CALL TO ORDER

Mayor Henry called the July 18, 2016 meeting of the Mayor and Council to order at 8:02PM 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
Council President John Andrus

Excused: Councilman Stanley Witczak

Also present: Joseph Bock for Fred Semrau, Borough Attorney
Richard Merkt, Borough Administrator
Margot Kaye, Borough Clerk

CONSENT AGENDA

Minutes of the special meeting of 6/20/16
Minutes of the regular meeting of 6/20/16
Minutes of the executive session of 6/20/16

Motion to approve Consent Agenda
First: Councilman Sharkey
Second: Councilwoman Daly
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Daly, Sharkey
Opposed: None
Abstain: Andrus (recusal due to absence)
Absent: Witczak

DISCUSSION

MBA Holiday Banners – Bob Diffin, MBA President

Discussion was tabled until the September 6, 2016 meeting.

Randolph Township Resolution #124-16 Supporting H.R. 343 - The Volunteer Emergency Responders Tax Deduction Act

Mayor Henry indicated that the above legislation was introduced in the United States Congress on January 14, 2015 and that Randolph Township is requesting the Borough consider a resolution supporting same. Councilman Andrews explained that the bill proposes a charitable contribution for volunteer first responders equivalent to $20/hour up to 300 hours. Councilman Andrus stated that although the premise is good in theory, there exists a potential for abuse. After discussion, an informal poll of the Council confirmed majority support for H.R. 343. The draft resolution was assigned a number and action will be taken.
Tier V Banner Application: Brookside Community Club (11/7/16 – 11/21/16)

Mayor Henry reviewed the banner policy as it relates to the number of permitted banners and Tier eligibility. Councilman Andrus read aloud section II.A. of the policy which states:

Banners will be limited to non-profit organizations or organizations endorsed by the Governing Body that are located within Mendham Borough and/or host events that benefit the Borough, its residents and businesses.

After discussion, there was consensus that the Brookside Community Club/Holiday Boutique does not qualify under the policy. The request was denied.

ORDINANCE INTRODUCTION:

ORDINANCE #13-16

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 20, SECTIONS 20-2, 20-3, 20-5, AND 20-8, CHAPTER 4, SECTION 4-48, AND ORDINANCE NO. 23-89, TO ALIGN THE FIRE DEPARTMENT CODE WITH CURRENT STATE OPERATIONAL REQUIREMENTS AND LOCAL MUTUAL AID REQUIREMENTS

Was tabled until the August 15, 2016 meeting.

ORDINANCE ADOPTION: None

ACTIONS TAKEN

Res. #105-16 Police Vehicle Purchase Authorization – Morris County Cooperative Pricing Council

Motion to approve: Councilwoman Daly

Second: Councilman Andrews

Discussion: Chief Libertino confirmed that the remaining costs for the new SUV will be the radio transfer, computer install and exterior marking. Councilman Badal stated that sedans are available but the cost differential between the sedan and SUV is perhaps only a couple hundred dollars per month. He added that the SUV is higher off the ground, has 4-wheel drive and is safer in the snow.

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

Opposed: None

Abstain: None

Absent: Witczak

Res. #106-16 Refund Duplicate Camp Payment

Motion to approve: Councilwoman Daly

Second: Councilman Badal

Discussion: None

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

Opposed: None

Abstain: None

Absent: Witczak

Res. #107-16 MCCPC Membership Renewal for 2016-2021

Motion to approve: Councilwoman Daly

Second: Councilman Badal

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Witczak

Res. #108-16 Tax Collector Authority to Cancel Delinquencies Under $10

Motion to approve: Councilwoman Daly

Second: Councilman Andrus

Discussion: None

Roll Call – the vote was as follows:

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

Opposed: None

Abstain: None

Absent: Witczak
Res. #109-16 Recreation Committee Appointment: Edward Sisson, Alternate I
Motion to approve: Councilman Andrews
Second: Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Daly, Sharkey, Andrus
Opposed: None
Abstain: None
Absent: Witczak

Motion to approve: Councilman Badal
Second: Councilman Andrus
Discussion: Mr. Merkt indicated that a reexamination of the Master Plan is required every ten (10) years and that Banisch Associates has been selected by the Planning Board to prepare the 2016 update.
In favor: Andrews, Badal, Daly, Sharkey, Andrus
Opposed: None
Abstain: None
Absent: Witczak

Res. #111-16 Sanitary Sewer Approval: 7 West Main Street, Block 301, Lot 35
Motion to approve: Councilman Andrus
Second: Councilman Sharkey
Discussion: None
In favor: Andrews, Badal, Daly, Sharkey, Andrus
Opposed: None
Abstain: None
Absent: Witczak

Res. #112-16 Sanitary Sewer Approval: 106 East Main Street, Block 801, Lots 12,12.01 and 13
Motion to approve: Councilwoman Daly
Second: Councilman Sharkey
Discussion: None
In favor: Andrews, Badal, Daly, Sharkey, Andrus
Opposed: None
Abstain: None
Absent: Witczak

Res. #113-16 Accounting Software Contract: InterSoft Technologies, Inc.
Motion to approve: Councilman Andrus
Second: Councilman Sharkey
Discussion: None
In favor: Andrews, Badal, Daly, Sharkey, Andrus
Opposed: None
Abstain: None
Absent: Witczak

Res. #114-16 Temporary Electrical Inspector: Rob Smith
Motion to approve: Councilman Andrus
Second: Councilman Andrews
Discussion: None
In favor: Andrews, Badal, Daly, Sharkey, Andrus
Opposed: None
Abstain: None
Absent: Witczak

Res. #115-16 Temporary Construction Inspector: Len Perre – WITHDRAWN

ADMINISTRATOR REPORT

The Administrator’s report was distributed to the Mayor and Council previously. Mr. Merkt announced that going forward his written report will be submitted monthly.

In response to Councilman Badal’s inquiry regarding significant versus minor administrative projects, Mr. Merkt confirmed that those which require policy are forwarded to the Council. Councilman Badal clarified that the Mayor and Council should continue to be advised on all matters that become public information.
Mr. Merkt indicated that Talmage Road paving has been completed but Orchard Street is on hold until the DOT Trust Fund issued is resolved. Mayor Henry requested that Mr. Merkt confirm whether Bliss, Hilltop and Bernardsville Roads are to be scheduled for paving.

Mr. Merkt stated that he has not received a response to his recent correspondence to Daytop.

COUNCIL REPORTS, OLD & NEW BUSINESS

Councilman Andrews – no report.

Councilman Badal – An application for subdivision of 44 Prentice Lane is scheduled to be heard by the Planning Board on August 8, 2016.

Councilwoman Daly – The Public Safety Committee has an item for executive session.

Councilman Sharkey – The next Recreation Committee meeting is scheduled for July 21, 2016. The July 10th concert was well attended and two (2) more concerts are scheduled. Camp continues to go well.

Councilman Witczak – excused.

Councilman Andrus – The midyear budget review indicates that the Borough is operating within or close to within budget.

ATTORNEY ITEMS

Mr. Bock advised that Mr. Semrau is expecting to provide an update on the COAH litigation during the August 15, 2016 meeting. Mayor Henry asked that Mr. Semrau be prepared to update the Council on the additional two (2) litigation matters as well.

MAYOR’S ITEMS

No report.

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 July 18, 2016
Motion to approve: Councilman Andrus
Second: Councilman Sharkey
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Daly, Sharkey, Andrus
Opposed: None
Abstain: None
Absent: Witczak

EXECUTIVE SESSION

Mayor Henry announced that no action will be taken upon return to open session.

Res. #116-16 Executive Session: Personnel
Motion to approve: Councilwoman Daly
Second: Councilman Andrews
Discussion: None
Roll Call – the vote was as follows:
In favor: Andrews, Badal, Daly, Sharkey, Andrus
Opposed: None
Abstain: None
Absent: Witczak

The Mayor and Council entered into closed session at 8:41PM.

The Mayor and Council returned to open session at 9:01PM.
**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 9:02PM next to convene at a regular meeting on August 15, 2016 at 8PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

*Margot G. Kaye*
Margot G. Kaye, RMC
Borough Clerk