue be considered during the 2018 budget process and discussion followed regarding cost estimates. Mr. Cooper stated that additional savings can be realized with the DPW managing certain aspects of the project.

There was consensus that the Borough Engineer prepare the specifications for replacement of the two (2) courts at the Firehouse in order to bid out the project. Mr. Merkt agreed to report back to the Mayor and Council within 30 days.

ORDINANCE INTRODUCTION:

ORDINANCE #07-17

**ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, MERGING THE SHADE TREE ADVISORY
COMMITTEE WITH THE ENVIRONMENTAL COMMISSION**

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

ORDINANCE #07-17

**ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, MERGING THE SHADE TREE ADVISORY
COMMITTEE WITH THE ENVIRONMENTAL COMMISSION**

Be passed on first reading by title; and

BE IT FURTHER RESOLVED, that said Ordinance be further considered for final passage and adoption at the meeting of the Borough Council of the Borough of Mendham to be held on August 17, 2017 at 8:00PM prevailing time, in the Garabrant Center, 4 Wilson Street in said Borough, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

BE IT FURTHER RESOLVED, that the Clerk be authorized and directed to advertise said Ordinance in the Observer Tribune, according to law.

Motion to introduce Ordinance #07-17 was made by Councilman Badal

Seconded by Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrus

ORDINANCE ADOPTION: None

ACTIONS TAKEN

Res. #126-17 Permit Overpayment Refund – 24 Phoenix Drive, Block 902, Lot 9

Res. #127-17 Temporary Sign Exemption - Gran Fondo NJ Charity Event

Res. #128-17 PSA: Technocality Security Solutions – Security Study

Res. #129-17 Certification of Annual Audit

Res. #130-17 Interlocal Agreement – WMMHS Resource Officer 2017-18

Res. #131-17 Tax Appeal Judgment – 5 Chestnut Glen Court, Block 2001, Lot 16.03

Res. #132-17 Tax Appeal Judgment – 99 Hardscrabble Road, Block 2401, Lot 31.06

Res. #133-17 Affordable Housing Special Regional Master Escrow

Res. #134-17 Day Camp Payment Refund

Res. #135-17 Recreation Committee Appointment: Nancy Rodrigues, Alternate I

Res. #136-17 Board of Health Appointment: Nancy Rodrigues, Alternate I

Res. #137-17 Duplicate Permit Payment Refund – 62 East Main Street, Block 802, Lot 2

Res. #138-17 Sanitary Sewer Approval – 27 East Main Street, Block 1501, Lot 12

Res. #139-17 Tax Appeal Settlement – 180 Thomas Road, Block 2201, Lot 4.01

Res. #140-17 Farmland Preservation Renewal – 63 East Main Street, Block 1401, Lot 7

Res. #141-17 Employee Hours Increase – Sewer Utilities/Deputy Tax Collector

Res. #142-17 Environmental Commission Appointment: Paula Barber, Regular Member

Motion to approve resolutions nos. 126-17 through 142-17: Councilman Badal

Second: Councilwoman Glassner

Discussion: 126-17 – Mr. Merkt agreed to confirm the reason for the overpayment.

133-17 – Mr. Semrau explained that the court is appointing an Affordable Housing expert to evaluate the county's fair share obligation. In order to remain in the litigation to receive certification, each participating municipality is required to contribute \$5K by August 1, 2017. He added that the Borough Planner will attend an upcoming public meeting to update the Mayor and Council.

140-17 – Mr. Merkt explained that the Rowe Farm is renewing its Farmland Preservation status for another eight (8) years and confirmed that a property inspection indicated program compliance. Since Mr. Rowe is interested in moving toward permanent preservation, the Borough Engineer will design a conceptual development plan for the county's consideration.

Roll Call – the vote was as follows:

In favor: Andrews, Badal, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Andrus

ADMINISTRATOR REPORT

The Administrator's report was distributed previously. Talks between Verizon and Broadview continue regarding the approximate \$1K credit for the MBPD phone line. Verizon has accommodated most of the Council's requests regarding proposed node locations. (The Prentice and Cherry Lanes node will be installed across the street due to pole limitations at the Council's proposed location.) No public feedback has been received regarding the matter. 2017 paving objectives have been met and specifications for the Cherry Lane road project have been completed and sent to the DOT for review.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrews – The two (2) new Police Officers are in scheduled rotation and training should be completed in mid-August. Volunteers were commended for their participation in a controlled-burning training session held on July 11, 2017. Two (2) additional police vehicles are being purchased. OIC Camoia confirmed that sufficient notice will be provided regarding the Hardscrabble bridge closing for repairs through mid-September. Crosswalk striping on Main Street to be completed before school begins in September.

Councilman Andrus – excused.

Councilman Badal – Community Shred Day has been scheduled for Saturday, October 28, 2017 between 9AM-12PM at the DPW. The DPW has replaced swing set seats at Borough Park, cleaned the carpets in several locations and removed the equipment from the totaled police car. We are waiting for a quote for Belgian block to be used for West Field parking. Four (4) applications have been received for the Mechanic's position and a local realtor donated a gas grill and two (2) picnic tables to be used at India Brook Park and the Firehouse. The road ranking report has been distributed and a meeting will be held to discuss strategy and financing. Councilman Badal questioned whether it should be the Council's decision to remove the tribute sign from MBPD property.

Councilwoman Glassner – The Personnel Committee is meeting in August. Borough staff continues to meet each Friday after the Council meeting. Coverage issues in the Bowers Building have been resolved with Resolution #141-17.

Councilman Sharkey – The Shade Tree Commission is taking an inventory of ash trees throughout the Borough to gauge what the Borough's financial responsibility may be. A significant number of mature trees on residential property on Main Street have been identified as having an effect on the streetscape of the Main Street Corridor. The Emerald Ash Borer continues to be a problem and the current treatment is expensive and short-lived, and the results are uncertain.

Councilman Witczak – A recommendation was made to install a sign next to the gazebo to identify the park and announce upcoming events. There was discussion regarding placement of a mock-up and consensus that there be no illumination.

ATTORNEY ITEMS

Mr. Semrau commended OIC Camoia for his continued efforts at Daytop. The Criminal History Check ordinance is being reviewed and a report will be presented during the August 17, 2017 meeting.

MAYOR'S ITEMS

None

PUBLIC COMMENT

Councilman Witczak opened the floor to comments/questions from the public. On behalf of the Open Space Advisory Committee, George Connolly, 22 Hampshire Drive, implored the Council to consider the Scott Farm Barn an integral part of Borough history and to preserve it. He added

that it is one of the oldest structures in the Borough and listed on the historic register. Mr. Connolly indicated that historic preservation grants are available from the County and opined that Open Space funds can be used to preserve the barn.

Mr. Connolly added that repair work on a Commons tennis court ultimately cost \$100K despite a \$50K estimate.

Hearing no additional comments, Councilman Witczak closed the public portion of the meeting.

APPROVAL OF VOUCHERS

Bill Lists dated July 20, 2017

Motion to approve: Councilman Andrews

Second: Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrus

EXECUTIVE SESSION: 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 8:56PM next to convene at a regular meeting on August 17, 2017 at 8PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

Margot G. Kaye

Margot G. Kaye
Borough Clerk