

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

CALL TO ORDER

Mayor Henry called the February 17, 2015 meeting of the Mayor and Council to order at 8:04PM 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: Tracy Schnurr, Borough Attorney
Richard Merkt, Borough Administrator

CONSENT AGENDA

Approval of the minutes of the regular meeting of 2/2/15

Approval of Banner Requests from Schiff Nature Preserve (3/8-15/15, 3/22-29/15
and 4/5-19/15)

Approval of Banner Request from Pastime Club – Circus (6/3-6/10/15)

Approval of Banner Request from Mountainview Middle School (3/16-21/15)

Approval of appointment of Thompson Mitchell, Regular Member – Mendham Hose Co.

Approval of Raffle Application for Mendham Home School Association (1) Off-Premise
Draw (50/50 Cash)

Approval of Peddlers and Solicitors License (Renewal) – Maria Paguay

Motion to approve Consent Agenda

First: Councilwoman Daly

Second: Councilman Andrews

Discussion: Councilman Andrus requested that the banner requests be considered separately. Councilman Andrews stated that he is on the Board of Directors of the Pastime Club. Councilman Witczak stated that he is a member of the Pastime Club but not a member of the Board.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: Councilman Badal recused from approval of the regular minutes of
February 2, 2105 due to absence.

Absent: None

Motion to approve Pastime and Mountainview School Banner Requests

First: Councilwoman Daly

Second: Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

In favor: None

Opposed: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Abstain: Councilman Andrews recused from approval of the Pastime Club
banner.
Absent: None

Motion to approve Schiff Nature Preserve Banner Requests

First: Councilwoman Daly

Second: Councilman Badal

Discussion: Councilman Andrus reviewed the banner policy, specifically the limits placed on the number of banners permitted during each year and the accommodations that must be made for Tier 1 organizations. He indicated that Schiff Nature Preserve is a Tier 4 organization, thus subject to the right of first refusal by the higher tiers. It was noted that most of the Schiff property is located in Mendham Township and suggested that Schiff submit a banner application to the Township. Ms. Kaye agreed to contact Tier 1 representatives to confirm 2015 events/banner applications.

Roll Call – the vote was as follows:

In favor: None

Opposed: Andrews, Andrus, Badal, Sharkey, Witczak, Daly

Abstain: None

Absent: None

DISCUSSION

Morris Area Energy Cooperative

Present: Stacia Scaduto, Commercial Utility Consultants

Ms. Scaduto referenced a powerpoint presentation to clarify the cooperative process. She stated that the auction allows a 3rd party supplier to provide savings while utilizing JCP&L's existing infrastructure and that a switch would only occur if the supplier could offer a savings of at least 5% over JCP&L. Ms. Scaduto stressed that the goal is to gather ordinances and documents from participating municipalities so that they can go to auction in April and get savings to the residents in July. She confirmed that any outage suffered by the supplier would immediately default to JCP&L and that residents are able to opt in or out at any time without penalty. Ms. Scaduto agreed to provide Mr. Merkt with a list of the Passaic County Cooperative participants.

Sisters of Christian Charity

Councilman Andrews relayed the information from the Land Use Committee meeting on February 5, 2015. The Sisters are proposing an overlay zone that will allow them to build a new motherhouse and continue with the current uses of the property. It was agreed that the Planner and Engineer will review the Master Plan and draft the appropriate land use documents to address the issue. A cost estimate will be obtained from Bboth Professionals agreed to submit cost estimates prior to the start of any work so that sufficient escrow can be established.

Project Graduation 2015

The request for donation was discussed and it was agreed that this practice was discontinued several years back.

ACTIONS TAKEN

Res. #46-15: PSA Stormwater Management Svcs – Stormwater Compliance Solutions

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. #47-15: PSA HMR Architects – Phoenix House Preservation Plan (Morris Cty Grant)

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. #48-15: Contract for Acute and Chronic Bioassay Testing

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. #49-15: Executive Session

Motion to approve: Councilman Badal

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

ADMINISTRATOR REPORT

Mr. Merkt and Mr. Semrau met with Daytop representatives who indicated that none of the residents has been placed at the facility by court order. Mr. Merkt will research what action may be required in order to confirm that. NJ American Water has erected road closure signage on Main Street and Ferrierio Engineering is drawing up the bid specifications for the firehouse roof. Risk Manager training is scheduled for March 2, 2015 at 7PM at the Garabrant Center.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Badal – The Borough employee handbook requires an update. He asked that Mr. Merkt circulate the handbook and seek feedback from the Department Heads.

Councilwoman Daly – A Public Safety Committee is scheduled for February 19, 2015 at 6PM.

Councilman Andrews – no report.

Councilman Sharkey – A Recreation Committee meeting is scheduled for next month.

Councilman Andrus – The Open Space Advisory Committee has expressed an interested in purchasing a number of properties in town. The Finance Committee has determined that there may be a shortfall for the capital improvement projects being considered. The target date for introducing the budget is March 16, 2015.

Councilman Witczak – The Borough has procured a sufficient amount of road salt to last the remainder of winter. Mr. O'Brien will monitor the NJ American Water project on Main Street. A firehouse heater has failed and will need to be replaced. Councilman Witczak asked Councilman Badal to review the interoperability of walkie-talkies.

ATTORNEY ITEMS

No report.

MAYOR'S ITEMS

The high school feasibility study has been postponed until the middle of March. A meeting with the Mayor of Chester is scheduled on Saturday, February 21, 2015 to discuss joint court. Mayor Henry asked that Mr. Merkt arrange a meeting with a firm to explore an upgrade to the Borough's financial system. A meeting with Mendham Township has been tentatively set for Friday, February 20, 2015 to discuss shared services.

PUBLIC COMMENT

Ms. Laurie Felber, Environmental Commission Chair, advised the Council that a grant opportunity exists to help fund the purchase of bike racks for use on Borough property. Mayor and Council agreed that the issue is worth exploring and requested that a proposal be drawn up to depict the suggested locations of the racks.

Mr. Tom Parker of Forest Drive questioned the absence of an ordinance that requires snow removal on residential sidewalks. He explained that children are forced to walk in the street in order to get to school and asked if a petition signed by Borough residents would elevate the issue. The Council agreed to refer the subject on to the Public Safety Committee for review.

APPROVAL OF VOUCHERS

Minute Book Attachment Bill List dated February 17, 2015

Motion to approve: Councilman Sharkey

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: Councilman Witczak recused from approval of voucher #010241 (United Fire Protection).

Absent: None

EXECUTIVE SESSION

The meeting was adjourned to executive session at 9:57PM.

The Council returned to open session at 11:00PM20PM.

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 11:01PM 21PM next to convene at the Regular Meeting on March 2, 2015 at 8:00 PM at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Margot G. Kaye
Borough Clerk