

**MINUTES OF THE REGULAR MEETING
OF THE
BOROUGH OF MENDHAM
MAYOR AND COUNCIL**

February 15, 2018

CALL TO ORDER

Mayor Henry called the February 15, 2018 Regular Meeting of the Mayor and Council to order at 8:00 p.m. in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

INVOCATION AND FLAG SALUTE

Mayor Henry led a moment of silence and then proceeded with the Pledge of Allegiance.

MAYOR'S OPENING STATEMENT

Adequate notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the *Daily Record* and *Observer Tribune*, and was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

OATH FOR BOROUGH CLERK

Mayor Henry Administered the Oath of Office to Mimi. M. Marlor, RMC as the newly appointed Borough Clerk. He welcomed the new Clerk and he asked her to proceed with the Roll Call.

ROLL CALL

PRESENT:

Mayor Neil Henry

Councilman John Andrews

Council President John Andrus

Councilwoman Christine Serrano-Glassner

Councilman David Sharkey

Councilman Stanley Witczak, III

ABSENT:

Councilman Brad Badal

Also present were:

Fred Semrau, Borough Attorney

Joyce Bushman, Borough Administrator

Mimi M. Marlor, RMC, Borough Clerk

CONSENT AGENDA

Items on the Consent Agenda are considered routine and will be acted upon by the Borough Council by a single vote unless a member of the public, the Borough Council or the Mayor request that an item be removed and considered separately.

1. Approve Minutes of the regular meeting of 2/1/18

Motion to approve: Councilman Sharkey

Second: Councilwoman Glassner

Discussion: None

Roll Call:

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

Opposed: None

Abstain: None

Absent: Badal

DISCUSSION

Michael Obremski, a representative from JCPL, was introduced by Mayor Henry. Mr. Obremski explained an overview of the process for distribution tree trimming in the Borough. He shared that it is a normal four year cycle and the trees are trimmed at a 15 foot clearance. He noted that this year

they are proactively dealing with the ash tree disease and want to remove them for safety. Each resident received a door hanger explaining that the ash trees will be identified with a pink ribbon and each resident has a one-time option to have JCPL remove the ash trees. If removed they can either keep the wood or JCPL will remove the remains of the trees as part of the process. The homeowner may choose to treat the diseased tree rather than removal. Councilman Sharkey asked who is paying for this and Mr. Obremski answered that the rate payers are paying for it. A short discussion ensued including possible replacement trees. Mayor Henry hearing no other questions thanked Mr. Obremski and wished him well on his up-coming retirement.

ORDINANCE INTRODUCTION

02-18 Ordinance of the Borough of Mendham, County of Morris, State of New Jersey, Amending Chapter 102, Fees, Section 102.1, Schedule of Fees, to Establish a New Fee for Engineering Review of Applications Exempt from Site Plan Approval

Mayor Henry explained there will be no public input on Introduction of Ordinance 02-2018. The Introduction summary will be published in the Daily Record 02/20/2018 and 2nd reading, public hearing and final adoption will be considered on 3/1/2018. The Clerk noted full copies of the Ordinance will be posted on the Township website, on the bulletin board at the Township building, and available at no cost in the office of the Municipal Clerk between the hours of 9:00am and 4:00pm, Monday through Friday.

Motion to Introduce Ordinance #02-18: Councilwoman Glassner

Second: Council President Andrus

Roll Call:

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

Opposed: None

Abstain: None

Absent: Badal

ACTIONS TAKEN - RESOLUTIONS

36-2018 A Resolution of the Mayor and Council of the Borough of Mendham, County of Morris and State of New Jersey, Approving the Sanitary Sewer Connection Application of Simple Coffee, Regarding the Property Located at 15 West Main Street, Block 301, Lot 39

Motion to approve: Councilman Sharkey

Second: Councilman Witczak

Roll Call:

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

Opposed: None

Abstain: None

Absent: Badal

37-2018 Resolution to Authorize Off Premise 50/50 Raffle for the Rotary Club of the Mendhams

Motion to approve: Council President Andrus

Second: Councilman Sharkey

Roll Call:

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

Opposed: None

Abstain: None

Absent: Badal

38-2018 A Resolution of the Borough of Mendham, in the County of Morris and State of New Jersey, Authorizing the Award of a Professional Services Contract without Competitive Bidding to Stormwater Compliance Solutions, LLC for Professional Services to Aid in Compliance with NJDEP Stormwater Permitting Requirements

Motion to approve: Council President Andrus
Second: Councilwoman Glassner
Roll Call:
In favor: Andrews, Andrus, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Badal

39-2018 A Resolution of the Borough of Mendham, County of Morris and State of New Jersey Authorizing the Strategic Plan for Municipal Alliance Funding July 1, 2018 – June 30, 2019

Motion to approve: Council President Andrus
Second: Councilman Sharkey
Roll Call:
In favor: Andrews, Andrus, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Badal

40-2018 A Resolution of the Borough of Mendham, in the County of Morris and State of New Jersey, Authorizing the Acceptance of Donated Firearms for the Mendham Borough Police Department

Motion to approve: Council President Andrus
Second: Councilwoman Glassner
Roll Call:
In favor: Andrews, Andrus, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Badal

41-2018 A Resolution Providing for the Transfer of Appropriation Reserves

Motion to approve: Council President Andrus
Second: Councilman Sharkey
Roll Call:
In favor: Andrews, Andrus, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Badal

42-2018 Resolution Amending Resolution 32-18 Authorizing the Mayor and Borough Council to Appoint Mimi M. Marlors as Borough Clerk

Motion to approve: Councilman Sharkey
Second: Councilwoman Glassner
Roll Call:
In favor: Andrews, Andrus, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Badal

ADMINISTRATOR'S REPORT

Administrator Bushman reported that her Administrator's report was provided to the Mayor and Council in advance of the meeting. Council President Andrus noted that the Scott Trail was in her report but asked if there was any update. The Administrator shared that she met with the Engineer and he reported that they will be preparing modifications to the plan and will be able to proceed

and use the grant from the County. Councilman Andrus asked if there would still be a bridge and Administrator Bushman reported that it would be modified with a pipe and the costs are all incorporated in the grant funding.

Mayor Henry commented that there is a Local Finance Notice explaining the new law for Certifying Compliance with the Federal Civil Rights Requirements. He asked that the Council be provided back up documentation so that they can understand what they are certifying. He noted that this is required prior to the filing of the budget.

Mayor Henry also asked for clarification regarding whether or not the tennis court closer to the fire house is going to be turned into a turf field. Administrator Bushman noted that it is in discussion and nothing has been decided. Councilman Sharkey commented that if a tennis court is converted he would rather it be the one on Orchard Street. He believes the one closer to the fire house has lights that make it more desirable. Councilman Andrews stated that he believed it to be a multipurpose type field. Administrator Bushman asked Councilman Witczak to comment. Councilman Witczak stated that if turfed over it you could still play tennis but the net is still an issue. Council President Andrus also stated funding is not yet determined. Councilman Witczak stated these discussions are really in their infancy and very premature for official consideration.

Mayor Henry asked about the interactive crossing signs. Administrator Bushman stated that there were grant opportunities but they do not provide the optimum timing opportunities. Councilman Andrews noted that the Public Safety Committee met and supports adding these items into their requested budget requests for this year which would allow the purchase of the inter-active crossing signs sooner rather than later. There being no further comments or questions Mayor Henry moved onto the Council Reports.

COUNCIL REPORTS, OLD & NEW BUSINESS

Recreation Committee

Councilman Witczak reported that Daycamp will be raising Counselors salaries but it will be offset by the raising of the overall admissions fee. He shared that in spite of the increase they remain competitive and probably lower than most camps in the area. He stated that it is for Borough and Township residents only. He concluded his report.

Finance Committee

Council President Andrus reported that the Finance Committee has completed over 95% of the budget preparation. He has asked that the Auditor put the numbers together so they can do their final review prior to the distribution to the Mayor and Council. He concluded his report.

Land Use Committee

Councilman Sharkey stated he had nothing new to report this evening.

Public Safety Committee

Councilman Andrews reported that the Fire/Safety Committee did meet earlier this evening and most of the conversation centered around the horrific Florida shootings yesterday and our local emergency response plans. He noted that there are plans in place for the unthinkable situation.

The Mayor shared that he would like the Fire/Safety Committee to work with the new Chief and Administrator about putting together an active shooter plan for the Phoenix House, the Bowers Building and DPW, as well. Councilman Andrews acknowledged he would work on the plan and he concluded his report.

Personnel Committee and Local Economic Development Committee

Councilwoman Glassner reported that the Personnel Committee is conducting salary reviews and they will be done for the budget. Later this summer we hope to put some up-to-date employee review systems in place.

Councilwoman Glassner further stated that the Economic Development Committee had its third meeting and they decided to put together a local business directory. She shared that they have been in contact with the Morris County Economic Development Corporation and hope to use their

template and put together a brochure for the Borough. She offered to share the template sample with anyone on Council if they would just let her know.

Lastly she reported that the state ranking for the schools has been released and our schools are not fairing as well as they have in the past. We asked for a meeting with the Board of Education and they declined. In turn, they asked us to attend their general meeting which will be Tuesday, February 27th at the Hilltop school at 7:00 pm. I'm encouraging all to attend. These numbers are important and we need to be mindful that it's a community wide effort to consider how we can help improve the rankings. Councilwoman Glassner concluded her report.

Public Works and Utilities Committee

Councilman Badal was absent and Councilwoman Glassner reported at his request. She reported that there was removal of a tree on Ironia Road and also there was a DPW repair to the fencing around the Municipal lot behind the Pharmacy. She shared before and after pictures and thanked the DPW staff for great work. She concluded her report on his behalf.

ATTORNEY ITEMS

Attorney Semrau stated that he is working with the Recreation Department and he has put together something in the form of a resolution and a memo for background checks for camp counselors. He also noted as a reminder that there is an on-line Mel training available to Mayor and Council which provides the Municipality a \$250.00 credit. The training must be completed by May 1, 2018.

Attorney Semrau further advised that state affordable housing compliance mandates are on hold and confirmed that the Borough is in protective and compliant status. He explained that the compliance is really an immunity as there are cases in the court. He stated that the Borough doesn't currently have any intervenors, which is a good thing. The plan remains compliant and self-sustaining. He is looking for the Mercer County judge to render a decision before moving forward. Mayor Henry added that they are looking for a Planner who is familiar with COAH, as it is complicated. Attorney Semrau concurred and concluded his report.

MAYOR'S ITEMS

Mayor Henry reported that he would forward a sample IT bid to Administrator Bushman with a reminder the next day. He asked if the Borough is doing any local promotions for the food truck event. Bruce DiBisceglie stated he would be making the appropriate banner requests.

Additionally Mayor Henry shared that he was scheduling a March meeting with the Administrator together with an outside Grants consultant to review possible options for the Borough.

He advised the Council that the Recreation Committee was recommending Robert Mulcahy as this year's Grand Marshall for the Labor Day parade. If there were no objections to the nomination he'd like to extend the invitation on behalf of the Recreation Committee. Councilwoman Glassner didn't object but she suggested a person who was connected with the garden club for 40 years as another possible future candidate. Councilman Andrews concurred that he thought Mr. Mulcahy was a good suggestion. Councilman Sharkey stated there is a consideration list and if Councilwoman Glassner got him her name they could add it. Straw poll unanimously voted to proceed with the invitation to Mr. Mulcahy.

PUBLIC COMMENT

Mayor Henry opened the meeting to the public for comments.

Ron Weissman, Mendham, NJ – He asked if there was a timeline and a dollar amount connected to resolution 38-2018. Mayor Henry referred to his backup documentation from his Council packet and shared the itemized numbers with Mr. Weissman totaling the not to exceed amount of \$12,500.00. He asked for the date and Mayor asked the Administrator to provide that to Mr. Weissman.

Mr. Weissman also brought up that a discharge permit was applied for in November and effective in January regarding Section 5 of the 84 open space plan. He stated that he finds the discharge degrading of the stream and the riparian rights section and the water is diverted from even using it and wondering how it satisfy the requirements. The Mayor asked the Administrator and DPW

Manager if they could add any information and then Mr. Weissman noted he has already informally met with the Engineer. There is no update at this time from the Engineer but we should get a report from the Engineer. Mayor Henry then stated we would ask Paul Ferriero for a written report and be able to better address his questions at the next meeting.

Mr. Weissman asked for an update on the co-op with Morris County regarding the electric agreement for residents and Mayor Henry stated he would include as assessment in his April newsletter.

Seeing no one else from the public wishing to be heard, Mayor Henry closed the public comment portion of the meeting.

APPROVAL OF VOUCHERS

Bill Lists dated February 15, 2018.

Motion to approve: Councilman Andrews

Second: Councilwoman Glassner

Discussion: Councilman Andrews recused himself on Bank ID item 4475.

Roll Call:

In favor: Andrews (all except 4475), Andrus, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: Badal

EXECUTIVE SESSION

None.

ADJOURNMENT

There being no other business to be conducted, on a motion duly made by Councilman Sharkey, seconded by Councilwoman Glassner, and unanimously carried by a voice vote, the meeting was adjourned at 9:03 p.m.

The next Regular Meeting of the Mayor and Council will convene on Thursday, March 1, 2018 at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

Respectfully Submitted:

Mimi M. Marlor, RMC, CMR
Borough Clerk
BOROUGH OF MENDHAM