

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

CALL TO ORDER

Council President John Andrus called the December 3, 2012 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

Council President John Andrus 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:

Councilman Stanley Witzcak
Council President John Andrus
Councilman David Sharkey
Councilwoman Veronica Daly
Councilman Louis Garubo
Councilman Brad Badal

Also present: Fred Semrau, Borough Attorney
Administrator Ellen Sandman
Maureen Massey, Borough Clerk

Absent: Mayor Neil Henry

CONSENT AGENDA:

Approval of the minutes of the regular meeting of 11.19.12

Motion to approve the consent agenda was made by Councilman Witzcak

Seconded by Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: Daly (Not present at the 11.19.12 meeting)

Absent: None

DISCUSSION:

COAH November, 2012 Spending Plan

Administrator Sandman led the discussion and commented that every so often the spending plan is review and modified by Atty. Paula DeBona and Borough Planner Charles T. McGroarty. The Borough has funded major projects such as the paving of the parking lot and new kitchens for the Mendham Area Senior Housing. After review it was determined that the balance of money was not enough to complete a housing rehabilitation project but could be used at MASH to replace old boilers. The Council will consider resolution #138-12 for adoption later in the meeting.

Numbering of Buildings Ordinance-Chapter 135

Councilman Badal commented that he was not sure why this was on the agenda. Ms. Sandman responded that she received a model ordinance from Atty. Semrau's office and since it was requested by Councilman Badal felt it could be discussed this evening. Mr. Badal noted that it was premature to discuss at this point and after review by the Public Safety Committee, Police, Fire and First Aid a decision will be made as whether or not a recommendation for Council consideration would be made.

ORDINANCE INTRODUCTION: No new ordinances for introduction.

ORDINANCE PUBLIC HEARING/ADOPTION: No ordinances for adoption.

ACTIONS TO BE TAKEN:

Res. #135-12 Cancel Outstanding Checks/Various Accounts

(Copy of Res. #135-12 attached to these minutes)

Motion to adopt Resolution #135-12 was made by Councilman Witczak

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

Res. #136-12 Transfer of Funds

(Copy of Res. #136-12 attached to these minutes)

Motion to adopt Resolution #136-12 was made by Councilman Witczak

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

Res. #137-12 Cancel Unexpended Funds in Salary Adjustment Account

(Copy of Res. #137-12 attached to these minutes)

Motion to adopt Resolution #137-12 was made by Councilman Badal

Seconded by Councilman Witczak

Discussion: Councilman Andrus commented that this a banking entry suggested by the Borough Auditor Bud Jones.

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

Res. #138-12 COAH Spending Plan

(Copy of Res. #138-12 attached to these minutes)

Motion to adopt Resolution #138-12 was made by Councilman Badal

Seconded by Councilman Garubo

Discussion: None

Roll Call – the vote was as follows:

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

Abstain: None

Absent: None

ADMINISTRATOR REPORT:

Administrator Sandman attended a seminar on “Procurement”. She reported problems with this process at the “State” level and noted that she will prepare a report for the Council.

She continued and reported that there will be a meeting with Councilman Badal and the Public Safety committee to discuss purchase procedures.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilman Badal reported on a meeting held with the Sisters from SCC to review what worked and what did not work at the shelter during storm Sandy. In conclusion it was determined with some minor issues it was overall very successful. Mr. Badal informed the Council that the Sisters have incurred bills in excess of \$32,000 for lights, food, heat and overtime for salary personnel, as well as revenue loss in cancellations for use of the ‘retreat house’. It was noted that the record keeping is well documented. These expenses will be submitted through FEMA.

COUNCIL REPORTS, OLD & NEW BUSINESS: (Cont'd.)

Councilman Badal commented on the 4 bids received for the fire truck as good and are presently under review by Attorney Semrau. There was a bid that did not have all the documents requested and this will be discussed with our attorney.

Councilman Andrus reported that a finance committee meeting will be held to discuss 'progress payments' and good timing which the Borough may want to take advantage of to finance the fire truck purchase.

Councilman Witczak reported that the Department of Public Works has hired two part-time employees for storm clean-up as well as two experienced sub-contractors. He further reported that the 'salt-paste system' worked well and the water heater project at the Carriage House is presently underway.

Superintendent O'Brien asked to speak to report that he has advertised to fill the open positions at DPW. He has received about 3-4 applications. Mr. O'Brien reported that he anticipates approximately 60% of the storm debris clean-up to be completed by Christmas. He noted that there is more brush to be picked up than from storm Irene. He has space at the landfill behind the DPW which is where all the debris will be placed.

Councilman Andrus requested the Council to respond to the budget dates suggested so that dates can be confirmed. Mr. Andrus wants Capital requests submitted immediately.

ATTORNEY ITEMS:

Attorney Semrau reported some minor changes to the Sisters of Christian Charity agreement with the Borough for use of their facilities for a temporary shelter. Mr. Semrau noted that Tax Court will be held tomorrow and further commented that the appeals are manageable and that Scott Holzhauser Borough Assessor has done a good job.

MAYOR'S ITEMS: Mayor Henry did not attend this meeting.

PUBLIC COMMENT: There were no public comments.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated December 3, 2012
Motion to approve the December 3, 2012 bill list was made by Councilman Badal
Second by Councilman Sharkey
Discussion: None
Roll Call - the vote was unanimous as follows:
In favor: Garubo, Badal, Witczak, Andrus, Sharkey, Daly
Opposed: None
Abstain: None
Absent: None

EXECUTIVE SESSION: There was not executive session held this evening.

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 8:22 P.M. next to convene at the Regular Meeting on December 17, 2012 at 8:00 P.M. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Maureen Massey, RMC, CMC
Borough Clerk