

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

CALL TO ORDER

Mayor Henry called the March 7, 2016 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
Councilwoman Veronica Daly
Councilman David Sharkey

Excused: Councilman John Andrus
Councilman Brad Badal
Councilman Stanley Witczak

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

CONSENT AGENDA

Minutes of the regular meeting of 2/16/16

Tier II Banner Approval: Mendham TV/The Mendies (3/4/16 – 3/14/16)

Raffle License Application: Westmont Montessori School – Off Premise 50/50 Cash (4/16/16)

Raffle License Application: Mendham PTO – On Premise Merchandise Draw (5/5/16)

Off Premise 50/50 Cash (5/5/16)

Off Premise Merchandise Draw (5/5/16)

Motion to approve Consent Agenda

First: Councilman Sharkey

Second: Councilman Andrews

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Daly, Sharkey

Opposed: None

Abstain: None

Absent: Andrus, Badal, Witczak

DISCUSSION: None

ORDINANCE INTRODUCTION:

ORDINANCE #03-16

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE, CHAPTER 220. FOOD ESTABLISHMENTS, RETAIL, SECTION 2. LICENSE REQUIRED; FEE; SUSPENSION OR REVOCATION AND CHAPTER 102. FEES, TO ADD LATE PAYMENT PENALTIES

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

ORDINANCE #03-16

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE, CHAPTER 220. FOOD ESTABLISHMENTS, RETAIL, SECTION 2. LICENSE REQUIRED; FEE; SUSPENSION OR REVOCATION AND CHAPTER 102. FEES, TO ADD LATE PAYMENT PENALTIES

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 March 21, 2016 at 8:00PM 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 Daily Record, according to law.

Motion to introduce Ordinance #03-16 was made by Councilman Andrews

Seconded by Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Daly, Sharkey

Opposed: None

Abstain: None

Absent: Andrus, Badal, Witczak

ORDINANCE #04-16

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE, CHAPTER 102. FEES, TO AMEND THE CONSTRUCTION FEES

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

ORDINANCE #04-16

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE, CHAPTER 102. FEES, TO AMEND THE CONSTRUCTION FEES

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 March 21, 2016 at 8:00PM 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 Daily Record, according to law.

Motion to introduce Ordinance #04-16 was made by Councilwoman Daly

Seconded by Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Daly, Sharkey

Opposed: None

Abstain: None

Absent: Andrus, Badal, Witczak

ORDINANCE ADOPTION: None

ACTIONS TAKEN

Res. #38-16 Tax Lien Redemption – 4 Bockoven Road, Block 303, Lot 13

Motion to approve: Councilman Sharkey

Second: Councilman Andrews

Discussion: None

In favor: Andrews, Daly, Sharkey

Opposed: None

Abstain: None

Absent: Andrus, Badal, Witczak

Res. #46-16 Sanitary Sewer Approval – 19 East Main Street, Block 1501, Lot 8

Motion to approve: Councilwoman Daly

Second: Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Daly, Sharkey

Opposed: None

Abstain: None

Absent: Andrus, Badal, Witczak

Res. #47-16 Recreation Committee Appointment: Edward Sisson, Alternate II (exp. 12/31/18)
Motion to approve: Councilman Sharkey
Second: Councilman Andrews
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Daly, Sharkey
Opposed: None
Abstain: None
Absent: Andrus, Badal, Witczak

ADMINISTRATOR REPORT

Mr. Merkt confirmed that the Talmage Road re-bid came in at \$368K which is \$71K less than the initial bid and asked that the Council authorize funding for both the Talmage Road and Orchard Street paving projects. He further reminded the Mayor and Council to be cognizant of the contract award timeline as it relates to the 2016 budget adoption and the May award deadline to ensure grant funding for both projects.

Mr. Merkt indicated that a Zoning Officer candidate will be invited back the following week. Potential part-time Police Secretary candidates have been identified and will be invited in for initial interviews. Police accreditation is scheduled for April 10-11, 2016 and the Mendies will be held on March 11, 2016.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrews – An offer to the Zoning Officer candidate should be extended before the next Council meeting and the Land Use Committee continues to refine the Outdoor Dining ordinance. In response to Councilman Sharkey’s request for an update on the Sisters of Christian Charity Planning Board hearing, Council Andrews stated that the hearing was continued to March 14th and confirmed that the zoning ordinance adopted in late 2015 will safeguard against any improper usage of the existing Motherhouse.

Councilman Badal – excused.

Councilwoman Daly – The Public Safety Committee met in person and via telephone to discuss the Matrix report with a final meeting scheduled for March 14, 2016 at 5PM. Mr. Merkt will subsequently write a report setting forth recommendations to be distributed in the next meeting packet. The Public Safety Committee will focus on the Borough Safety Plan next.

Councilman Sharkey – A Grand Marshal for the 2016 Labor Day parade will be selected prior to the next Council meeting.

Councilman Witczak – excused.

Councilman Andrus – excused.

ATTORNEY ITEMS – no report.

MAYOR’S ITEMS

Mayor Henry explained that Mr. Semrau was not present at the meeting due to a speaking engagement at the Governance & Leadership Conference in Nashville. He congratulated Mr. Semrau for receiving an invitation from the Association of Group Insurance Pools to address a national audience and agreed that such recognition is well deserved.

In response to resident feedback, Mayor Henry asked that Council and Board agendas and minutes be posted timely on the Borough website. A special public meeting to discuss the Feasibility Study has been tentatively scheduled for April 4, 2016 at 7PM. Mayor Henry recommended that the Council watch Mr. Haber’s presentation of the report on Mendham TV. Ms. Kaye will distribute instructions to access the video link.

PUBLIC COMMENT

Mayor Henry opened the floor to comments/questions from the public.

Mr. Charles Topping, Aberdeen Drive, presented a set of Sanborn maps from the 1930s that were found in the Land Use file room. He indicated that the canvass-backed maps depict Mendham Borough’s town center and surrounding areas. He requested use of the maps for his upcoming presentation to the Senior Center which was granted. Mr. Topping further suggested that a second set of maps in very delicate condition be restored, framed and displayed during the Borough’s 110th anniversary on May 15, 2016. He added that Richard Moormann has offered to do the work at cost (\$800).

Councilman Andrews made motion to approve the requested funding for restoration and preservation of the second set of maps.

Second: Councilwoman Daly

Discussion: Councilman Sharkey agreed to attend the March 17, 2016 Recreation Committee meeting to discuss a Borough-wide celebration of the 110th anniversary.

Roll Call – the vote was as follows:

In favor: Andrews, Daly, Sharkey

Opposed: None

Abstain: None

Absent: Andrus, Badal, Witczak

Hearing no additional comments, the Mayor closed the public portion of the meeting.

APPROVAL OF VOUCHERS

Minute Book Attachment Bill Lists dated March 7, 2016

Motion to approve: Councilman Sharkey

Second: Councilwoman Daly

Discussion: None

Roll Call – the vote was as follows:

In favor: Andrews, Daly, Sharkey

Opposed: None

Abstain: None

Absent: Andrus, Badal, Witczak

EXECUTIVE SESSION: None

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 8:42PM next to convene at a regular meeting on March 21, 2016 at 8PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

Margot G. Kaye

Margot G. Kaye, RMC
Borough Clerk