

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

CALL TO ORDER

Mayor Henry called the October 21, 2013 meeting of the Mayor and Council to order at 8:08p.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:

Mayor Neil Henry

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

Also present: Atty. Tracy Wang
Administrator Ellen Sandman
Cynthia Delane

Absent: Councilman Louis Garubo
Atty. Fred Semrau
Borough Clerk Maureen Massey

CONSENT AGENDA:

Approval of the minutes of the regular meeting of 10.7.13
Approval of Raffle License – Minuteman - 12.5.13- 50/50 - Cash – On Premise
Approval of Raffle License – Minuteman -12.5.13- 50/50 –Tricky Tray –On Premise

Motion to approve the consent agenda was made by Councilman Witczak

Seconded by Councilman Andrus

Discussion: Councilman Badal abstained from approval of the minutes of the 10.7.13 meeting as he was not in attendance.

Roll Call – the vote was as follows:

In favor: Andrus, Sharkey, Daly, Witczak

Opposed: None

Abstain: None

Absent: Garubo

DISCUSSION:

Mendham Borough Fire Truck Sale:

The Borough's original intent was to post the Truck for sale on "Gov Deals" and seek the highest bidder. The Mendham Borough Fire Company was approached by town of Ben Avon in western PA with an offer, upon viewing the department's trade journal classified ad.

On behalf of the Borough Fire Department Chris Nelson determined the "value" of the Truck and conducted an analysis of current asking prices for comparable trucks in similar condition, with similar capacities and equipment. He shared his findings with the Council for consideration and evaluation in determining if the Ben Avon offer was viable.

Mendham Borough Fire Truck Sale:(Cont'd.)

Motion for the preparation and adoption of a resolution to authorize the sale of the 1992 E-One Fire Truck to the Ben Avon Fire Department for the purchase price of \$145,000 was made by Councilman Badal

Seconded by Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrus, Sharkey, Daly, Badal, Witzcak

Opposed: None

Abstain: None

Absent: Garubo

ORDINANCE INTRODUCTION: None

ORDINANCE PUBLIC HEARING/ADOPTION: None

ACTIONS TO BE TAKEN:

Res. #118-13 Cross River Fiber NJ, Inc. Right of Way Use Agreement

Motion to table this resolution was made by Councilwoman Daly

Seconded by Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrus, Sharkey, Daly, Badal, Witzcak

Opposed: None

Abstain: None

Absent: Garubo

Res. #119-13 Tax Court Judgment – 2010/2011- Decreased Assessed Value

Motion to adopt Resolution # 119-13 was made by Councilman Witzcak

Seconded by Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrus, Sharkey, Daly, Badal, Witzcak

Opposed: None

Abstain: None

Absent: Garubo

Res. #120-13 Rejected Bids- Road Resurface Project

Motion to adopt Resolution #120-13 was made by Councilman Witzcak

Seconded by Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

In favor: Sharkey, Daly, Badal, Witzcak, Andrus

Opposed: None

Abstain: None

Absent: Garubo

Res. #121-13 # 22 Maple Avenue, Block 406, Lot 16 - Lien Redemption

Motion to adopt Resolution #121-13 was made by Councilman Andrus

Seconded by Councilman Witzcak

Discussion: None

Roll Call – the vote was as follows:

In favor: Daly, Badal, Witzcak, Andrus, Sharkey

Opposed: None

Abstain: None

Absent: Garubo

Res. # 122-13 Approve SS Application B1501, L5, 13 East Main Street

Motion to adopt Resolution #122-13 was made by Councilman Witzcak

Seconded by Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

In favor: Daly, Badal, Witzcak, Andrus, Sharkey

Opposed: None

Abstain: None

Absent: Garubo

ADMINISTRATOR REPORT: A written report circulated prior to the meeting. There were no questions or further discussion.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilman Witczak mentioned that the Public Works Committee is short two people. He asked the Council to have a straw poll to seek additional committee members. The DPW has also lost their tree expert. A consultant will be brought in to assist and teach the DPW staff proper tree maintenance and care. Ken O'Brien is handling the interview process. This individual will be hired on a per diem basis for the winter season.

Councilman Daly and the Personal Committee have received and are reviewing a number of resumes for the Land Use Coordinator position. The Board of Adjustment and Planning Boards will be brought into the candidate review process.

Councilman Badal report that there is a safety meeting is scheduled for October 30th. The radio system is up for bid. The fire trucks have been inspected. The new fire truck should be here within 2 – 3 weeks.

ATTORNEY ITEMS: None

MAYOR'S ITEMS:

Mayor Henry the RFP for the feasibility study should go out by the end of the month. Recipients will have 30 days to respond. Mayor requested the Borough create and utilize a project tracker to list all current projects and report status updates. This would be an at a glance matrix which could be used to communicate between departments and for budget planning purposes.

PUBLIC COMMENT: None

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated October 21, 2013

Motion to approve the October 21, 2013 bill list was made by Councilwoman Daly

Second by Councilman Sharkey

Discussion: None

Roll Call - the vote was unanimous as follows:

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

Opposed: None

Abstain: None

Absent: Garubo

EXECUTIVE SESSION:

Motion to adopt Resolution #123-13 (Contract Negotiations-Mendham Co-Operative Nursery School) was made by Councilman Andrus

Seconded by Councilman Witczak

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Garubo

On a motion duly made, seconded and unanimously carried, the Council returned to open session.

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 8:37 P.M. next to convene At the Regular Meeting on November 4, 2013 at 8:00 P.M. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Cynthia Delane