

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

CALL TO ORDER

Mayor Henry called the October 7, 2013 meeting of the Mayor and Council to order at 8:00p.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:

Council President Stanley Witczak

Councilman John Andrus
Councilwoman Veronica Daly
Councilman David Sharkey
Councilman Louis Garubo

Also present: Atty. Fred Semrau
Borough Clerk Maureen Massey
Administrator Ellen Sandman

Absent: Mayor Neil Henry
Councilman Brad Badal

CONSENT AGENDA:

- Approval of the minutes of the regular meeting of 9.16.13
- Raffle App –Mendham Independent Hook and Ladder-Casino Nite-11/9/13
(Added at meeting)

Motion to approve the consent agenda was made by Councilman Andrus

Seconded by Councilman Sharkey

Discussion: Councilman Garubo and Councilwoman Daly abstained from approval of the 9.16.13 minutes.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Badal

DISCUSSION:

Best Practices Inventory:

Council President Witczak asked the Council if there were any comments regarding the Best Practices Inventory document that was distributed with the agenda. Administrator Sandman commented that based on the Borough's scores, there would be no lost funding. Councilman Andrus commented that it may be valuable for the future to work on the items that were responded to as a 'no'. He suggested the Borough adopt a 'pay to play' ordinance making the State regulations more restrictive. He further commented on #7 requiring governing body members to attend a government sanctioned course; #11 maintaining an account manual and internal communications to the staff and #15 separation of duties in the finance office (which appears on the annual audit each year) and a fixed asset report. Councilman Andrus expressed his opinion that these should be considered for the future. Administrator responded that she would consult with the CFO and Auditor on the account manual but felt there were not enough employees to consider separation of duties' or enough money for the Borough to do a fixed asset report.

Best Practices Inventory: (Cont'd.)

Councilman Andrus noted the 'Edmonds' system was discussed in the past as a replacement of the present "Vital" system used in the Borough. Administrator Sandman does not support the change to 'Edmonds'.

ORDINANCE INTRODUCTION: None

ORDINANCE ADOPTION: None

ACTIONS TO BE TAKEN:

Res. #112-13 Return Cash Bond-J. Botti – B301/L75

Motion to adopt Resolution #112-13 was made by Councilman Andrus

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Badal

Res. #113-13 One-Time Stipend- Admin. Secy./Deputy Registrar-Jeanne Pugsley

Motion to adopt Resolution #113-13 was made by Councilwoman Daly

Seconded by Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Badal

Res. #114-13 Salary (2013)-Zoning Officer-Pat Fischer

Motion to adopt Resolution #114-13 was made by Councilman Andrus

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Badal

Res. #115-13 Refund Taxes-Overpay 3rd Quarter-B1102/L109

Motion to adopt Resolution #115-13 was made by Councilman Andrus

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Badal

**Res. #116-13 Refund Overbilling of Taxes 2012-Due to Conversion of a Parcel
of Land Into Qualified Farmland-B2501/L1**

Motion to adopt Resolution #116-13 was made by Councilman Sharkey

Seconded by Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Badal

Res. #117-13 Purchase of 2014 Ford F250 (PickUp)-Thru Somerset Cty Co-Op

Motion to adopt Resolution #117-13 was made by Councilman Sharkey

Seconded by Councilman Garubo

Discussion: None

Roll Call – the vote was as follows:

In favor: \ Witczak, Andrus, Sharkey, Daly, Garubo

Opposed: None

Abstain: None

Absent: Badal

ADMINISTRATOR REPORT: There is no written report for this meeting.

Administrator Sandman stated that her report will be given at the second meeting of each month.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilwoman Daly reported that resumes are being received and interviews will be setup to fill two positions at Borough.

Councilman Garubo reported that recreation is slow at this time.

Councilman Andrus commented on an email request from Kevin Melly regarding the renewal of the Mendham Co-Op lease. Mr. Andrus stated that he would be willing to meet with Mr. Meely to discuss the lease but the approval of Council is needed for any agreement. After a brief discussion it was decided to ask the Administrator to meet with Mr. Melly and determine what he is looking for and this matter will be discussed in closed session.

Councilman Witczak reported the ongoing process of hiring to fill 2 vacant positions at the Department of Public Works. He strongly suggested getting an employee with tree climbing/cutting experience. He continued to report on the per diem hiring for snow plowing and that the employee who was hurt and required surgery is doing well.

ATTORNEY ITEMS:

Att. Semrau reported the on his preparation of an amendment to the Wind/Solar Ordinance that was introduced. This amendment will address the inherent dangers to firefighters that have become apparent. He suggested that the revisions be considered at the next meeting which will address the dangers and require precautions and notification necessary for the protection of firefighters. Mr. Semrau attended a meeting on October 1st with regard to the transition to the Chester Borough court and noted that the process is on track.

MAYOR'S ITEMS: Mayor Henry was not present at this meeting.

PUBLIC COMMENT:

David Sprandel, 18 North Linden Lane, offered congratulations to everyone for Mendham being declared #1 place to live in the State of NJ.

Chief Libertino reported that he will be sending a representative from PD to a Morris County meeting on a program similar to 'e-tickets'. He will report back to the Council when more information on the program is know and the costs involved as well as if it being considered mandatory.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated October 7, 2013

Motion to approve the October 7, 2013 bill list was made by Councilman

Second by Councilman

Discussion: None

Roll Call - the vote was unanimous as follows:

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

Opposed: None

Abstain: None

Absent: Badal

EXECUTIVE SESSION: There was no executive session held.

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 8:46P.M. next to convene at the Regular Meeting on October 21, 2013 at 8:00 P.M. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Maureen Massey, RMC, CMC
Borough Clerk