

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

CALL TO ORDER

Mayor Henry called the March 6, 2017 meeting of the Mayor and Council to order at 8:02PM 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 *Daily Record* and was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

ATTENDANCE

Present: Mayor Neil Henry
Councilman John Andrews
Councilman Brad Badal
Councilwoman Christine Glassner
Councilman David Sharkey
Council President Stanley Witzcak

Excused: Councilman John Andrus

Also present: Fred Semrau, Borough Attorney
Richard Merkt, Borough Administrator
Margot Kaye, Borough Clerk

CONSENT AGENDA

Minutes of the regular meeting of 2/21/17
Rotary Club Antique Show - Temporary Signage Ordinance Exemption
Tier IV Banner Request – Mendham TV (3/16/17 – 3/30/17)

Motion to approve Consent Agenda

First: Councilman Witzcak

Second: Councilman Sharkey

Discussion: Mayor Henry indicated that the sign ordinance exemption for the Rotary Antique Show will be considered on an annual basis.

Roll Call – the vote was as follows:

In favor: Andrews, Badal, Glassner, Sharkey, Witzcak

Opposed: None

Abstain: Andrews, Witzcak (minutes only – absence)

Absent: Andrus

DISCUSSION

Mendham Cooperative Nursery School Peacock Run

Present: Laura Johnson, Member

Ms. Johnson stated that she is a member of the nursery school co-op board and is working to further the board's mission of supporting local charities and giving back to the community. Ms. Johnson is seeking approval for a 5K Run/Walk on September 23, 2017 to benefit the Ovarian Cancer Research Foundation Alliance. She estimated approximately 100 participants at the event which will be held rain or shine and expressed interest in hosting it annually during Ovarian Cancer Awareness Month. Ms. Johnson indicated that they will be seeking sponsorships from Atlantic Health and local businesses.

Discussion followed regarding:

- Borough Park availability
- MBPD and MFAS presence
- DPW set up/clean up

There was consensus that the logistics be finalized prior to a vote. Ms. Johnson was invited to attend a future meeting in order to request formal approval.

Borough Code Amendment - Vacant Properties

Mr. Semrau discussed the existing vacant property regulations and reviewed a draft ordinance that addresses increased fees, clearer definitions and foreclosed-upon properties. He added that the registration form and renewal process are also incorporated as part of the amendment.

Mr. Semrau confirmed that with a court order, the Borough is able to perform work on properties that pose health and safety risks and then place liens against them. The conditions of a number of properties were discussed and Mr. Merkt agreed to follow up on the construction status of those properties, including a commercial structure in town. Mr. Semrau agreed to check if a bond or escrow fee can be collected as part of the registration process.

The Mayor and Council agreed to move forward with the introduction of the amendment at the March 20, 2017 meeting.

ORDINANCE INTRODUCTION: None

ORDINANCE ADOPTION: None

ACTIONS TAKEN

Res. #53-17 GovDeals Auction – Surplus Borough Property

Motion to approve: Councilman Andrews

Second: Councilwoman Glassner

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: Andrus

Res. #54-17 PSA - Princeton Hydro, LLC

Motion to approve: Councilman Badal

Second: Councilwoman Glassner

Discussion: Discussion focused on alternate methods of fish removal from Mountain Valley Park pond. Mr. Merkt commented that the project also encompasses lowering of the pond to prepare for the sediment sampling required by the NJDEP.

Roll Call – the vote was as follows:

In favor: Andrews, Badal, Glassner, Witczak

Opposed: Sharkey

Abstain: None

Absent: Andrus

Res. #55-17 Tax Refund – 41 West Main Street, Block 301/Lot 77

Motion to approve: Councilman Witczak

Second: Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: Andrus

Res. #56-17 Tax Lien Redemption – 8 Garabrant Street, Block 402/Lot 5

Motion to approve: Councilman Andrews

Second: Councilwoman Glassner

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: Andrus

Res. #57-17 Transfer of Appropriation Reserves

Motion to approve: Councilman Sharkey

Second: Councilwoman Glassner

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: Andrus

Res. #58-17 Tax Refund – 3 Lake Drive, Block 302/Lot 6

Motion to approve: Councilwoman Glassner

Second: Councilman Sharkey

Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Andrus

Res. #59-17 Execution of Energy Aggregation Agreements
Motion to approve: Councilman Andrews
Second: Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Andrus

ADMINISTRATOR REPORT

Mr. Merkt announced that the budget is scheduled for introduction on March 20, 2017. He stated that the DOT approved the phasing of the Cherry Lane project and confirmed that West Field will be improved by the addition of handicapped parking and restroom facilities. He added that the Mountain Valley Park dam project will begin in April. Mr. Merkt also distributed a handout for discussion during executive session.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrews – The Public Safety Committee has scheduled a meeting to discuss new hires, MFD and MBPD budgets, false 911 calls from Daytop and a pedestrian safety issue that was reported at the intersection of Main Street and Cold Hill Road. The First Aid Squad will be contacting both a local builder and architect to review options and budget considerations for the construction of the support vehicle building. Councilman Badal invited Councilman Andrews to participate in the MBPD promotion process review.

Councilman Andrus – absent.

Councilman Badal – The interim CPWM is doing well and wood chips will continue to be free for Borough residents.

Councilwoman Glassner – The Personnel Committee has interviewed three (3) CPWM candidates with additional interviews scheduled in the coming weeks.

Councilman Sharkey – The Environmental Commission is looking to partner with the Mayor and Council to gain exposure and boost membership. Mayor Henry suggested that signage promoting the EC be placed in the Phoenix House and Bowers Building.

Councilman Witczak – no report.

ATTORNEY ITEMS

Mr. Semrau stated that he has two (2) items for executive session. He added that Mr. McGroarty was not available to attend this evening's meeting, therefore, the discussion regarding Affordable Housing will take place during a future meeting.

MAYOR'S ITEMS

Mayor Henry stated that his report will be delivered during executive session.

PUBLIC COMMENT

Mayor Henry opened the floor to comments/questions from the public. Hearing none, Mayor Henry closed the public portion of the meeting.

APPROVAL OF VOUCHERS

Minute Book Attachment Bill Lists dated March 6, 2017
Motion to approve: Councilman Sharkey
Second: Councilman Witczak
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Glassner, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Andrus

EXECUTIVE SESSION

Res. #60-17 Attorney/Client Privilege

Motion to approve: Councilman Andrews

Second: Councilman Badal

Discussion: Mayor Henry stated that action may or may not be taken upon return to open session.

Roll Call – the vote was as follows:

In favor: Andrews, Badal, Glassner, Sharkey, Witczak

Opposed: None

Abstain: None

Absent: Andrus

Mayor and Council entered into executive session at 9:15PM.

Mayor and Council returned to open session at 10:15PM.

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 10:16PM next to convene at a regular meeting on March 20, 2017 at 8PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

Margot G. Kaye

Margot G. Kaye, RMC
Borough Clerk