

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

CALL TO ORDER

Mayor Henry called the December 16, 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:

Mayor Neil Henry

Council President Stanley Witczak
Councilman David Sharkey
Councilwoman Veronica Daly (Arrived at approx. 8:05 PM)
Councilman Louis Garubo
Councilman Brad Badal

Also present: Atty. Tracy Wang
Borough Clerk Maureen Massey

Absent: Councilman John Andrus
Administrator Ellen Sandman

CONSENT AGENDA:

- Approval of the minutes of the regular meeting of 12.2.13
- Approval of the executive session minutes of 12.2.13

Motion to approve the consent agenda was made by Councilman Garubo

Seconded by Councilman Witczak

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrus

DISCUSSION:

Mayor Henry announced that George Connelly of the Open Space Committee requested time to update the Council on two properties that have been discussed in committee.

Mr. Connelly highlighted the first property which was Cosma Lake Club by noting that the taxes have not been paid in 3 years and approximately \$7,000 is owed. This is a Tier "C" property in the Open Space Inventory. It was reported that the Borough Tax Collector informed Mr. Connelly that the Borough could pay the taxes and foreclose on the property with the addition expense of filing fees. Mr. Connelly further commented that the Environmental Commission was interested in this property when they thought the Borough owned it but doesn't know how they would feel if the Borough actually had to make the purchase. In summary it was determined that the Open Space Committee does not recommend the purchase of this property due to limited public access, restricted for development, and the dam located on the property is in poor shape and the Borough would be assuming the liability and subject to DEP regulations. Lot #6 is the nicest part of the property and has a spillway and stream.

It was questioned by the Council who would be responsible for the dam if the Borough does not make the purchase and how the residents and Association play a role in the ownership of the lake. This will be requiring a legal opinion and will be answered at a later date.

DISCUSSION: (Cont'd.)

The second property discussed was the Scott Farm which is the nicest and more desirable of the two discussed by the Open Space Committee. It is privately owned and has a spillway and stream. It provides drainage for the area. This is a Tier "A" property on the Open Space Inventory. This property if purchased would require work to maintain the buildings located on this site. This property is 10.5 acres with 4 acres located in Mendham Township with an asking price of 1.9 million. The property is presently farmland assessed and is located in a 1 acre zone with the potential to subdivide to create 3-4 properties. It has a stream (wetlands) located at the back of the property, part of Patriots Path, and access to Mendham Commons and contiguous with the Pastime field.

Mayor Henry concluded that this property was discussed in executive session and the Administrator was given direction from the Council. The Mayor suggested that all concerned keep to date on the future discussions at the Council meetings.

ORDINANCE INTRODUCTION: None

ORDINANCE ADOPTION: None

ACTIONS TO BE TAKEN:

Res. #141-13 Transfer of Funds

Motion to adopt Resolution #141-13 was made by Councilman Witczak

Seconded by Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrus

**Res. #142-13 Repeater Service Agreement-Winchester Communications
(Digital Mobile and Portable Radio Equipment)**

Motion to adopt Resolution #142-13 was made by Councilman Witczak

Seconded by Councilman Garubo

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrus

Res. #143-13 Appoint Land Use Coordinator-Margot Kaye

Motion to adopt Resolution #143-13 was made by Councilwoman Daly

Seconded by Councilman Garubo

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrus

ADMINISTRATOR REPORT: There was no written report circulated to the Mayor and Council before this meeting. Administrator Sandman was absent from this meeting.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Most Council members reported that things were quite at this point in time. Councilman Garubo reported that there is still not skating in the park as of today. It takes approximately 5 days of below freezing to be solid. It was noted that the DPW does monitor this location.

Mayor Henry commented on the Saturday budget meeting and noted that there was much to talk about. He will discuss further with Administrator Sandman and Councilman Andrus the use of the FEMA reimbursement funds for police cars and computer systems for them.

ATTORNEY ITEMS: (Atty. Semrau was not present – Atty. Wang attended)

Atty. Semrau asked Atty. Wang to report that the Chester Court transfer is on track for January 1, 2014. There are a few salary and appointment issues which Administrator Sandman is working on.

There was a meeting scheduled and postponed by Mayor Davis. Mayor Henry will reschedule.

MAYOR'S ITEMS:

Mayor Henry reported that Friday was the deadline for RFP for the high school funding formula issue. Mr. Henry anticipates that there will be two meetings held in January to review and discuss the proposals received and awarding the contract in February.

PUBLIC COMMENT:

Hank Schram, 2 Melrose Lane, has a question on the RFP for the high school funding formula issue. Mayor Henry noted that he posted RFP information on the website. He also referred to the Mendham Messenger (May) Mayors Message and "Summary Outline: State Statutes to Change the School Funding Allocation". The Mayor commented on the complexity of this issue. Mayor Henry offered to email the information to Mr. Schram.

Mayor Henry stated that the meeting dates for January will be advertised and he further suggested the Mendham Chester Patch and the Observer for meeting information.

Mayor Henry commented that the final version of the RFP came about after much work and thorough review of Mendham Township, Chester Borough/Township.

Dave Sprandel, 18 North Linden Lane, asked if the executive session minutes can be put on the website and questioned when they can be released. The Clerk responded that once the issue discussed is resolved they can be released upon request.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated December 16, 2013

Motion to approve the December 16, 2013 bill list was made by Councilman Witczak

Second by Councilwoman Daly

Discussion: None

Roll Call - the vote was unanimous as follows:

In favor: - Garubo, Badal, Witczak, Sharkey, Daly

Opposed: None

Abstain: Councilman Witczak recused from voting on the approval of check #8486.

Absent: Andrus

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 10:17P.M. next to convene at the Regular Meeting on January 20, 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