

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

May 8, 2019

CALL TO ORDER

Mayor Christine Serrano-Glassner called the May 8, 2019 Regular Meeting of the Mayor and Council to order at 8:00 p.m. in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

INVOCATION AND FLAG SALUTE

Mayor Serrano-Glassner led a moment of silence and then proceeded with the Pledge of Allegiance.

MAYOR'S OPENING STATEMENT

Adequate notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the *Daily Record* and the *Star Ledger*, and such notice was posted on the Phoenix House bulletin board in accordance with the Open Public Meetings Act.

ROLL CALL

The following officials were present:

Mayor Christine Serrano-Glassner
Council Member Steven Andrew
Council Member John Andrews
Council Member Brad Badal
Council Member James R. Kelly
Council President David Sharkey

Council Member Brennan Reilly was absent

Also present were:

Joyce Bushman, Borough Administrator
Fred Semrau, Esq., Borough Attorney
Robin R. Kline, Deputy Clerk

PROCLAMATIONS

**PROCLAMATION HONORING THE DEDICATED VOLUNTEERS OF THE MENDHAM FIRE DEPARTMENT
AND RECOGNIZING MAY 4-11, 2019 AS FIREFIGHTERS APPRECIATION WEEK IN THE BOROUGH OF
MENDHAM**

Mayor Serrano-Glassner read the Proclamation honoring the volunteers of the Mendham Fire Department and recognizing May 4-11, 2019 as Firefighters Appreciation Week in the Borough. She presented the proclamation to members of the Mendham Fire Department who were in attendance.

The Mayor and Borough Council thanked the volunteer firefighters for their vigilant service to the Borough.

**PROCLAMATION HONORING THE DEDICATED MEMBERS OF THE MENDHAM POLICE DEPARTMENT
RECOGNIZING MAY 12-18, 2019 AS LAW ENFORCEMENT APPRECIATION WEEK IN THE BOROUGH
OF MENDHAM**

Mayor Serrano-Glassner read the Proclamation honoring the members of the Mendham Borough Police Department and recognizing May 12-18, 2019 as Law Enforcement Appreciation Week in the Borough. She presented the proclamation to members of the Mendham Borough Police Department who were in attendance.

The Mayor and Borough Council thanked the Police Chief and officers of the Police Department for their faithful and loyal service to the Borough.

**PROCLAMATION HONORING THE DEDICATED VOLUNTEERS OF THE MENDHAM FIRST AID SQUAD
AND RECOGNIZING MAY 19-25, 2019 AS EMERGENCY MEDICAL SERVICES WEEK IN THE BOROUGH
OF MENDHAM**

Mayor Serrano-Glassner read the Proclamation honoring the volunteers of the Mendham First Aid Squad and recognizing May 19-25, 2019 as Emergency Medical Services Week in the Borough. She presented the proclamation to members of the Mendham First Aid Squad who were in attendance.

The Mayor and Borough Council thanked officers and members of the Mendham First Aid Squad for their life-saving actions and compassion to those in the Borough who require emergency medical care.

CONSENT AGENDA

Items on the Consent Agenda are considered routine and will be acted upon by the Borough Council by a single vote unless a member of the Governing Body or public request that an item be removed and considered separately.

Items listed on the Consent Agenda:

1. Approval of Minutes: December 20, 2018 Regular Meeting
January 4, 2019 Reorganization Meeting
April 22, 2019 Regular Meeting
April 22, 2019 Executive Session Meeting
2. Banner Request: Pastime Club for Labor Day Parade & Carnival
Banner display dates: August 20 through September 2, 2019
3. Peddler's License: Steven Good, d/b/a Good 4 You LLC, mobile vendor
4. Special Event Permit: Cops, Kids & Cones May 23, 2019 [rain date May 30, 2019]
5. Special Event Permit: Volunteers of Fatima Pilgrimage May 26, 2019

There was no Council discussion.

Motion to Approve: Council President Sharkey
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Sharkey
Nays: None
Abstentions: Council Member Andrew and Council Member Kelly abstained on the approval of the December 20, 2018 minutes.
Council Member Andrew and Council Member Andrews abstained on the approval of the Banner Request for the Pastime Club.

ORDINANCES FOR PUBLIC HEARING/ADOPTION

#04-2019 BOND ORDINANCE APPROPRIATING \$140,000, AND AUTHORIZING THE ISSUANCE OF \$130,000 BONDS OR NOTES OF THE BOROUGH, FOR THE ACQUISITION OF VEHICLES BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY

This ordinance provides financing for the purchase of one truck for the Department of Public Works and one vehicle for the Police Department.

Mayor Serrano-Glassner stated that a legal notice was published indicating that Ordinance #04-2019 was introduced and passed on first reading at the April 22, 2019 meeting and further indicated that the second reading and public hearing would be held on May 8, 2019 at 8:00 p.m. for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Serrano-Glassner opened the public hearing for Ordinance #04-2019.

Seeing no one wishing to be heard, Mayor Serrano-Glassner closed the public hearing.

There was no Council discussion.

Motion to Approve: Council Member Andrew
Second: Council Member Badal
Ayes: Andrew, Andrews, Badal, Kelly, Sharkey
Nays: None

Ordinance #04-2019 was adopted.

#05-2019 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 \$420,500 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH.

This ordinance provides financing for the purchase of one lawn mower for the Department of Public Works; one stretcher and lift for the Mendham Borough First Aid Squad; one Jaws of Life rescue tool for the Mendham Borough Fire Department; paving and resurfacing of certain Borough roads; the refurbishment of the tennis courts; and new bay doors for the Fire Department building.

Mayor Serrano-Glassner stated that a legal notice was published indicating that Ordinance #05-2019 was introduced and passed on first reading at the April 22, 2019 meeting and further indicated that the second reading and public hearing would be held on May 8, 2019 at 8:00 p.m. for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law. After the public hearing is closed, Ordinance #05-2019 will be considered for final passage and adoption by the Governing Body.

Mayor Serrano-Glassner opened the public hearing for Ordinance #04-2019.

Seeing no one wishing to be heard, Mayor Serrano-Glassner closed the public hearing.

There was no Council discussion.

Motion to Approve: Council Member Badal
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Sharkey
Nays: None
Abstention: Council Member Andrews abstained on voting for the stretcher and lift for the Mendham Borough First Aid Squad.

Ordinance #05-2019 was adopted.

RESOLUTIONS

#82-2019 RESOLUTION AUTHORIZING A PRIVATE FIREWORKS DISPLAY AT ROXITICUS GOLF CLUB ON SATURDAY, JUNE 1, 2019 [RAIN DATE JUNE 2, 2019]

There was no Council discussion.

Motion to Approve: Council Member Andrews
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Sharkey
Nays: None

Resolution #82-2019 passed.

#83-2019 RESOLUTION AUTHORIZING AN EMERGENCY SERVICE AGREEMENT WITH WJ HARRINGTON & SONS FOR THE EMERGENCY REPAIR OF THE FAILED SANITARY SEWER MAIN

There was no Council discussion.

Motion to Approve: Council Member Andrew
Second: Council Member Andrews
Ayes: Andrew, Andrews, Badal, Kelly, Sharkey
Nays: None

Resolution #83-2019 passed.

#84-2019 RESOLUTION OF THE BOROUGH OF MENDHAM AUTHORIZING THE EXECUTION OF AN INSTALLATION AND REPAYMENT AGREEMENT WITH PSE&G FOR THE INSTALLATION OF ENERGY CONSERVATION MEASURES AT THE POLICE DEPARTMENT, GARABRANT SENIOR CENTER AND DPW FACILITY

There was no Council discussion.

Motion to Approve: Council Member Andrew
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Sharkey
Nays: None

Resolution #84-2019 passed.

ADMINISTRATOR'S REPORT

Ms. Bushman provided a copy of the Administrator's Report to the Council dated May 8, 2019. She informed the Governing Body that the Borough's participation in PSE&G's Direct Install Energy Efficiency Program is projected to save the Borough approximately \$750.00 per month in electrical costs and would reduce the Borough's carbon foot print in greenhouse emission gases. The Phoenix House, the Bower's Building, and the Police Department building are included in the program. Due to the immediacy of the program's submission deadline, Ms. Bushman mentioned that the Firehouse would not be included in PSE&G's Direct Install Energy Efficiency Program at this time. Upon Council approval, Resolution #84-2019 will authorize the Borough's participation in the program.

COUNCIL COMMITTEE REPORTS

Finance Committee

Council Member Badal reported that the Finance Committee is reviewing the Petsch House lease.

Recreation Committee

Council Member Andrew reported that the Recreation Committee meeting was held on May 16th. The committee is finalizing plans for the Memorial Day Ceremony and the Food Truck Festival. He further reported that Labor Day parade letters have been sent out, as well as letters for the Summer Day Camp program.

As liaison to the Board of Health, Council Member Andrew reported that the Board of Health is offering free radon testing kits and that three pool operator licenses have been issued for the coming pool season. The board's next scheduled meeting will be held on Wednesday, June 5th.

Lastly, Council Member Andrew reported that the West Morris Regional High School's \$57 million budget was adopted for the 2019-2020 school year.

Public Safety Committee

Council Member Andrews reported that over 100 children participated in the PBA's Annual Fishing Derby on Sunday, May 5th and mentioned that the PBA will be hosting a Cops, Kids & Cones event on Saturday, May 23rd. He further reported that the Mendham Borough and Mendham Township First Aid Squads and Fire Departments will sponsor a Recruitment Drive on Saturday, May 18th at the Kings Shopping Center. Free blood pressure screenings and free File of Life medical profile wallet cards will be given out. On June 7th, the Relay for Life event will take place at the Mendham High School. The Emergency Squad, the Fire Department and the Police Department will be present for the opening ceremony.

Council Member Andrews further reported on a recent accident which took place on Hilltop Road by the bridge construction at Cromwell and the temporary traffic light. The accident caused the road to be closed and created a power outage for approximately 300 residences. He encouraged residents to sign up for Alert Mendham Borough to receive emergency text messages and emails.

Lastly, Council Member Andrews reported that the Emergency Plan document has been finalized and was signed by Mayor Serrano-Glassner earlier in the day. The Borough's Emergency Plan report will be submitted to both the county and state. He also mentioned that the Critical Incident Team is planning a mock evacuation drill at Holly Manor.

Personnel Committee

As liaison to the ECCOST Committee, Council President Sharkey reported that the Borough participated in the New Jersey Tree Recovery Program and distributed 350 free tree seedlings from April 22nd through April 26th. He further reported that the ECCOST Committee meeting was held on May 5th. The committee discussed ways the Borough could get the word out regarding the Borough's interest in acquiring open space property.

Public Works and Utilities Committee

Council Member Kelly reported that the Department of Public Works is performing pothole repairs and continues its spring cleanup activities. He further reported that signage has been posted at the Borough's recycling facility notifying the public that the facility is open only to Borough residents. He confirmed that there has been a decline in the amount of recyclable materials being dropped off since the surveillance cameras and the new signage have been installed.

Lastly, Council Member Kelly reported that the Department of Public Works is re-evaluating the Borough's brush collection program in efforts to increase the efficient use of personnel and equipment resources. To date, public works crews have responded to 156 brush collection requests, averaging approximately 13 pickups per work day.

Land Use Committee

Council Member Reilly was absent.

ATTORNEY'S ITEMS

Mr. Semrau had no report.

MAYOR'S ITEMS

Mayor Serrano-Glassner reported that the *Mendham Observer* had inquired whether the Borough's Governing Body would be considering a policy to ban the use of plastic bags at retailers located within the Borough. It was noted that the Kings Super Market store provides paper bags to its customers as an alternative to plastic bags. Upon a brief discussion with the Council, the consensus was not to pursue a policy at this time.

Mayor Serrano-Glassner also reported that she has been receiving water run-off complaints, especially concerning off-site water run-off impacts, which may be caused by new residential construction projects. She inquired whether the Borough's off-site water run-off policy should be further reviewed. Ms. Bushman will follow up with the Borough's Engineer, Mr. Ferriero, for his comments and recommendations.

Council Member Badal inquired about the enforcement of commercial lawn signs being posted along Borough roadways. Another inquiry was made concerning the periodical boxes located along the sidewalk adjacent to the Post Office. Ms. Bushman was asked to follow up with the Department of Public Works Superintendent and the Zoning Officer to increase compliance with local zoning codes.

PUBLIC COMMENT – AUDIENCE PARTICIPATION:

Mayor Serrano-Glassner opened the meeting for public comment.

John Barbarula, a Randolph Township resident, introduced himself as a candidate who is running for an Assembly seat in the 25th New Jersey Legislative District in the Republican Primary Election.

Henry Niemizky, a Dean Road resident, voiced concern about vehicles speeding along Dean Road and requested the permanent installation of two flashing speed (radar) signs on the road.

Mr. Niemizky was informed that speeding is a problem on all Borough roads and that the speed radar signs are designed to be portable so that they can be deployed at different sites as needed. The Police Chief was asked to continue to address motorist speeding on Dean Road.

Seeing no one else wishing to speak, Mayor Serrano-Glassner closed public comment and proceeded with the next agenda item.

APPROVAL OF VOUCHERS

Motion to Approve: Council Member Badal
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Sharkey
Nays: None

Council Member Kelly requested to review the WJ Harrington invoice billed for emergency sewer main repair work. The payment of the WH Harrington voucher will be placed on hold pending Council Member Kelly's review.

EXECUTIVE SESSION

#81-2019 A RESOLUTION PROVIDING FOR AN EXECUTIVE SESSION NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A. 10:4-12B

Matters for Discussion: 1. Attorney-Client Privilege – Solicitation Ordinance
2. Attorney-Client Privilege - Private Roads
3. Litigation – Affordable Housing Declaratory Judgment Action

Motion to Approve: Council Member Andrew
Second: Council President Sharkey
Ayes: Andrew, Andrews, Badal, Kelly, Sharkey
Nays: None

Mayor Serrano-Glassner closed the Public Meeting at 9:15 p.m. to convene into Executive Session.

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Mayor Serrano-Glassner reconvened the Public Meeting at 10:15 p.m.

ADJOURNMENT

Having no further business to conduct, Mayor Serrano-Glassner asked for a motion to adjourn.

Council Member Andrew made a motion to adjourn. Council Member Andrews seconded the motion. Upon a voice vote, the motion was passed unanimously.

Meeting adjourned at 10:17 p.m.

The next Regular Meeting of the Mayor and Council will convene on Tuesday, May 28, 2019 at 8:00 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

Respectfully Submitted:

Robin R. Kline

Robin R. Kline, MAS, RMC, CMR
Deputy Clerk
BOROUGH OF MENDHAM