

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

CALL TO ORDER

Mayor Henry called the April 4, 2011 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

Mayor Henry 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:

Mayor Neil Henry

Council President Louis Garubo
Councilman Brad Badal
Councilman Stanley Witczak
Councilman John Andrus
Councilwoman Veronica Daly

Also present: Fred Semrau, Esq.
Ellen Sandman, Administrator
Maureen Massey, Borough Clerk

Absent: Councilman David Sharkey

CONSENT AGENDA:

Approval of minutes of the Regular Session Meeting of March 21, 2011
Approval of minutes of the Ex. Session Meeting of March 21, 2011
Raffle App. Project Acorn Inc.-50/50 Cash Off-Premise-6/20/11
Raffle App. P.G. Chambers School, Inc.-50/50 Cash-On Premise-6/6/11
Social Affairs Permit-"Children on the Green"-St. Marks-6/11/11-6:30-9:30
Res. #54-11 Tax Refund-Overpayment
Res. #55-11 Annual Tonnage Grant Application
Request For Road Closure-Village Circle-4/10/11-7:00am-2:00pm (Sat.)

Motion to approve the consent agenda was made by Councilman Andrus
Seconded by Councilman Witczak

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: Councilman Badal and recused himself from the approval of the regular and executive session minutes since he was not in attendance at the March 21, 2011 meeting.

Councilwoman Daly recused herself from the approval of the regular session minutes since she arrived late and only attended the executive session.

Absent: Daly

DISCUSSION:

West Morris Regional High School-Budget:

Jacke Schram narrated a power point presentation for the public and the governing body. She highlighted the 'Mission Statement', the increase in enrollment of students, tax levy, curriculum and articulation, mandatory training for staff with a smaller budget, and specific training for bullying and harassment. There was reference made to a Newsweek article rating West Morris Regional High School as the #1 school district in Morris County and also rated in the top 2% of school districts in the U.S.

West Morris Regional High School-Budget: (Cont'd.)

Ms. Schram noted the combined and average SAT scores, as well as highlighted the comparison to I&J Regionals SAT scores for 2010. She commented on the on-going economic challenges noting the reduction in net revenue and net appropriations for the last 2 years. She concluded with questions from the public and the governing body. Mayor Henry asked Ms. Schram about the outcome of the municipalities who recommended a referendum at the school board election on the funding formula. Ms. Schram responded that the School Board tabled the motion pending more information on this complex issue.

2011 Budget Introduction: ORDINANCE #2-11

**CALENDAR YEAR 2011
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 #2-11 is attached to these minutes)

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 18, 2011** at 8:00 PM 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 the introduction of Ordinance #2-11 was made by Councilman Andrus Second by Councilman Witczak

Discussion: Mayor Henry asked Councilman Andrus, Finance Chairman, to highlight the major areas in the budget that were discussed during the budget process. Councilman Andrus noted that insurance, pension and police contracted salaries made up 94% of the increase in the budget. He reviewed the paying down of the debt service and commented on how effective the repayment plan implemented in 2005 has benefited the Borough. He thanked the Administrator, CFO, Auditor and the department heads for making this process successful.

Roll Call - the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Sharkey

The Clerk did note that the adoption of the COLA ordinance would be at the next meeting on April 18, 2011. The public hearing on the budget adoption would be held on May 2, 2011.

**RESOLUTION #56-11 2011 Budget Introduction
Public Hearing – May 2, 2011**

Motion to approve Resolution #56-11 was made by Councilman Witczak
Second by Councilman Badal

Discussion: There was no further discussion. It was noted again that the public hearing on the budget adoption would be held on May 2, 2011.

Roll Call - the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Sharkey

ORDINANCE INTRODUCTION: COLA Ordinance was introduced under the budget introduction and discussion.

ORDINANCE PUBLIC HEARING/ADOPTION: None

ACTIONS TO BE TAKEN:

**Res. # 57-11-Award Contract Garden State Laboratories, Inc.-
Discharge Monitoring Reports-Sewage Treatment Plant**

Motion to adopt Resolution #57-11 was made by Councilman Witczak

Seconded by Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Sharkey

ADMINISTRATOR REPORT:

There were minor corrections made to the Administrator's Report. There was no discussion.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilman Garubo noted that the Grand Marshall for the Labor Day parade is under discussion and all suggestions are being considered.

Councilman Badal commented on the lowering of the speed limit to 25mph from 35mph in front of the high school. As part of the requirement, there will be a total of 8 signs to be posted. He felt that the benefits would out-way the posting of the signs in the Borough. Councilman Badal has reviewed the police promotion ordinance and recommended it be introduced at the next meeting.

ATTORNEY ITEMS:

Atty. Semrau reported that he has reviewed the towing ordinance and the change in the State law. He recommended that it be circulated for review and discussion at the next meeting. He further reported that the deadline for tax appeals has passed and should have a full report from the Scott Holzauer Tax Assessor for the next meeting and confirmed that Cit-E-Net's archive program is acceptable.

MAYOR'S ITEMS:

Mayor Henry noted that Channel 25 is now on Channel 29 with Comcast; a cable survey for the residents is posted on the web page; notification from JCP&L that posting signs on utility poles is not permitted; and that the properties for the Phase II Historic District expansion have been identified letters will be sent.

The Mayor further commented that an ad has been placed and resumes are being received for a Borough Planner, due to the retirement of Adrian Humbert.

Administrator Sandman review with the Council the Modules that have been completed and those outstanding in response to a letter received regarding the Borough Highlands grant.

The Mayor noted that Mendham Borough is now formally been placed into the 25th Legislative District.

Mayor Henry reported that Councilman Andrus, Councilman Witczak and Administrator Sandman will meet with Mary Beth Thomas of Mendham Township to discuss concepts and ideas on shared services.

PUBLIC COMMENT:

Dave Chakrin, First Aid Squad President, thanked everyone on Council who attended their annual dinner and for their support. He further reported that the squad answered approximately 41 calls in March, year to date total of 124, which is up from last year.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated April 4, 2011
Motion to approve the April 4, 2011 bill list was made by Councilman Andrus
Second by Councilman Garubo
Discussion: None
Roll Call - the vote was unanimous as follows:
In favor: Garubo, Badal, Witczak, Andrus, Daly
Opposed: None
Abstain: None
Absent: Sharkey

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 9:15 P.M. next to convene at the Regular Meeting on April 18, 2011 at 8:00 P.M. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey 07945.

Respectfully submitted,

Maureen Massey, RMC, CMC
Borough Clerk