

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

CALL TO ORDER

Council President Witczak called the April 1, 2013 meeting of the Mayor and Council to order at 8:00p.m. in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

INVOCATION AND FLAG SALUTE

Council President Witczak offered a moment of silence 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:

Council President Stanley Witczak

Councilman John Andrus
Councilman David Sharkey
Councilwoman Veronica Daly
Councilman Louis Garubo
Councilman Brad Badal

Also present: Tracy Wang, Esq.
Administrator Ellen Sandman
Maureen Massey, Borough Clerk

Absent: Mayor Neil Henry

CONSENT AGENDA:

- Approval of Blue Light Permits-Fire Department--Rob Baranosk/Philip Schlegel
- Approval of NJ State Firemen's Assoc. Membership Application-George Lilieholm

Motion to approve the consent agenda was made by Councilman Badal

Seconded by Councilman Garubo

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

DISCUSSION:

High School Budget Presentation: D. Pechanec, M. Pendergrast, Jacke Schram

Mackey Pendergrast started his informative presentation with a review of the New Jersey Department of Education website facts. He highlighted that West Morris Regional High School is #1 in the County for Reading/Writing and #2 in the State of NJ for the last two years. There has been steady improvement in the Math scores. He continued his review by referencing SAT scores, AP classes, Ivy Program and the fact that our students are accepted by the best colleges upon graduation. He reported on the restructure of the Administrative team resulting in a monetary saving of approximately \$100,000; a redesign of curriculum, new superintendent evaluation system, redesign of the technical infrastructure due to the digital age, and student activities such as mock trials, sports, and a robotics team.

Jacke Schram presented a power point presentation providing figures and percentages with regard to enrollment trends which are essentially flat, sources of increases, decreases in appropriations arrived at through energy conservation and a change in the administrative structure, planned expenditures, pie chart showing how budget \$'s are spent, and sources of revenue. The slide showing the components of the tax rate computation indicated the tax needs

Regional Total to be 41,952.125 with the Mendham Borough tax rate at 0.4853 resulting in tax on a home valued at \$500,000 to be \$2,426. In the following slide, showing the tax rate impact on a home of the same value, the difference from the prior year (2012) will be \$93.00. The percentage of revenue from state aid is approximately 10% and the remaining 90% from property taxes. Jacke Schram asked for questions from the public and the council and reminded everyone that this power point presentation can be viewed on the district website.

Brian Cavanaugh asked why Central does not receive the same funding as West Morris. Mr. Pechanec responded that Central has 58 teachers at the top of the guide which is length of service of 17 or more years. West Morris Mendham has 41 teachers at the top of the guide, which is the difference in monies allocated to each. Jacke Schram further added that transportation and special needs expenses are different between each school. Mr. Pendergrast responded that the State controls the funding formula and the school district does not. He noted that he is willing to talk about the best education for the students and the talent in Mendham but funding formulas is not in his control.

Council President Witczak confirmed with Mr. Pendergrast and Jacke Schram the dates and times, for the public, when this High School Budget presentation will be made in the other sending districts.

Facility Use Agreement-Robinson Drug Store: New Owner: John Kim: Monthly Seminars

After a brief discussion among the governing body and with the agreement unable to answer the questions posed, it was the consensus to approve this request with conditions.

Motion was made by Councilman Badal to approve the Facility Use Agreement-Robinson Drug Store on the conditions that the seminars are free to the public; there be no more than one seminar held per month for a period no longer than 6 months, at which time a new application will be filed with employee Helen Cleary.

Second by Councilwoman Daly

Discussion: None

Roll Call - the vote was as follows:

In favor: Andrus, Witczak, Sharkey, Daly, Garubo

Opposed: None

Abstain: None

Absent: None

ORDINANCE INTRODUCTION: There were no further ordinances for introduction.

ORDINANCE PUBLIC HEARING/ADOPTION:

ORDINANCE #3-12
CALENDAR YEAR 2013
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

(A copy of Ordinance #3-13 is attached to these minutes)

Was published in full in the Observer Tribune

Council President Witczak opened the public hearing.

No one wished to be heard, the public hearing was closed.

Be it resolved, by the Borough Council of the Borough of Mendham that:

ORDINANCE #3-12
CALENDAR YEAR 2013
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

Be passed and adopted on this, the final reading by title, and that the Clerk be authorized and directed to advertise final passage and adoption of said ordinance in the Observer Tribune, according to law.

Motion to adopt Ordinance #3-13 was made by Councilman Witzcak
Second by Councilman Sharkey
Discussion: None
Roll Call - the vote was as follows:
In favor: Andrus, Witzcak, Sharkey, Daly, Garubo, Badal
Opposed: None
Abstain: None
Absent: None

ACTIONS TO BE TAKEN:

Res. #50-13 Approve Sanitary Sewer App.-Brad Rezza, B1501/L1, 2A Hilltop Rd.

Motion to adopt Resolution #50-13 was made by Councilman Andrus
Seconded by Councilman Badal
Discussion: None
Roll Call – the vote was as follows:
In favor: Witzcak, Andrus, Sharkey, Daly, Garubo, Badal
Opposed: None
Abstain: None
Absent: None

Res. #51-13 Shared Service Agreement with Chester Township-Fleet Maintenance-**Withdrawn**

Res. #52-13 Approving/Authorizing Assignment of Developer's Agreement with Land Limited, LLC to Sturbridge Group II, LLC

Motion to adopt Resolution #52-13 was made by Councilman Andrus
Seconded by Councilwoman Daly
Discussion: Atty. Wang clarified that this resolution was for a transfer of title and no effect on the Borough.
Roll Call – the vote was as follows:
In favor: Andrus, Sharkey, Daly, Garubo, Badal, Witzcak
Opposed: None
Abstain: None
Absent: None

ADMINISTRATOR REPORT:

Administrator Sandman distributed a written copy of her report. The governing body had no questions. Superintendent O'Brien reported the completion of the annual Shade Tree Report to the state with the help of Councilman Sharkey and Lisa Smith.

Administrator Sandman thanked Lisa Smith of her work with FEMA. Ms. Sandman reported the installation of the sub-station fence, work at Tranquility Garden by our Eagle Scout, completion of the banner policy and application form and the completion of the Elected Officials class by Councilman Andrus and Garubo. Additional training for elected officials will be held in Hanover and a copy of the registration information will be distributed to the governing body members.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilman Badal reported on the LOSAP ordinance under attorney review; an EMS event to be held on the 28th, and a deer management report from Ptl. Irons which noted no resident complaints.

Councilwoman Daly will hold a personnel committee meeting on Wednesday to review the employee evaluation process and a dental plan for the staff.

Councilman Garubo noted that the summer day camp preparations have begun.

Councilman Sharkey commented on the Borough designation as a 'Tree City USA' town for 3 years. He noted that the banner procedure and application form is moving forward along with solar/wind ordinances.

Councilman Andrus briefly commented that he has received clarification on a certain line items and everything is fine.

Councilman Witczak reported on work being done on west field and borough park, DPW employees attending required upcoming training on 'confined space' and announced if anyone needs mulch to contact the Department of Public Works. Mr. Witczak further reported that the 'brush pick up' program is back to normal and the shutters on the west side of the Phoenix House have been replaced. The floors at the firehouse and first aid location will be done and the girl scouts will be starting on the work at the Garabrant Center.

ATTORNEY ITEMS:

Atty. Semrau was not present at this meeting.

MAYOR'S ITEMS:

Mayor Henry was not present at this meeting.

PUBLIC COMMENT:

Brian Cavanaugh, 610 Cherry Lane, asked what 'confined space' training entailed. Superintendent O'Brien responded it teaches how to access help and/or escape under certain dangerous and confining situations that DPW employees may encounter.

Mr. Cavanaugh asked for clarity on a motion passed at a prior meeting regarding the high school funding formula. The governing body confirmed that the two (2) studies they approved are the two (2) alternatives that Mr. Cavanaugh proposed.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated April 1, 2013
Motion to approve the April 1, 2013 bill list was made by Councilman Andrus
Second by Councilwoman Daly
Discussion: None
Roll Call - the vote was unanimous as follows:
In favor: Garubo, Badal, Witczak, Andrus, Sharkey, Daly
Opposed: None
Abstain: None
Absent: None

EXECUTIVE SESSION:

Res. # 53-13 Executive Session-Contract Negotiations - Withdrawn

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 9:05 P.M. next to convene At the Regular Meeting on April 15, 2013 at 8:00 P.M. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Maureen Massey, RMC, CMC
Borough Clerk