

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

CALL TO ORDER

Mayor Henry called the April 20, 2015 meeting of the Mayor and Council to order at 8:03PM 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 Witzcak

Absent: 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 4/6/15
Approval of the minutes of the executive session of 4/6/15
Approval of appointments of Michael Cordova and James Tagna – Mendham Hose Co.

Motion to approve Consent Agenda

First: Councilman Witzcak

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly

DISCUSSION

WMRHS 2015-16 Budget

Present: Mackie Pendergrast, Superintendent
Doug Pechanec, Business Administrator

Mr. Pendergrast discussed the budget for West Morris Regional High School in 2015-2016 and explained that although enrollment is down, a 2% increase in the tax levy is necessary in order to support the redesigned programs that were rolled out over the last three (3) years. He reviewed spending per pupil and identified the sources of appropriations. Mr. Pendergrast highlighted the high academic ranking of the district on the state and federal evaluations.

Mr. Pechanec then presented the budget numbers in greater detail and thanked the Mayor and Council for their time.

Mr. Brian Cavanaugh, West Morris Regional High School Board of Education, highlighted that per pupil spending is not equal between the two (2) high schools with greater amounts being spent for Central than for Mendham. He indicated that he has attempted to equalize the spending but has not been successful due to certain elements that are out of the Board's control, e.g., 35% of the budget is for healthcare and special education. Mr. Cavanaugh further stated that he anticipates budget and

funding issues in the future that may require a tax increase beyond the CAP. Mayor Henry explained that the feasibility study is wrapping up and that a mayors' meeting to review same is expected the first week of May.

2015 BUDGET INTRODUCTION

ORDINANCE #3-15
CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

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

ORDINANCE #3-15
CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

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 May 18, 2015 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 Observer Tribune, according to law.

Motion to introduce Ordinance #3-15 was made by Councilman Andrus
Seconded by Councilman Witczak
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Daly

Councilman Andrus summarized the 2015 budget and stated that the Borough is in good fiscal shape. He identified various operating and capital expenses and noted that although the largest increase in the overall budget is debt repayment, interest payments are decreasing.

RESOLUTION #67-15
Introduction of the 2015 Budget
Public Hearing – May 18, 2015

Motion to adopt Resolution #67-15 was made by Councilman Andrews
Seconded by Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Andrus, Badal, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Daly

ORDINANCE INTRODUCTION: There were no further ordinances introduced.

ORDINANCE ADOPTION: None

ACTIONS TAKEN

Res. # Res. #68-15 Emergency Temporary Appropriation: May Expenditures

Motion to approve: Councilman Andrus

Second: Councilman Witczak

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly

Res. #69-15 Emergency Temporary Appropriation: Sewer Utility

Motion to approve: Councilman Andrus

Second: Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly

Res. #70-15 Contract: QC Laboratories, Inc. – Discharge Monitoring Report Testing

Motion to approve: Councilman Witczak

Second: Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly

Res. #71-15 DPW Appointment: Tyler Riemer

Motion to approve: Councilman Andrews

Second: Councilman Witczak

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly

Res. #72-15 DPW Appointment: Ahmad Mourad

Motion to approve: Councilman Andrus

Second: Councilman Andrews

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly

Res. #73-15 Executive Session

Motion to approve: Councilman Sharkey

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly

ADMINISTRATOR REPORT

The Administrator's report was distributed to the Council previously. Mr. Merkt explained that the Sisters of Christian Charity submitted an application to the DEP

without notification to the Borough. After discussion, Mr. Semrau agreed to draft a letter to Sisters' Counsel questioning the propriety of the filing and request that the application be withdrawn.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrus – no report.

Councilman Andrews – Mr. Ferriero and Mr. McGroarty continue to work on the zoning overlay and a draft is expected within approximately one (1) week. The Councilman is attending the public works expo on April 22, 2015 with Mr. O'Brien, DPW Superintendent.

Councilman Badal – The Personnel Committee met to discuss revisions to the employee handbook and recommendations are forthcoming. It was also suggested that salary budgets be provided to department heads who in turn determine the allocation of same. Mr. Merkt agreed to draft the salary ordinance for introduction at the next meeting.

Councilman Sharkey – The recreation booklet was distributed to Borough residents and hiring for summer camp has been completed. (Mr. DiBisceglie added that summer camp enrollment is down slightly due to school enrollment being down.) The date for seedling delivery has been changed to the week of April 27th and the cleanup event along the Raritan River attracted 30-40 people including scouts, parents and residents.

Councilman Witczak – The Patriot's Path/Raritan River cleanup which was spearheaded by the Environmental Commission was very successful. Little League opening day went well and the DPW has started mowing Borough property. Garabrant Street heaved during the winter and needs to be repaired.

ATTORNEY ITEMS

Mr. Semrau reiterated that the Borough continues to be excluded from the OPRA litigation as the Borough is in agreement that the vendor should provide the requested records.

MAYOR'S ITEMS

No report.

PUBLIC COMMENT

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

EXECUTIVE SESSION

The meeting was adjourned to closed session at 9:22PM.

The Council returned to open session at 10:37PM.

APPROVAL OF VOUCHERS

Minute Book Attachment Bill List dated April 20, 2015

Motion to approve: Councilman Sharkey

Second: Councilwoman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Daly

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 10:38PM next to convene at the Regular Meeting on May 4, 2015 at 8:00 PM at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Margot G. Kaye

Margot G. Kaye
Borough Clerk