

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

CALL TO ORDER

Mayor Henry called the June 17, 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

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 Stanley Witczak
Councilman John Andrus
Councilman David Sharkey
Councilwoman Veronica Daly (Arrived at 8:00PM)
Councilman Louis Garubo
Councilman Brad Badal

Also present: Atty. Fred Semrau
Borough Clerk Maureen Massey

Absent: Administrator Ellen Sandman

CONSENT AGENDA:

- Approval of the minutes of the regular meeting of 6.17.13
- Raffle License App-On Premise Draw 50/50-Minutemen Sports Club-9/13, 10/5, 10/11, 10/19, 11/2-2013
- Raffle License App-Off Premise Draw 50/50-Mendham Borough-HAS-10/15/13
- Raffle License App-Wheels/Games of Chance-Carnival Games-Labor Day-8/30-9/2-2013

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

Discussion: Councilman Witczak noted for the record that he is a member of the Pastime Club but does not hold an Officer position.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

DISCUSSION:

Pastime Club –Banner – Labor Day Carnival (Motion):

The governing body had been given a copy of the request and associated paperwork prior to the meeting. Atty. Semrau did note that the insurance certification expired on the 16th and the coverage was less than the required amount requested on the banner application. After a brief discussion it was agreed that a new certificate with the new expiration dates needed to be provided and that the insurance coverage held by the Pastime Club was sufficient for this purpose.

Motion to approve the Pastime Club Labor Day banner request with the submission of a new certificate of insurance and with the limits of coverage provided was made by Councilman Witczak

Seconded by Councilman Sharkey

Discussion: There was no further coverage.

Discussion: Banner Approval Vote:

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Request For Proposal (RFP) Regional HS Feasibility Study:

Mayor Henry led the discussion opening with a review of the document that was circulated prior to this meeting for governing body review. Mr. Henry reported that he, Bob Marino, Councilman Andrus and Councilman Badal review the document making minor adjustments resulting in the document attached to the agenda this evening. The Mayor continued by stating that he would like the Borough to take a leadership roll with this RFP and he suggested to keep moving this forward.

Councilman Badal was comfortable with either version and Councilwoman Daly had a question on #5-Ranking on whether to leave 'open' or specify. Councilman Andrus gave a few suggestions and also suggested moving it forward and allow the other towns to review. Mr. Andrus would like to see the history of the costs when the 'per pupil' formula was in effect.

The Mayor and Atty. Semrau noted that Bob Marino did a great job working on this RFP.

Discussion on other suggestions that will be received, adding or taking away from the present RFP and the possibility that a vendor might make suggested changes for the study.

The Mayor asked if Mr. Marino would like to comment.

Bob Marino, 27 Florie Farm Road, thanked the Council and commented affirmatively on the Borough taking a leadership role. He said he would like the Borough to pass the RFP to the County Superintendent for comments. After some discussion it was agreed to approve the RFP and circulating to the other towns putting a deadline of July 15th for further action.

Atty. Semrau will make the inquiry with the County Superintendent to see if there is any interest in a review of the RFP now or ever.

The Mayor asked if Brian Cavanaugh would like to comment.

Mr. Cavanaugh commented on hearing that Chester Township was interested. He made some suggestions on the formation of a motion for approval of the RFP.

Motion: The Mayor and Council have reviewed a proposed RFP for a Regional High School Restructuring Feasibility Study and approves of same.

The Borough would like to circulate this RFP to the other participating communities and solicit any comments and a determination if they approve of the RFP.

The Mayor and Council will receive the position of the participating communities and will consider issuing the RFP at its Council meeting of July 15, 2013.

Motion was moved by Councilman Andrus

Seconded by Councilman Sharkey

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

ACTIONS TO BE TAKEN:

Res. #79-13 Sanitary Sewer App-McKenzie's-B801/L20

Motion to adopt Resolution #79-13 was made by Councilman Witczak

Seconded by Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

ACTIONS TO BE TAKEN: (Cont'd.)

Res. #80-13 Sanitary Sewer App-D. Sprandel-B201/L60

Motion to adopt Resolution #80-13 was made by Councilman Badal

Seconded by Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #81-13 Bond Anticipation Notes-\$2,966,870

Motion to adopt Resolution #81-13 was made by Councilman Andrus

Seconded by Councilwoman Daly

Discussion: Councilman Andrus explained that 4-5 BAN's would be due in July this year.

The Borough will be borrow additional money now at the low interest rate and will complete work on the roads, buy DPW truck and complete capitol projects that are budgeted for in the 2013 calendar year.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

Res. #82-13 Gov Deals – 2003 Ford Pickup Truck

Motion to adopt Resolution #82-13 was made by Councilman Witzcak

Seconded by Councilman Garubo

Discussion: It was noted that Ken O'Brien has a truck to use. The purchase of a new truck is in the 2013 budget and will be purchased shortly.

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: None

ADMINISTRATOR REPORT: (There was no written report circulated prior to the meeting)
Administrator Sandman was not present at this meeting.

COUNCIL REPORTS, OLD & NEW BUSINESS:

Councilman Badal reported that the Public Safety committee met last week and there was discussion held regarding the CERT teams. There was a review of the Strategic Plan and is being reviewed by emergency services and the police.

Councilwoman Daly will submit the figures to the Administrator for the salary resolution. Ms. Daly will meet with Superintendent O'Brien to discuss changes to the Personal Handbook.

Councilman Garubo noted that Sister Joan of the SCC will be the Grand Marshall for the Labor Day parade this year. The theme this year will be, "Everyday Heros". Mr. Garubo reported that the day camp registrations and hiring is going well
Bruce DiBisceglie reported that that the registrations are up from last year with figures for pre-registration. Regular registration and walk in's are not known and not included.
Bruce discussed the counselor training and the use of the pool at the Racquet Club and the water rides.

Councilman Sharkey noted discussion in committee on the solar/wind turbines, definition of 'front yard' and property lines.

Councilman Andrus noted the tax collection rate of 98.86% and the higher than usual sewer revenue up from last year.

COUNCIL REPORTS, OLD & NEW BUSINESS: (Cont'd.)

Councilman Witczak noted that the basketball courts are completed ,the new park backstops, the traffic light control on Mountain/Main and the new infra-red technology, and the closing of Talmage Road for the removal of 5 trees damaged by storms.

Mr. Witczak reported that the DPW employees are completing in-house workat the First Aid Squad which was usually contracted out. They are also working on some gravel roads that were washed out. He will budget next year for work on the upper and lower fields. Little League members will help but they will need raw supplies.

ATTORNEY ITEMS:

Atty. Tracy Wang from Fred Semrau's office was asked at the last meeting about the history of the draft 'jake brake' ordinance. Mr. Semrau reported that on 5.13.13 Administrator Sandman called and requested his office to provide a draft ordinance on this topic. The Administration reported that a resident would be attending the 5.20.13 meeting to discuss this with the governing body.

MAYOR'S ITEMS:

Mayor Henry thanked Superintendent O'Brien for having the flags up around the Borough for 'Flag Day'. There has been a follow up with the residents of the Commons regarding 'lighting'. Atty. Semrau reported that he met with the Administrator, Borough Engineer and the Construction Code Official and the Commons Engineer to discuss the issues and concerns. Borough Engineer signed off on a formal application with no changes from the prior plans. An electrical application process will run its normal course, within the Borough Land Use Code.

Mayor Henry reminded the Council of the 6:30 tour and meeting at Chester Borough regarding the shared Municipal Court. The Mayor stated that the Administrator will send a formal letter to Mendham Township with the effective withdrawal date of 12.31.13. The letter should be send Certified/Return Receipt. There will be discussions held regarding the transition to the Chester Borough Court.

PUBLIC COMMENT: No comments from the public.

APPROVAL OF VOUCHERS:

Minute Book Attachment Bill List dated June 17, 2013
Motion to approve the June 17, 2013 bill list was made by Councilman Andrus
Second by Councilman Sharkey
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: There was no executive session held.

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 9:15P.M. next to convene at the Regular Meeting on July 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