

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

August 26, 2019

CALL TO ORDER

Mayor Christine Serrano-Glassner called the August 26, 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 Member Brennan Reilly
Council President David Sharkey

Also present were:

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

Mayor Serrano-Glassner opened the meeting and proceeded with the proclamation.

Proclamation

**RECOGNIZING NATIONAL OVARIAN CANCER AWARENESS MONTH IN THE BOROUGH OF MENDHAM
AND SUPPORTING THE TURN THE TOWNS TEAL® CAMPAIGN, A NATIONAL CAMPAIGN PROMOTING
AWARENESS OF OVARIAN CANCER AND ITS SYMPTOMS**

Mayor Serrano-Glassner read the Proclamation and then presented it to Jane MacNeil, President, Turn the Towns Teal.

Ms. MacNeil thanked Mayor Serrano-Glassner and the Borough Council for supporting the Turn the Towns Teal® campaign and for helping to promote awareness of ovarian cancer and its symptoms. Teal ribbons will be tied on trees along Main Street during the month of September.

Presentation

Administrative Intern Program – Sara Hafemeister and Aubrey Egerter, Administrative Interns, briefly reported on their internship projects and assignments. They reported that they were able to work with many department heads and learned what services are provided by local government.

Ms. Hafemeister and Ms. Egerter are seniors at West Morris Regional High School and mentioned that they are enrolled in the high schools International Baccalaureate (IB) Program. They reported that they were very pleased with the intern program and appreciated the opportunity.

Mayor Serrano-Glassner and the Borough Council thanked Ms. Hafemeister and Ms. Egerter for their efforts and expressed their well-wishes in completing their senior year at the high school.

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: July 22, 2019 Regular Meeting
July 22, 2019 Executive Session Meeting

2. Banner Display Request: Mendham Borough First Responders Golf Outing
September 9th through September 20th, 2019
3. Banner Display Request: Harvest Hustle 5K Run, Mendham Borough HAS
September 20th through October 4th, 2019
4. Raffle License: Minuteman Sports Club, 65 E. Main Street
Off-Premise Merchandise Raffle
December 20, 2019, 8:00 PM
5. Raffle License: P.G. Chambers School, Roxiticus Golf Club
On-Premise Merchandise Raffle
September 9, 2019, 11:00 AM - 7:00 PM
6. Road Closure Request: Cheryl Brown, Forest Drive Block Party
September 7, 2019 [Rain date September 8th]
12:00 PM - 11:45 PM
7. Road Closure Request: Elizabeth Kraft, Florie Farm Road Block Party
September 21, 2019 [No rain date]
5:00 PM – 11:00 PM
8. Road Closure Request: Michele McCarthy, Phoenix Drive Block Party
October 2, 2019 [Rain date October 9th]
5:00 PM – 11:00 PM
9. Special Event Permit: National Multiple Sclerosis Society, Bike MS County Challenge
September 14, 2019, 9:00 AM – 12:00 PM
September 15, 2019, 10:30 AM – 2:00 PM
10. Special Event Permit: Mendham Borough HSA Portraits in the Park Fundraiser
Mountain Valley Park
September 28, 2019, 8:00 AM – 4:20 PM [Rain date TBD]
September 29, 2019, 8:00 AM – 4:20 PM [Rain date TBD]
11. Road Closure Request: Labor Day Parade, Main Street (Route 24)
Mendham Village Shopping Center to Mountain Avenue
September 2, 2019, 9:00 AM – 12 NOON

There was no Council discussion.

Motion to Approve: Council Member Andrew
 Second: Council President Sharkey
 Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
 Abstentions: Council Member Reilly abstained on the approval of the July 22, 2019 Regular Meeting minutes and Executive Session minutes.

Discussion Item

Vehicle Towing Fees – Police Chief John Camoia informed the governing body that his office received correspondence from a vendor that provides towing, recovery and storage service of vehicles in Mendham Borough requesting a rate increase. He confirmed that the requested rate increases would follow rates established by the New Jersey State Police. If approved by the Borough Council, the fee for towing services would increase \$15; the fee for vehicle storage would increase \$5; and the administrative fee would increase \$10.

Council Member Badal, chair of the Finance Committee, commented that the proposed rate increases for vehicle towing, recovery and storage fees would be reviewed along with all other fees and rates currently charged by the Borough as part of the Finance Committee’s comprehensive review of revenue sources.

ORDINANCE FOR FIRST READING

#10-2019 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW VEHICLE BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$48,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$45,600 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

This ordinance provides financing for the purchase of one police vehicle, including fit up equipment and accessories.

Mayor Serrano-Glassner announced that the public hearing on this Ordinance is scheduled for September 11, 2019.

There was no Council discussion.

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

Ordinance #10-2019 was introduced and passed by the Mendham Borough Council. The Council will further consider this Ordinance for a second reading, public hearing, and final passage at the Mayor and Council meeting to be held on September 11, 2019. A legal notice will be published in accordance with law and copies of the Ordinance will be made available to members of the general public upon request.

ORDINANCE FOR PUBLIC HEARING AND ADOPTION

#09-2019 ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A NEW VEHICLE FOR USE BY THE SEWER UTILITY OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$47,000 THEREFOR FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH.

Mayor Serrano-Glassner announced that a legal notice was published indicating that Ordinance #09-2019 was introduced and passed on first reading at the July 22, 2019 meeting and further indicated that the second reading and public hearing would be held on August 26, 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 #09-2019.

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

There was no Council discussion.

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

Ordinance #09-2019 was adopted.

RESOLUTIONS

#121-2019 RESOLUTION AUTHORIZING THE PURCHASE OF A 2019 FORD F-350 PICKUP TRUCK FOR THE WATER RECLAMATION DEPARTMENT THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL

There was no Council discussion.

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

Resolution #121-2019 passed.

#122-2019 RESOLUTION AUTHORIZING THE APPROVAL OF A SHARED SERVICES AGREEMENT FOR THE ESTABLISHMENT OF A SHARED MUNICIPAL COURT BETWEEN THE BOROUGH OF MENDHAM AND THE TOWNSHIP OF WASHINGTON

There was no Council discussion.

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

Resolution #122-2019 passed.

#123-2019 RESOLUTION OF THE BOROUGH OF MENDHAM AUTHORIZING THE SETTLEMENT OF THE TAX APPEALS FOR 30 KERBY LANE [BLOCK 2201, LOT 10.06] FOR THE TAX YEARS 2018 AND 2019

There was no Council discussion.

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

Resolution #123-2019 passed.

#124-2019 RESOLUTION AUTHORIZING THE HIRING AND APPOINTMENT OF JASON LODATO AS A FULL-TIME EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS

There was no Council discussion.

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

Resolution #124-2019 passed.

#125-2019 RESOLUTION APPROVING MAXIMILLIAN (MAX) SHEPARD'S APPOINTMENT AS A REGULAR MEMBER TO THE MENDHAM BOROUGH FIRE DEPARTMENT

There was no Council discussion.

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

Resolution #125-2019 passed.

#126-2019 RESOLUTION TO AMEND THE 2019 CAPITAL BUDGET OF THE BOROUGH OF MENDHAM [2/3 affirmative vote of full Council membership required]

There was no Council discussion.

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

Resolution #126-2019 passed.

ADMINISTRATOR'S REPORT

Ms. Bushman provided a copy of her Administrator's Report dated August 26, 2019 to the Mayor and Council.

There was no Council discussion concerning the Administrator's Report.

Council Member Badal provided his congratulations on Ms. Bushman passing the state's Qualified Purchasing Agent (QPA) exam.

COUNCIL COMMITTEE REPORTS

Finance [Standing Committee of the Council]

Council Member Badal had nothing new to report.

Board of Health

Mayor Serrano-Glassner reported on the recent Hepatitis A breakout at the Mendham Golf and Tennis Club located in Mendham Township. She noted that public health protocols established by the New Jersey Department of Health mandate that the state's Department of Health oversee such public health outbreaks and then notify the county health departments of any concerns. Mayor Serrano-Glassner further mentioned that HIPPA and other privacy rights prevented public disclosure to local officials and the public, particularly since in this case the outbreak occurred at a private facility. She confirmed that Mendham Borough posted important information concerning the Hepatitis A outbreak on the Borough's website and Facebook.

Council Member Andrew reported that the next Board of Health meeting is scheduled for September 4th.

Recreation and Parks [Standing Committee of the Council]

Council Member Andrew reported that the Recreation Committee met on August 15th and confirmed that the high school students have cancelled their gaga pit project. He further reported that netting has been installed at the new turf soccer field behind the firehouse and also mentioned that a proposal to establish a dog park is being discussed. Lastly, he reported that next year the Summer Day Camp program will have a new name, "Mendham Morning Adventure Activities Program."

Board of Education

Council Member Andrew reported on a letter sent by the Superintendent for the Mendham Borough Board of Education and further reported that the West Morris Regional Board of Education has settled the teachers collective bargaining contract.

Public Safety [Standing Committee of the Council]

Council Member Andrews reported that five volunteer firefighters graduated from Morris County Public Safety Academy's firefighter program and expressed his congratulations. He further reported that the Public Safety Committee will be scheduling a special meeting with residents on Dean Road on September 25th to update residents on the findings of the Police Department's speed study and also mentioned that the "Your Speed" sign has been relocated to Pleasant Valley Road. Council Member Andrews reported that the new stretcher has been installed into Mendham First Aid Squad's EMS-3 ambulance and announced that Donna Gauteri had completed the EMT course and that several other squad members have enrolled in the EMT course this fall. Lastly, he confirmed that five AED (defibrillator) units have been purchased. Units will be installed in The Phoenix House, Bowers Building, Garabrant Center, DPW and the Water Reclamation Facility.

Personnel [Standing Committee of the Council]

Council President Sharkey reported that he recently toured the Borough's water reclamation facility and also reported that the Personnel Committee will be reviewing the Borough's workforce count.

Public Works and Utilities [Standing Committee of the Council]

Council Member Kelly reported that he recently toured the Borough’s water reclamation facility and also reported that the DPW crews are getting the Borough prepared and ready for the Labor Day weekend events.

Land Use [Standing Committee of the Council]

Council Member Reilly had nothing new to report.

ECOSST Committee

Council Member Reilly reported that the ECOSST Committee has established working groups, each comprised of three members who will work on specific initiatives. The working groups report to the ECOSST Committee (as a whole) on their progress and recommendations.

ATTORNEY’S ITEMS

Mr. Semrau advised that the Borough did not receive responses to the Borough’s second Notice to Bidders for the Firehouse Garage Doors Replacement Project. He advised that pursuant to the Local Public Contract Law, the governing body may move forward and award a contract by resolution.

Mr. Semrau presented the following resolution for Council consideration:

#128-2019 RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATION TO NEGOTIATE AND AWARD A CONTRACT FOR THE FIREHOUSE GARAGE DOORS REPLACEMENT PROJECT

There was no Council discussion.

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

Resolution #128-2019 passed.

Mr. Semrau further advised that he would have an update on the Borough’s affordable housing matter for Executive Session.

MAYOR’S ITEMS

Mayor Serrano-Glassner reported that she has been scheduling one-on-one meetings with residents in addition to maintaining office hours prior to the scheduled Mayor & Council meetings.

PUBLIC COMMENT – AUDIENCE PARTICIPATION:

Mayor Serrano-Glassner opened the meeting for public comment and asked all individuals keep their comments to three minutes to allow time for everyone in attendance to be heard.

John Camoia, Mendham Borough Police Chief, reported that Morris County has scheduled road drainage improvements along Main Street (County Route 24) during the week of September 16th. He further reported that the Water Main Replacement Project has been completed along Hilltop Road and that the replacement of the water main along Talmage Road would begin in two weeks. The county has scheduled road repaving of Hilltop Road and Talmage Road in the spring months next year.

Ted L’Estrange, an advocate on behalf of Falun Gong practitioners in the Hudson Valley, commented on the Chinese government’s practice of arresting individuals who refuse to renounce their faith in Falan Gong and further commented on China’s state-sanctioned practice of harvesting human organs from prisoners for a lucrative organ transplant industry. He asked the governing body to consider passing a resolution condemning this practice.

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

APPROVAL OF VOUCHERS

Bills List prepared by the Chief Financial Officer dated August 26, 2019.

Motion to Approve: Council Member Badal
Second: Council Member Andrew
Ayes: Andrew, Andrews, Badal, Kelly, Reilly, Sharkey
Abstentions: Council Member Andrews abstained on all vouchers concerning the “Aid to Volunteer Ambulance Squad”

Bills List dated August 26, 2019 was approved.

EXECUTIVE SESSION

#127-2019 A RESOLUTION PROVIDING FOR A CLOSED SESSION NOT OPEN TO THE PUBLIC PURSUANT TO THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A. 10:4-12b

The Mayor and Council of the Borough of Mendham will adjourn into closed session to discuss the following subject matter without the presence of the public in accordance with the Open Public Meetings Act exemptions, N.J.S.A. 10:4-12b:

1. Contract Matter: PBA Collective Bargaining Negotiations
2. Contract Matter: Police Promotion Process
3. Attorney/Client Privilege: Affordable Housing Update

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

Resolution #127-2019 passed. Mayor Serrano-Glassner closed the Public Meeting at 8:47 p.m. to convene into Executive Session.

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Mayor Serrano-Glassner reconvened the Public Meeting at 9:50 p.m.

ADJOURNMENT

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

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

Meeting adjourned at 9:50 p.m.

The next Regular Meeting of the Mayor and Council will convene on September 11, 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
Borough Clerk
BOROUGH OF MENDHAM