

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

CALL TO ORDER

Mayor Henry called the June 20, 2016 meeting of the Mayor and Council to order at 8:017PM 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 Veronica Daly
Councilman David Sharkey
Councilman Stanley Witczak

Excused: Council President John Andrus

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

CONSENT AGENDA

Minutes of the regular meeting of 6/6/16
Request for Road Closure – Team Bloke 5K 8/6/16
Raffle Licenses Home School Association Off-Premise 50/50 - Mountainview School 10/22/16
Pastime Club Off-Premise 50/50 – Labor Day Carnival 9/5/16
Pastime Club Carnival Games – Labor Day Carnival 9/3/16 – 9/5/16

Motion to approve Consent Agenda

First: Councilwoman Daly

Second: Councilman Sharkey

Discussion: Councilman Witczak noted that he is a member of the Pastime Club, but not an Officer.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: Andrews (Pastime Club Trustee - LGCCC licenses only)

Absent: Andrus

DISCUSSION

MBA Holiday Banners – Bob Diffin, MBA President

Discussion was adjourned until the July 18, 2016 meeting.

Daytop Security

Councilwoman Daly stated that a Public Safety Committee meeting was held on June 15, 2016 during which security concerns at Daytop were discussed. Councilman Andrews indicated that he had previously requested that Daytop provide information regarding past security actions as well as future measures to ensure security but that only the former was provided. After discussion, Mr. Merkt was authorized to draft a letter to Daytop and set forth the historical data, present concerns, acknowledgment of past measures and a proposed action plan that includes such recommendations as window bars, private security and an on-site Police Officer. Councilwoman Daly suggested a review of PD and EMT reports to determine whether certain patterns indicate security lapses. Mayor Henry stated that Assemblyman Bucco was unaware of the threatening conditions that are present and has offered his assistance to resolve the issue.

Memorial Monuments for Former Mayors and Council Members

Mayor Henry announced that former Councilwoman Ruth Smith passed away during Memorial Day weekend and reiterated that Mrs. Peggy Wing has asked the Mayor and Council to consider a memorial in her memory. Councilman Sharkey indicated that there is a plaque in the Phoenix House garden to commemorate Robert Raymond for his service in the Fire Department and First Aid Squad. There was consensus that a tree or ornamental shrub be planted in recognition of Mrs. Smith's contributions as well. It was suggested that the dedication tie into the volunteer celebration on September 15, 2016. Mr. Merkt agreed to investigate options.

ORDINANCE INTRODUCTION: None

ORDINANCE ADOPTION:

ORDINANCE #09-16

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING BOROUGH CODE SECTION 102-3 TO PROVIDE FOR A SERVICE CHARGE, AS AUTHORIZED BY STATE STATUTE N.J.S.A. 40:5-18, WHEN A CHECK SUBMITTED TO THE BOROUGH IS RETURNED

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

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Was published in full in the Observer Tribune.

Mayor Henry opened the public hearing for comment. Hearing none, Mayor Henry closed the public portion of the hearing.

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Be passed and adopted on this 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 #09-16 was made by Councilwoman Daly
Seconded by Councilman Badal

Discussion: None

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

Opposed: None

Abstain: None

Absent: Andrus

ORDINANCE #10-16

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN IN AND BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$217,000 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH

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Motion to adopt Ordinance #10-16 was made by Councilman Andrews

Seconded by Councilman Sharkey

Discussion: None

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

Opposed: None

Abstain: None

Absent: Andrus

ORDINANCE #11-16

ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT FOR USE BY THE SEWER UTILITY OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$120,000 THEREFOR FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH

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Motion to adopt Ordinance #11-16 was made by Councilman Badal

Seconded by Councilman Witczak

Discussion: None

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

Opposed: None

Abstain: None

Absent: Andrus

ORDINANCE #12-16

AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF MENDHAM, MORRIS COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER

COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF

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Be passed and adopted on this 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 #12-16 was made by Councilwoman Daly

Seconded by Councilman Sharkey

Discussion: None

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

Opposed: None

Abstain: None

Absent: Andrus

ACTIONS TAKEN

Res. #99-16 Engineering Inspection Escrow Refunds – various addresses

Motion to approve: Councilman Andrews

Second: Councilwoman Daly

Discussion: None

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

Opposed: None

Abstain: None

Absent: Andrus

Res. #100-16 Tax Overpayment Refund – various addresses

Motion to approve: Councilman Badal

Second: Councilman Witczak

Discussion: None

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

Opposed: None

Abstain: None

Absent: Andrus

Res. #101-16 Authorization to Execute Interlocal Agreement – 2016-17 WMMHS Resource Officer

Motion to approve: Councilwoman Daly

Second: Councilman Andrews

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Andrus

Res. #102-16 Authorization for Execution of County Trail Grant Application – Scott Farm Loop Trail

Motion to approve: Councilman Witczak

Second: Councilwoman Daly

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

Res. #103-16 Authorization for Execution of Abner Doubleday Historic Marker Application
Motion to approve: Councilman Sharkey
Second: Councilwoman Daly
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Daly, Sharkey, Witczak
Opposed: None
Abstain: None
Absent: Andrus

ADMINISTRATOR REPORT

The Administrator's report was distributed to the Mayor and Council previously. There were no additional comments.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrews – no report.

Councilman Badal – no report.

Councilwoman Daly – Chester Borough has hired a Class II Officer for court. Cameras have been installed at the MBPD and implementation of Matrix Report recommendations continues.

Councilman Sharkey – DPW seedlings are doing well and generating enthusiasm for Tree City USA certification. Summer camp starts on June 27, 2016 and summer movies and the Sunday concert series have been scheduled. All three (3) Grand Marshals have accepted for the Labor Day parade and indicated that their acceptance was based on the invitation extended to all of them.

Councilman Witczak – Street sweeping by Chester Township has begun in the Borough. Superintendent O'Brien was commended for building relationships that result in shared services. The dump truck was sold on GovDeals and the Dean Road storm drains are being repaired. The damaged ambulance has been repaired and roadside mowing continues. Delivery of new carpeting for the Police Department is forthcoming.

Councilman Andrus – excused.

ATTORNEY ITEMS

No report.

MAYOR'S ITEMS

Administrator Merkt was encouraged to contact the new Mendham Township Administrator in order to renew relationships between the municipalities.

Mayor Henry recognized Christine Glassner who will be on the November ballot. He added that he looked forward to her joining the Borough Council.

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 June 20, 2016
Motion to approve: Councilman Sharkey
Second: Councilwoman Daly
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Daly, Sharkey, Witczak, Andrus
Opposed: None
Abstain: None
Absent: Badal

EXECUTIVE SESSION:

Councilman Witczak opted to recuse from executive session and left the premises.

Res. #104-16 Executive Session: Personnel
Motion to approve: Councilman Sharkey
Second: Councilwoman Daly
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Daly, Sharkey
Opposed: None
Abstain: None
Absent: Andrus, Witczak

The Mayor and Council entered executive session at 9:02PM.

The Mayor and Council returned to open session at 9:14PM.

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 9:15PM next to convene at a regular meeting on July 18, 2016 at 8PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

Margot G. Kaye

Margot G. Kaye, RMC
Borough Clerk