MINUTES OF A MEETING
OF THE
MAYOR AND COUNCIL

CALL TO ORDER
Mayor Henry called the March 16, 2015 meeting of the Mayor and Council to order at 8:05PM 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: Fred Semrau, Borough Attorney
Richard Merkt, Borough Administrator

CONSENT AGENDA
Approval of the minutes of the regular meeting of 3/2/15

Motion to approve Consent Agenda
First: Councilwoman Daly
Second: Councilman Badal
Discussion: In the second line of Councilman Andrus’ report on page 3, ‘25%’ will be changed to ‘$25,000’.

Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Witczak, Daly
Opposed: None
Abstain: Sharkey (absence)
Absent: None

DISCUSSION

Borough Park Scoreboard

Detective Chris Irons and Officer Lee Barnes appeared on behalf of the PBA to present plans for installation of an electronic scoreboard at Borough Park. The PBA is seeking to install a LED scoreboard/message board for the middle field and is requesting Council approval prior to purchase. Detective Irons explained that a new electrical panel will be required which will connect to a computer in the field house which in turn will connect via Ethernet cable to laptops in the dugout. Discussion focused primarily on the location of the scoreboard such that Little League requirements are met, field space is not reduced and visibility from neighboring homes is minimized. Mr. Semrau advised that the Borough Engineer review the materials submitted and determine the best location all factors considered. Mr. Merkt agreed to draft a memorandum to nearby property owners to notify them of the plan.

Tax Appeal Data

Mr. Semrau discussed the data presented in the impact summary statement with respect to potential refunds that may become due. However, he added that the figures are only estimates until appraisals are conducted. Mr. Semrau explained the County tax appeal timeline with regard to residential and commercial appeals and added that local tax officials cannot reduce assessed values without formal tax appeals. He recommended that the Council wait for 2015 appeals to be filed and then
analyze the trends. It was agreed to invite the Borough Tax Assessor to the April 20, 2015 Council meeting to review the 2015 data.

Fleet Maintenance: Shared Services Agreement with Chester Township

Mr. Merkt indicated that the Borough Mechanic is on leave due to medical necessity. Accordingly, it was agreed that the Borough enter into a shared services agreement with Chester Township to provide mechanic services for the duration of the absence.

Opportunity to Compete Act

Mr. Semrau summarized his memorandum dated February 27, 2015 and explained that effective March 1, 2015, potential employers are not permitted to make inquiries regarding criminal history until after an initial interview has been completed.

ORDINANCE INTRODUCTION

ORDINANCE # 2-15
REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF $3,800,000 REFUNDING BONDS OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY.

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

ORDINANCE # 2-15
REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF $3,800,000 REFUNDING BONDS OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY.

Be passed on first reading by title; and

BE IT FURTHER RESOLVED, that said Ordinance be further considered for final passage and adoption at the meeting of the Borough Council of the Borough of Mendham to be held on April 6, 2015 at 8PM prevailing time, in the Garabrant Center, 4 Wilson Street in said Borough, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

BE IT FURTHER RESOLVED, that the Clerk be authorized and directed to advertise said Ordinance in the Observer-Tribune, according to law.

Motion to approve: Councilman Andrus
Second: Councilman Witczak
Discussion: Councilman Andrus clarified that the ordinance proposes to replace current bonds with new bonds with the same maturity but at a lower rate.
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

ACTIONS TAKEN
Res. #55-15: Amend Temporary Budget
Motion to approve: Councilman Andrus
Second: Councilman Witczak
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #56-15: Amend Temporary Sewer Budget
Motion to approve: Councilman Andrus
Second: Councilman Witczak
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #57-15: Amend Reserve Budget
Motion to approve: Councilman Andrus
Second: Councilman Witczak
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #58-15: Chester Township Shared Services Agreement
Motion to approve: Councilman Witczak
Second: Councilman Sharkey
Discussion: There was a consensus that any minor changes proposed by Chester Township may be approved by Mr. Merkt.
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

Res. #59-15: Executive Session
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

ADMINISTRATOR REPORT
The Administrator’s report was distributed to the Council previously. There were no questions or comments regarding same.

COUNCIL REPORTS, OLD & NEW BUSINESS
Councilman Andrus – A meeting with Bud Jones is scheduled for March 18, 2015 to finalize the budget. They are considering capital expenditures and waiting for a report on existing capital funds so they can be balanced. Introduction of the budget is scheduled for April 6, 2015.

Councilman Andrews – A phone conference has been scheduled with the Professionals to discuss the Sisters of Christian Charity property.

Councilman Badal – Interviews have been scheduled for Land Use Assistant candidates. Update of the employee handbook is in process.

Councilman Sharkey – The Shade Tree Commission has contracted with a service to inventory Borough trees and develop a 5-year plan that will keep the Borough in good standing with the State. The State is sponsoring a program this Spring and will work with schools and other organizations to give away up to 2,000 seedlings to residents.

Councilman Witczak – There are now two (2) vacancies at the DPW and ideally, they
should be filled prior to lawn-mowing season. Going forward, the focus will be on potholes and paving.

Councilwoman Daly – Five (5) people have completed Community Emergency Response Training and have become members of the OEM team.

ATTORNEY ITEMS
Mr. Semrau stated that in light of COAH’s inability to pass 3rd round rules, the NJ Supreme Court has filed a motion to put COAH aside and allow the Superior Court to determine if municipalities have substantive 3rd round certification for affordable housing or are in process. He added that the Borough will be required to file for declaratory relief from the Superior Court confirming the Borough is in compliance in order to avoid any builders-remedy action. Mr. Semrau indicated that he will meet with Mr. McGroarty and Mr. Merkt to review same and that any proposed changes to the Sisters of Christian Charity property should be examined as they relate to COAH requirements.

MAYOR’S ITEMS
Mayor Henry stated that a meeting with Ross Haber Associates is scheduled for March 18, 2015 to discuss the feasibility study. He further announced that the theme of the Labor Day parade will be the 100th anniversary of the Pastime Club with former Councilman Lew Garubo serving as Grand Marshal.

PUBLIC COMMENT
Mr. Sprandel, North Linden Lane, asked whether a shredding/recycling event is planned for May. Mr. O’Brien responded that the event is a joint effort with Mendham Township and that the Township will be hosting it this year. The date has not yet been released.

APPROVAL OF VOUCHERS
Minute Book Attachment Bill List dated March 16, 2015
Motion to approve: Councilman Andrus
Second: Councilwoman Badal
Discussion: Administrator Merkt indicated that a duplicate item on the bill list will be deleted.
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak, Daly
Opposed: None
Abstain: None
Absent: None

EXECUTIVE SESSION
The meeting was adjourned to closed session at 9:15PM.

The Council returned to open session at 10:18PM.

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 10:20PM next to convene at the Regular Meeting on April 6, 2015 at 8:00 PM at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Margot G. Kaye
Borough Clerk