MINUTES OF A MEETING
OF THE
MAYOR AND COUNCIL

CALL TO ORDER
Mayor Henry called the December 7, 2015 meeting of the Mayor and Council to order at 8:00PM in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

INVOCATION AND FLAG SALUTE
Mayor Henry 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 Morristown Daily Record and was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

ATTENDANCE
Mayor Neil Henry
Councilman John Andrews
Councilman John Andrus
Councilman Brad Badal
Councilman David Sharkey
Councilman Stanley Witczak
Council President Veronica Daly

Also present: Nanette Thomas for Fred Semrau, Borough Attorney
Richard Merkt, Borough Administrator

CONSENT AGENDA
Approval of the minutes of the regular meeting of 11/2/15
Blue Light Permit Applications: William Timpson – First Aid Squad
Bob Marold – First Aid Squad
Red Light/Siren Permit Application: Stanley N. Witczak – Office of Emergency Management
Minutemen Sports Club Raffles: On-Premise Merchandise Draw - 1/16/16
On-Premise Merchandise Draw - 2/9/16
Promotion of Harrison Drahzal (Jr Member) to Regular Member – Mendham Hose Co.

Motion to approve Consent Agenda
First: Councilwoman Daly
Second: Councilman Andrus
Discussion: None
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: Witczak – Red Light/Siren Permit Application only
Absent: None

DISCUSSION: None

ORDINANCE INTRODUCTION: None

ORDINANCE ADOPTION:

ORDINANCE #7-15
AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE ZONING ORDINANCE TO ALLOW FOR A RELIGIOUS CAMPUS OVERLAY ZONE AT 350 BERNARDSVILLE ROAD BLOCK 2301, LOT 13 (SISTERS OF CHRISTIAN CHARITY)

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

ORDINANCE #7-15
AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE ZONING ORDINANCE TO ALLOW FOR A RELIGIOUS CAMPUS OVERLAY ZONE AT 350 BERNARDSVILLE ROAD BLOCK 2301, LOT 13 (SISTERS OF CHRISTIAN CHARITY)

Was published in full in the Observer Tribune.

Mayor Henry opened the public hearing for comment. Hearing none, the public hearing was closed.
BE IT RESOLVED, by the Borough Council and Borough of Mendham that:

ORDINANCE #7-15
AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE ZONING ORDINANCE TO ALLOW FOR A RELIGIOUS CAMPUS OVERLAY ZONE AT 350 BERNARDSVILLE ROAD BLOCK 2301, LOT 13 (SISTERS OF CHRISTIAN CHARITY)

Be passed and adopted on this, the final reading by title, and that the Clerk be authorized and directed to advertise final passage and adoption of said ordinance in the Observer Tribune, according to law.

Motion to approve Ordinance #7-15
First: Councilman Andrews
Second: Councilman Andrus
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

ACTIONS TAKEN

Res. #177-15 Tax Overpayment Refund – 36 Aberdeen Dr, Block 1102, Lot 171
Motion to approve: Councilman Witczak
Second: Councilwoman Daly
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #178-15 2015 Budget Transfers
Motion to approve: Councilman Andrus
Second: Councilman Badal
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #180-15 Sanitary Sewer – 5 West Main Street, Block 301, Lot 34
Motion to approve: Councilman Witczak
Second: Councilman Andrews
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #181-15 Tax Lien Redemption – 22 Deerfield Road, Block 201, Lot 37
Motion to approve: Andrus
Second: Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #183-15 Sanitary Sewer – 15 West Main Street, Block 301, Lot 33
Motion to approve: Councilman Witczak
Second: Councilman Andrews
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None
Res. #184-15 Tax Overpayment Refund – 290 Mountainside Road, Block 101, Lot 23
Motion to approve: Councilman Andrus
Second: Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #185-15 Tax Overpayment Refunds - various
Motion to approve: Councilman Sharkey
Second: Councilwoman Daly
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #186-15 Tax Overpayment Refund – 3 Hilltop Road, Block 1902, Lot 22
Motion to approve: Councilman Andrus
Second: Councilman Sharkey
Discussion: Councilman Witczak stated that he is a member of the Pastime Club, but not an officer.
Roll Call – the vote was as follows:
In favor: Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: Andrews – Officer of the Pastime Club
Absent: None

Res. #187-15 Police Secretary Appointment (FT) – Jennifer Price
Motion to approve: Councilman Badal
Second: Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #188-15 Seasonal Laborer Appointment (PT) – Andrew Cascais
Motion to approve: Councilman Witczak
Second: Councilman Andrews
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #189-15 Inspection Fee Refund – 3 Emery Avenue, Block 705, Lot 2
Motion to approve: Councilman Andrews
Second: Councilman Andrus
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

ADMINISTRATOR REPORT

The Administrator's report was distributed to the Mayor and Council previously.

Councilman Badal requested clarification regarding payment for the new firehouse roof. Mr. Merkt confirmed that partial payment had been made and that final payment will not be remitted until after inspection.

Councilman Sharkey asked whether any resolution has been reached regarding incidents involving Daytop residents. Mr. Merkt stated that he and Chief Libertino met with Daytop management to inform them that it is their responsibility to fix the issue. He further stated that the state imposed oversight regulations that hinder Daytop's ability to contact parents should a resident leave the property without authorization. Councilman Andrus was adamant that an increase in overnight supervision is required as part of any solution suggested by Daytop officials.
The Mayor thanked Mr. Merkt along with Councilman Andrus for the state of the initial budgets and the efficiency of the budget meeting.

**COUNCIL REPORTS, OLD & NEW BUSINESS**

Councilman Andrews – The proposed outdoor dining ordinance and the revised generator/AC pad language are scheduled to be introduced at the Council meeting on January 18, 2016.

Councilman Andrus – The budget is in good shape and the department head meeting went well. Mr. Merkt will be scheduling a Finance Subcommittee meeting for prioritization of capital expenditures.

Councilman Badal – A vote will be taken at tonight’s meeting for the Police Secretary candidate and work continues on staffing the Zoning Department. The Mayor indicated that he has been contacted regarding lack of staffing and Mr. Merkt stated that he intends to have a plan in place by the end of December.

Councilman Sharkey – Holly Trail was a success and field allotment is underway. A photo contest is being held to encourage tree maintenance in the Borough. Residents can submit a photo of their favorite tree and winners will received one of 2,000 seedlings being provided based on the Borough’s Tree City USA designation.

Councilman Witczak – The DPW has created a mockup of the Borough Park scoreboard and placement (location and height) is still being considered. Mr. Merkt requested that the Council take a few minutes to stop at the park to assess the current location and report back with any comments.

Councilwoman Daly – The Public Safety Committee and DPW continue to explore options for snow shoveling of Borough sidewalks.

**ATTORNEY ITEMS**

Ms. Thomas stated that the firm continues to monitor COAH status.

**MAYOR’S ITEMS**

No report.

**PUBLIC COMMENT**

Mayor Henry opened the floor to comments/questions from the public. Mr. David Sprandel, North Linden Lane, complimented the newly-installed hand railings on the Phoenix House front stairs. He further asked Councilman Sharkey whether the seedlings being given out were fruit trees and Councilman Sharkey confirmed that they were shade trees. Mr. Sprandel inquired on the status of the puddingstone wall in front of 34 East Main Street. Mr. Merkt indicated that work has begun to repair the wall with like-for-like materials.

Sister Mary Edward, Bernardsville Road, thanked the Mayor and Council and expressed sincere gratitude for the adoption of Ordinance #7-15.

Hearing no further comments, the Mayor closed the public portion of the meeting.

**APPROVAL OF VOUCHERS**

Minute Book Attachment Bill Lists dated November 16, 2015 and December 7, 2015
Motion to approve: Councilwoman Daly
Second: Councilman Andrus
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: Witczak – Check no. 1468 only
Absent: 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 8:28PM next to convene at the Regular Meeting on December 21, 2015 at 8:00PM at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Margot G. Kaye
Margot G. Kaye, RMC
Borough Clerk