

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

**May 24, 2021
MINUTES**

CALL TO ORDER

Mayor Christine Serrano Glassner called the May 24, 2021 Regular Meeting of the Mayor and Council to order at 7:00 p.m. in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey and remotely by Zoom webinar, Meeting ID 848 5071 4978.

MOMENT OF SILENCE AND FLAG SALUTE

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

MAYOR'S OPENING STATEMENT

Mayor Serrano Glassner read the following statement:

Please take notice that the start time for regular meetings of the Mayor and Council of the Borough of Mendham shall begin at 7:00PM. Notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the Daily Record and Star Ledger, posted in the Phoenix House, and was filed in the Office of the Borough Clerk in accordance with the Open Public Meetings Act. Official action will be taken at this meeting.

During a declared state of emergency when meetings of the Mayor and Council are held remotely, written comments to be read during the public hearings or public comment period listed on the agenda may be submitted in writing to our Borough Clerk electronically by email, or by letter, no later than 4:00PM on the date of the meeting. Only one public comment, whether oral or written, from each person at each public comment period will, as with all public comments, be heard or read. The reading of the written comments will, as with all public comments, be limited to four minutes and the reading will end after four minutes.

ROLL CALL

The following officials were present:

Mayor Christine Serrano-Glassner
Council Member Steven Andrew
Council President John Andrews
Council Member Brad Badal
Council Member James Kelly
Council Member Mary Sue Martin [arrived after roll call via Zoom conferencing]
Council Member Brennan Reilly

Also present were:

Fred Semrau, Esq., Borough Attorney [via Zoom conferencing]
Joyce Bushman, Borough Administrator
Robin R. Kline, Borough Clerk

CONSENT AGENDA ITEM(S)

- 1. Approval of Minutes:** May 12, 2021 Regular Meeting

- 2. Banner Display Requests:**
 - Mendham Business Association
Annual Sidewalk Sale Event
June 7, 2021 through June 21, 2021

 - Mendham Patriots Basketball
Basketball Program Registration
September 13, 2021 through September 20, 2021
October 18, 2021 through October 25, 2021

 - Mendham Borough Recreation Annual Food Truck & Music Festival
September 20, 2021 through October 4, 2021

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Reilly
Absent: Martin

PRESENTATION

Update on Mendham Borough Property Assessments and Appeals

Scott Holzhauer, Mendham Borough Tax Assessor, provided a summary on property assessments and appeals filed for the current budget year and their potential impact on property tax. He mentioned that the housing market in Mendham Borough excelled during the COVID-19 pandemic due to low interest rates and the capability of many people being able to work remotely.

Mr. Holzhauer reported 13 appeals were filed with the Morris County Tax Board having an aggregated assessment value of \$16,872,100.00. The tax board's final aggregate assessment judgment totaled \$15,410,500.00, representing an 8.66% decrease change in ratable assessment value and a total property tax impact (decrease) of \$34,304.00. All appeals filed with the Morris County Tax Board have been completed.

He further reported 24 appeals were filed in State Tax Court having an aggregated assessment value of \$71,725,156.00, which are currently pending and have a total property tax impact of \$206,027.00 should each of the filed appeals be successful.

In closing his presentation, Mr. Holzhauer mentioned that property tax appeals may also result in an increase in the assessed value of a property in instances where an error was made on the property record card or improvements to a property were never added on. Further, he mentioned that the Morris County Tax Board may require a municipality to undertake a municipal reassessment of all properties when assessment values fall 85% or more below market value.

An Impact Summary report prepared by Mr. Holzhauer for Mendham Borough tax appeals during the period 2008 through 2021 is appended to these minutes.

ORDINANCE FOR INTRODUCTION

None

ORDINANCE FOR PUBLIC HEARING & ADOPTION

#10-2021 ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 215, ZONING, OF THE BOROUGH OF MENDHAM CODE

Summary: On February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act", which legalizes the recreational use of marijuana by adults 21 years of age or older and establishes a comprehensive regulatory and licensing program for commercial adult use recreational cannabis operations, use and possession, and establishes six (6) marketplace classes of licensed businesses.

Due to present uncertainties regarding the potential future impacts allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Mendham in particular, the Mayor and Council have determined that in the best interest of the health, safety and welfare of Mendham Borough's residents and members of the public who visit, travel, or conduct business in Mendham Borough to amend Mendham Borough's zoning regulations to prohibit all manner of cannabis-related land use and development within the geographic boundaries of Mendham Borough.

Legal Notice Statement: A legal notice was published indicating that Ordinance #10-2021 was introduced and passed on first reading at the May 12, 2021 meeting and further indicated that the second reading and public hearing would be held on May 24, 2021 at 7:00 p.m. Copies of this Ordinance were made available to the public and posted in accordance with the law.

Public Hearing: Mayor Serrano Glassner opened the public hearing and invited any interested person an opportunity to be heard on this Ordinance.

Seeing and hearing no one wishing to be heard, Mayor Serrano Glassner closed the public hearing and asked the Council for any further comments on Ordinance #09-2021.

There was no Council discussion.

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly

Ordinance #10-2021 was adopted.

RESOLUTIONS

#086-2021 RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF PROPERTY TAX FOR PROPERTY LOCATED AT 45 PRENTICE LANE [BLOCK 2001, LOT 23.01]

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly

#087-2021 RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF MENDHAM AND THE BOARD OF EDUCATION OF THE WEST MORRIS REGIONAL HIGH

SCHOOL DISTRICT TO PROVIDE THE SERVICES OF A SPECIAL LAW ENFORCEMENT OFFICER CLASS II/CLASS III FOR PURPOSES OF SCHOOL SECURITY AT THE WEST MORRIS MENDHAM HIGH SCHOOL FOR THE 2021-2022 SCHOOL YEAR

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly

#088-2021 RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF MENDHAM AND THE BOARD OF EDUCATION OF THE WEST MORRIS REGIONAL HIGH SCHOOL DISTRICT FOR THE HIRING OF A SCHOOL RESOURCE OFFICER TO WORK AT THE WEST MORRIS MENDHAM HIGH SCHOOL FOR THE 2021-2022 SCHOOL YEAR

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly

#089-2021 RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME ADMINISTRATIVE INTERN

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly

#090-2021 RESOLUTION AWARDED A CONTRACT TO TOP LINE CONSTRUCTION CORPORATION FOR DEAN ROAD IMPROVEMENTS SECTIONS 1 & 2

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly

#091-2021 RESOLUTION TEMPORARILY EXTENDING CONTRACT WITH PEGNET COMPUTERS FOR IT SERVICES THROUGH JUNE 9, 2021 PENDING COMPLETION OF THE RFP PROCESS FOR AN RFP ISSUED FOR INFORMATION TECHNOLOGY SERVICE

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly

#092-2021 RESOLUTION AUTHORIZING TWO SEPARATE FIVE-YEAR CONTRACTS WITH AXON ENTERPRISES, INC. FOR BODY-WORN AND FLEET CAMERAS, AND RELATED SERVICES

Motion to Approve: Council Member Reilly
Second: Council Member Kelly
Ayes: Andrew, Andrews, Badal, Kelly, Martin, Reilly

ADMINISTRATOR'S REPORT

A copy of the Administrator's Report dated May 24, 2021 was distributed to the Governing Body.

COUNCIL COMMITTEE REPORTS

Finance [Standing Committee of the Council]

Council Member Badal reported that the Borough reimbursements pending for three FEMA reimbursement fund programs and a COVID-19 economic stimulus reimbursement program under the CARES Act.

Board of Health

Council President Andrews had nothing new to report.

Recreation and Parks [Standing Committee of the Council]

Council Member Andrew reported that the Recreation Committee finalized the theme for this year's Labor Day Parade "Celebrate Volunteerism" and also reported that the Memorial Day Ceremony will be held on May 31st, 10:00AM at Borough Park.

Board of Education

Council Member Andrew reported that the Mountainview Middle School graduation ceremony will take place on June 14th.

Public Safety [Standing Committee of the Council]

Council President Andrews reported that Memorial Day flags were placed on veterans' graves at both the St. Joseph's Church and the Hilltop Presbyterian Church cemeteries on Sunday, May 23rd. He thanked Ryan Takamaya, Eagle Scout candidate from Troop 1, for his work researching, mapping, fund-raising, and purchasing American veteran medallions for over 550 veterans laid to rest here in Mendham.

He further reported that it is anticipated Mountainside Road will reopen before Memorial Day weekend.

Personnel [Standing Committee of the Council]

Council Member Martin reported the committee will be conducting interviews for summer intern positions.

Public Works and Utilities [Standing Committee of the Council]

Council Member Kelly reported that the DPW has planted 24 new street trees and has installed American Flags and the Hometown Heroes Banners along Main Street in advance of Memorial Day weekend. He also announced that the DPW is hiring for a summer seasonal position.

Land Use [Standing Committee of the Council] and ECOSST Committee

Council Member Reilly reported that the ECOSST Committee will be co-hosting a second Styrofoam recycling event with Mendham Township's Environmental Commission on June 5, 9:00am to 1:00pm at the Mendham Township DPW yard. He also reported that the ECOSST Committee is exploring connecting Patriot's Path to the Kings Shopping Center and will have a full report on this at the next Council meeting.

ATTORNEY'S ITEMS

Mr. Semrau reminded the Council to review the Municipal Excess Liability Joint Insurance Fund (MEL) video on best practices before the end of the month. The Borough will receive a \$250 credit towards the town's MEL premium for each elected official who completes viewing the video.

MAYOR'S ITEMS

Mayor Serrano Glassner reported that the annual Memorial Day Ceremony will be held on May 31st at 10:00am at Borough Park. Afterwards, there will be a dedication ceremony in remembrance of loved ones and fellow citizens lost as a direct result of the COVID-19 pandemic by the newly-planted American Holly tree.

Mayor Serrano Glassner reported that at the June 9th Council meeting she will be issuing a proclamation for Pride Month in June and specifically thanked the two high school students who made meaningful appeals at the last Council meeting for the proclamation. She read an excerpt from Resolution #097-2021, *RESOLUTION REAFFIRMING MENDHAM BOROUGH'S WELCOMING NATURE AND SHARED VALUES FOR THE PROTECTION OF CONSTITUTIONAL, CIVIL, AND HUMAN RIGHTS FOR ALL CITIZENS*, adopted by the Borough Council on June 22, 2020. The resolution reaffirms that the Mendham Borough community has always welcomed diverse backgrounds and protected the rights of all citizens.

Mayor Serrano Glassner mentioned this will be the last proclamation issued. Going forward, her office will be issuing commendations and community service awards to recognize those residents, local organizations, and businesses who through their volunteerism and good works help make Mendham Borough a better place.

PUBLIC COMMENT – AUDIENCE PARTICIPATION

Mayor Christine Serrano Glassner opened the public comment portion of the meeting.

Mary Kay O'Neill, 20 Prospect Street, commented that she viewed the September 9, 2020 Council meeting video and confirmed that residents of 17 Prospect Street, 18 Prospect Street and 20 Prospect Street had requested an informal meeting with Borough officials to discuss the proposed Prospect Street pedestrian easement and further confirmed that such a meeting was never held with those residents.

Caitlin Gillmett, a teacher who oversees the Gender and Sexuality Alliance at West Morris Mendham High School, thanked Mayor Serrano Glassner for reconsidering the issuance of a proclamation for Pride Month.

Seeing and hearing no one else wishing to speak, Mayor Serrano-Glassner closed the public comment portion of the meeting.

APPROVAL OF VOUCHERS

Bills List dated May 24, 2021.

The Bills List had been posted on the website for full disclosure to the public.

The Council did not act on the approval of vouchers. Resolution #034-2021, passed by the Council at the January 7, 2021 Reorganization, authorized the Borough Administrator to disburse and/or authorize payment, subject to the availability of funds, for reoccurring necessary expenses during the Public Health Emergency.

EXECUTIVE SESSION

None.

As a last item of business, Council Member Badal expressed his desire to formally end the use of Zoom to convene remote meetings of the governing body. Mayor Serrano Glassner asked for a motion.

Motion

Council Member Badal made a motion to end the use of Zoom to convene remote meetings of the Mayor and Council effective as of the June 9, 2021 meeting. Motion seconded by Council Member Andrew. A voice vote was taken with all in favor, no one opposed. Motion carried.

ADJOURNMENT

Having no further business to conduct, Mayor Serrano Glassner asked for a motion to adjourn. Council Member Reilly made a motion to adjourn, seconded by Council Member Kelly. Upon a voice vote, the motion was passed unanimously.

Meeting adjourned at 8:15 p.m.

The next scheduled meeting of the Mendham Borough Mayor and Council will be held June 9, 2021 at 7:00 PM, the Garabrant Center, 4 Wilson Street, Mendham and remotely by Zoom webinar.

Respectfully Submitted:

Robin R. Kline

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