

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

November 25, 2019

CALL TO ORDER

Mayor Christine Serrano-Glassner called the November 25, 2019 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 Serrano-Glassner 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 the *Star Ledger*, and such notice was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

ROLL CALL

The following officials were present:

Mayor Christine Serrano-Glassner
Council Member Steven Andrew
Council Member John Andrews
Council Member Brad Badal
Council Member James R. Kelly
Council Member Brennan Reilly
Council President David Sharkey

Also present were:

Fred Semrau, Esq., Borough Attorney
Joyce Bushman, Borough Administrator
Robin R. Kline, Borough Clerk

PROCLAMATION

Mayor Christine Serrano-Glassner reported that the proclamation would be tabled to a future date so that Mr. Willett may be present.

**PROCLAMATION HONORING ROBERT WEBSTER WILLETT FOR HIS EXTRAORDINARY
DEDICATION AND YEARS OF SERVICE TO THE MENDHAM BOROUGH COMMUNITY**

Motion to Table: Council Member Andrew
Second: Council President Sharkey
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

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 Governing Body requests that an item be removed and considered separately.

1. Approval of Minutes: November 13, 2019 Regular Meeting & Executive Session
2. Raffle License Application: Minuteman Sports Club
Off-Premise Merchandise Raffle
February 4, 2020 (Halftime at H.S. Girls Varsity Basketball Game)

Motion to Approve: Council Member Andrew
Second: Council President Sharkey
Ayes: Andrew, Andrews, Kelly, Sharkey
Abstain: Council Member Badal and Council Member Reilly abstained on the approval of November 13, 2019 Regular Meeting & Executive Session minutes

DISCUSSION ITEM

2019 Best Practices Inventory for Mendham Borough

The Borough Clerk reported that state law requires a governing body to review and discuss the annual Best Practices Inventory at a scheduled public meeting and confirmed that a copy of the 2019 Best Practices Inventory was previously distributed to the Mayor and Council with the November 13, 2019 agenda packet.

There was no discussion by the Governing Body.

ORDINANCE FOR INTRODUCTION

#18-2019 AN ORDINANCE ESTABLISHING PAY RANGES FOR APPOINTED OFFICIAL AND EMPLOYEE POSITIONS OF THE BOROUGH OF MENDHAM FOR CALENDAR YEAR 2020

Mayor Serrano-Glassner announced that the Public Hearing for Ordinance #18-2019 is scheduled for December 11, 2019.

Council Member Badal recommended that the salary range for the Water Reclamation Facility Assistant Superintendent be revised to read \$60,000 (Minimum) to \$75,000 (Maximum) and also noted a typographical error for the Public Works Senior Laborer position, which should read “per hour.”

There was no further Council discussion.

Motion to Approve: Council Member Badal, as revised
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

Ordinance #18-2019 passed on first reading, as revised. The Borough Clerk will prepare and publish the legal notice accordingly and take all other action as required by law.

ORDINANCES FOR PUBLIC HEARING READING

None

RESOLUTIONS

#163-2019 A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PAULUS, SOKOLOWSKI AND SARTOR, LLC FOR ENGINEERING SERVICES IN CONNECTION WITH THE RENEWAL OF THE NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

There was no Council discussion.

Motion to Approve: Council Member Andrews
Second: Council President Sharkey
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

#164-2019 RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PAULUS, SOKOLOWSKI AND SARTOR, LLC FOR CAPITAL/WRF IMPROVEMENTS PHASE 1

There was no Council discussion.

Motion to Approve: Council Member Andrew
Second: Council President Sharkey
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

#165-2019 RESOLUTION AUTHORIZING ACCESS TO WESTFIELD PARK FOR THE CONSTRUCTION OF A PAVILION, ACCEPTANCE OF A PAVILION DONATION, AND THE RENAMING OF WESTFIELD PARK, ALL CONDITIONED UPON THE SATISFACTION OF CERTAIN REQUIREMENTS OF THE BOROUGH

There was no Council discussion.

Motion to Approve: Council Member Andrew
Second: Council Member Andrews
Ayes: Andrew, Andrews, Kelly, Reilly, Sharkey
Nays: Badal

#166-2019 RESOLUTION AUTHORIZING EXECUTION OF A 2020-2026 AGREEMENT AND SIDEBAR AGREEMENT BETWEEN THE BOROUGH OF MENDHAM AND PBA LOCAL 384

There was no Council discussion.

Motion to Approve: Council Member Andrew
Second: Council Member Andrews
Ayes: Andrews, Badal, Kelly, Reilly
Nays: Sharkey
Recusal: Andrew

#167-2019 RESOLUTION AUTHORIZING THE CANCELLATION OF AN UNEXPENDED BUDGET APPROPRIATION BALANCE IN THE 2019 GENERAL OPERATING BUDGET

[Requires not less than a two-thirds (2/3) vote of the full membership of the governing body]

There was no Council discussion.

Motion to Approve: Council Member Badal
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

#168-2019 RESOLUTION INSERTING AN ITEM OF REVENUE IN THE 2019 BUDGET [STATE OF NEW JERSEY CLEAN COMMUNITIES GRANT]

There was no Council discussion.

Motion to Approve: Council Member Badal
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

#169-2019 RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF PROPERTY TAX FOR BLOCK 301, LOT 78, KNOWN AS 39 W MAIN STREET

There was no Council discussion.

Motion to Approve: Council Member Andrews
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

#170-2019 RESOLUTION AUTHORIZING THE PAYMENT OF A STIPEND IN THE AMOUNT OF \$3,500 TO THE BOROUGH'S OFFICE OF EMERGENCY MANAGEMENT COORDINATOR FOR CALENDAR YEAR 2019

There was no Council discussion.

Motion to Approve: Council Member Andrews
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

#171-2019 RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH MLT REALTY HOLDINGS LLC IN CONNECTION WITH THE PROPERTY LOCATED AT 16 EAST MAIN STREET (BLOCK 601, LOT 7)

Mr. Semrau advised that the adoption of the resolution and Memorandum of Understanding should be subject to legal review and administrative review by the Planning Board.

Council Member Andrews further requested that the Mendham Borough Fire Department and the Mendham Borough First Aid Squad should also review the Memorandum of Understanding.

There was no further Council discussion.

Motion to Approve: Council Member Reilly
Second: Council Member Badal
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

#172-2019 RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE MENDHAM COOPERATIVE NURSERY SCHOOL

Council Member Kelly inquired about the per annum rent increase in the lease agreement.

Council Member Reilly moved to table Resolution #172-2019 to the December 11, 2019 meeting.

Motion to Table: Council Member Reilly
Second: Council President Sharkey
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

Resolution #172-2019 was tabled to the December 11, 2019 agenda.

#173-2019 RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH THE FAIR SHARE HOUSING CENTER TO COMPLY WITH THE MOUNT LAUREL DOCTRINE AND THE FAIR HOUSING ACT OF 1985 FOR THE PRIOR ROUND OF 1987 THROUGH 1999 AND THE THIRD ROUND OF 1999 THROUGH 2025

There was no Council discussion.

Motion to Approve: Council Member Andrew
Second: Council Member Reilly
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

#174-2019 RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH V-FEE REALTY INVESTMENTS LLC TO COMPLY WITH THE MOUNT LAUREL DOCTRINE AND THE FAIR HOUSING ACT OF 1985 FOR THE PRIOR ROUND OF 1987 THROUGH 1999 AND THE THIRD ROUND OF 1999 THROUGH 2025

There was no Council discussion.

Motion to Approve: Council Member Badal
Second: Council Member Andrews
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

ADMINISTRATOR'S REPORT

Ms. Bushman provided a copy of her Administrator's Report dated November 25, 2019 to the Mayor and Council. She reported that the employee holiday party is scheduled for December 13th and confirmed that Borough offices would close to the public at 12:00 noon. A notice informing the public that Borough offices will be closed will be posted on the website and social media.

Mayor Serrano-Glassner noted that the Administrator reported a savings to date in the annual compensation paid for the Tax Collector position.

Council Member Reilly inquired about the reported damage to the electric service for the Scott Farm property. It was reported that the Public Works Department filed an insurance claim. It is not known who caused the property damage. The matter was referred to the ECOOST Committee for further review and recommendation.

There was no further Council discussion concerning the Administrator's Report.

COUNCIL COMMITTEE REPORTS

Finance [Standing Committee of the Council]

Council Member Badal reported that the Finance Committee met earlier in the day and discussed the 2020 Salary Range Ordinance, 2020 salary recommendations, and professional service agreements. The committee will be reviewing Capital budget requests that have been received.

Board of Health

Council Member Andrew reported that the next meeting of the Board of Health will be held on December 5th.

Recreation and Parks [Standing Committee of the Council]

Council Member Andrew reported that the Recreation Committee met on November 21st. Topics discussed included the Holiday Decorating Contest and the Holly Trail. The construction of the Gaga Pit will begin on November 29th.

Board of Education

Council Member Andrew had nothing new to report.

Public Safety [Standing Committee of the Council]

Council Member Andrews reported that the OEM met on November 18th and cleared all open items in the Borough's Emergency Operating Plan. The Public Safety Committee discussed formalizing mutual aid agreements for EMS and First Aid Squad services with neighboring communities and also discussed re-establishing a CERT (Citizen Emergency Response Team) for the Borough.

Council Member Andrews further reported that a resident had brought to his attention that a street light is needed for the crosswalk at East Main Street and Orchard Street. The police department will submit a request to JCP&L. He also confirmed that letters were sent out to Orchard Street households to survey whether on-street permitted parking should remain in place. The Police Chief will follow up. Lastly, he inquired whether the Administrator or the Board of Health would be able to coordinate a storm preparedness class.

Personnel [Standing Committee of the Council]

Council President Sharkey had nothing new to report.

Public Works and Utilities [Standing Committee of the Council]

Council Member Kelly reported that the Public Works crews have installed holiday lights on the Phoenix House and further reported that the reduction of the Firehouse water line from 4-inch diameter to a 2-inch diameter will reduce water costs.

Land Use [Standing Committee of the Council]

Council Member Reilly was absent.

ECOSST Committee

Council Member Reilly had nothing new to report.

ATTORNEY’S ITEMS

Mr. Semrau advised that an update on the Borough’s affordable housing matter will be provided for closed session.

MAYOR’S ITEMS

Mayor Serrano-Glassner followed up on nominations from the Borough Council for the selection of the 2020 Labor Day Parade Grand Marshall. She confirmed that she had contacted former mayors for their input.

Three additional nominations were added by members of the Council. Mayor Serrano-Glassner asked that the Borough Clerk maintain a listing of all nominations for future Council consideration.

Upon discussion, there was a consensus by the Borough Council to select former Mayor Richard Kraft as the 2020 Labor Day Parade Grand Marshall.

PUBLIC COMMENT – AUDIENCE PARTICIPATION:

Mayor Serrano-Glassner opened the meeting for public comment and invited any member of the public to be heard. Seeing no one wishing to speak, Mayor Serrano-Glassner closed public comment and proceeded with the next agenda item.

APPROVAL OF VOUCHERS

Bills List prepared by the Chief Financial Officer dated November 25, 2019.

Motion to Approve: Council Member Badal
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Abstain: Council Member Andrews abstained on vouchers concerning “Aid to Volunteer Ambulance Squad”

Bills List dated November 25, 2019 was approved.

EXECUTIVE SESSION

Add-On Resolution:

#175-2019 A RESOLUTION PROVIDING FOR A CLOSED SESSION NOT OPEN TO THE PUBLIC PURSUANT TO THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A. 10:4-12b

The Mayor and Council of the Borough of Mendham will adjourn into closed session to discuss the following subject matter without the presence of the public in accordance with the Open Public Meetings Act exemptions, N.J.S.A. 10:4-12b:

- 1. Litigation Matter: Affordable Housing Settlement Agreement
- 2. Personnel Matter: Extended Sick Time Request

No further action will be taken by the Mayor and Council after the Closed Session is adjourned.

Motion to Approve: Council Member Andrews
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Nays: None

Resolution #175-2019 passed.

The Mayor and Council convened into closed session at 8:47 p.m.

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The Mayor and Council reconvened into public session at 9:35 p.m.

Mayor Serrano-Glassner confirmed that the Mayor and Council meeting scheduled for December 11th will begin at 7:00 p.m. with an executive session. In accordance with the Open Public Meetings Act, the Borough Clerk will publish the necessary meeting notice.

ADJOURNMENT

Having no further business to conduct, Mayor Serrano-Glassner asked for a motion to adjourn.

Council Member Andrews made a motion to adjourn. Council President Sharkey seconded the motion. Upon a voice vote, the motion was passed unanimously.

Meeting adjourned at 9:35 p.m.

The next Regular Meeting of the Mayor and Council will convene on December 11, 2019 at 7:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

Respectfully Submitted:

Robin R. Kline, MAS, RMC, CMR
Borough Clerk
BOROUGH OF MENDHAM