

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

**November 23, 2020
MINUTES**

CALL TO ORDER

Mayor Christine Serrano Glassner called the November 23, 2020 Regular Meeting of the Mayor and Council to order at 8:00 p.m. in the Garabrant Center, 4 Wilson Street, Mendham, New Jersey.

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:

Notice of this meeting of the Mayor and Council of the Borough of Mendham was published in the Daily Record and the 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.

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 five minutes and the reading will end after five minutes.

ROLL CALL

The following officials were present:

Mayor Christine Serrano Glassner
Council Member Steven Andrew
Council Member John Andrews
Council President Brad Badal
Council Member James Kelly
Council Member Brennan Reilly [via Zoom conferencing]

Council Member Mary Sue Martin was absent.

Also present were:

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

CONSENT AGENDA ITEMS

The following Consent Agenda items were considered and acted on:

- 1. Approval of Minutes:** November 12, 2020 Regular Meeting and Closed Session

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

- 2. Banner Display Request:** Mendham Business Association
Holiday Hometown Shopping
December 7, 2020 through December 26, 2020

Mayor Serrano Glassner encouraged everyone to support local businesses throughout the holiday season.

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

- 3. Special Event Application:** The Rotary Club of the Mendhams
Holiday Car Caravan Parade
[date and time of event to be determined]

Mr. William Connolly, President of the Mendham Rotary Club, sought permission to hold a Holiday Car Caravan Parade in the borough. Vehicles will be decorated with holiday themes and will travel a planned route through residential neighborhoods. The Rotary Club would advertise the event in advance and invite residents to participate. A date for the event has not yet been confirmed. If approved, Mr. Connolly requested assistance from the Mendham Borough Police Department in planning the Holiday Car Caravan route.

There was no Council discussion.

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

ORDINANCES FOR INTRODUCTION

#15-2020 AN ORDINANCE ESTABLISHING PAY RANGES FOR APPOINTED OFFICIAL AND EMPLOYEE POSITIONS OF THE BOROUGH OF MENDHAM FOR CALENDAR YEAR 2021

Public Hearing scheduled for December 17, 2020

There was no Council discussion.

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

#16-2020 ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, MERGING THE BOROUGH PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT TO ESTABLISH A JOINT LAND USE BOARD

Public Hearing scheduled for December 17, 2020

There was no Council discussion.

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

ORDINANCES FOR PUBLIC HEARING/ADOPTION

#13-2020 ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, TO AMEND CHAPTER 168, SEWERS, OF THE BOROUGH CODE TO REMOVE A DUPLICATIVE DEFINITION

Mayor Serrano Glassner announced that a legal notice was published indicating that Ordinance #13-2020 was introduced and passed on first reading at the November 12, 2020 meeting and further indicated that the second reading and public hearing would be held on November 23, 2020 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 and invited any interested person the opportunity to be heard on this Ordinance.

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

There was no Council discussion.

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

#14-2020 AN ORDINANCE OF THE BOROUGH OF MENDHAM TO AMEND ORDINANCE 21-99, "AN ORDINANCE OF THE BOROUGH OF MENDHAM TO CREATE A LENGTH OF SERVICE AWARDS PROGRAM"

Mayor Serrano Glassner announced that a legal notice was published indicating that Ordinance #14-2020 was introduced and passed on first reading at the November 12, 2020 meeting and further indicated that the second reading and public hearing would be held on November 23, 2020 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 and invited any interested person the opportunity to be heard on this Ordinance.

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

There was no Council discussion.

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

RESOLUTIONS

#169-2020 RESOLUTION AUTHORIZING PARTICIPATION IN THE NASPO VALUEPOINT NATIONAL COOPERATIVE PURCHASING SYSTEM

There was no Council discussion.

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

Mayor Serrano Glassner requested a motion for Resolutions #170-2020 through #175-2020:

#170-2020 RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF PROPERTY TAX FOR PROPERTY LOCATED AT 32 WEXFORD DRIVE [BLOCK 1003, LOT 89]

#171-2020 RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF PROPERTY TAX FOR PROPERTY LOCATED AT 4 PEMBROKE DRIVE [BLOCK 1003, LOT 133]

#172-2020 RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF PROPERTY TAX FOR PROPERTY LOCATED AT 27 PHOENIX DRIVE [BLOCK 706, LOT 23]

#173-2020 RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF PROPERTY TAX FOR PROPERTY LOCATED AT 15 WEST MAIN LLC [BLOCK 301, LOT 39, C 001]

#174-2020 RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF PROPERTY TAX FOR PROPERTY LOCATED AT 30 WEXFORD DRIVE [BLOCK 1003, LOT 90]

#175-2020 RESOLUTION AUTHORIZING REFUND FOR THE OVERPAYMENT OF PROPERTY TAX FOR PROPERTY LOCATED AT 37 PLEASANT VALLEY ROAD [BLOCK 2201, LOT 16]

There was no Council discussion.

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

#176-2020 RESOLUTION AUTHORIZING THE CANCELLATION OF AN UNEXPENDED BUDGET APPROPRIATION BALANCE IN THE 2020 GENERAL OPERATING BUDGET
[Requires not less than a two-thirds (2/3) vote of the full membership of the governing body]

There was no Council discussion.

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

#177-2020 RESOLUTION AUTHORIZING TRANSFERS BETWEEN CERTAIN BUDGET APPROPRIATIONS IN THE 2020 CURRENT FUND BUDGET PURSUANT TO N.J.S.A. 40A:4-58
[Requires not less than a two-thirds (2/3) vote of the full membership of the governing body]

There was no Council discussion.

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

#178-2020 RESOLUTION EXTENDING CONTRACTS WITH BLUE DIAMOND DISPOSAL, INC. FOR CURBSIDE COLLECTION OF SINGLE STREAM RECYCLABLES AND DISPOSAL OF SOLID WASTE TYPE 13 FROM DECEMBER 31, 2020 THROUGH JANUARY 31, 2021

There was no Council discussion.

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

#179-2020 RESOLUTION APPOINTING AN ADMINISTRATIVE AGENT FOR AFFORDABLE HOUSING

There was no Council discussion.

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

ADMINISTRATOR'S REPORT

A copy of the Administrator's Report dated November 23, 2020 was distributed to the Governing Body in advance of the meeting.

COUNCIL COMMITTEE REPORTS

Finance [Standing Committee of the Council]

Council President Badal reported that capital and operating budget requests for the 2021 calendar year have been reviewed and questions have been forwarded to department heads to clarify certain budget requests.

Board of Health

Council Member Andrew reported that the Board of Health will be meeting on December 2nd and had nothing new to report.

Recreation and Parks [Standing Committee of the Council]

Council Member Andrew reported that the Recreation Committee met on November 19th and further reported that the tennis courts will remain open until on November 30th. He also reported that the Recreation Committee will be sponsoring its 3rd annual Holiday Decorating Contest. Information has been posted on the website and participants must register before December 1st.

Board of Education

Council Member Andrew reported that the Mendham Board of Education met on November 17th which included a presentation on computer programming for students and teachers and another presentation on leveraging technology.

Mayor Serrano Glassner reported that the COVID-19 status at the West Morris Mendham Regional High School is currently at a "3" rating and mentioned that a "4" rating would change the high school's in-person/remote learning instruction schedule.

Public Safety [Standing Committee of the Council]

Council Member Andrews urged residents to always lock their vehicles when parked and reported that car thieves have not been deterred by home security camera systems or night lighting. He confirmed that the police department will continue to issue notifications to residents to lock parked vehicles.

Personnel [Standing Committee of the Council]

Council Member Martin was absent.

Public Works and Utilities [Standing Committee of the Council]

Council Member Kelly reported that Mendham Borough was awarded a state grant for Phase 2 improvements to Dean Road. He also reported that Tyler Stroup started his Eagle Scout trail connector project and that DPW crews have installed a new fence at the Borough Park playground. Lastly, he reported that 19 benches have been requested to be installed around the Mendham Pond.

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

Council Member Reilly reported that the Rowe Sheep Farm has been included in Morris County's Farmland Preservation Program and will be preserved as a farm and open space along East Main Street. He further reported that the ECOSST Committee would prefer a bronze plaque mounted on site in lieu of signage and invited feedback from the governing body.

ATTORNEY'S ITEMS

Mr. Semrau reported that he is working with Chief Camoia in updating the borough's parking lot and overnight parking ordinance and anticipated that an amended ordinance would be introduced in January. He further reported that to date, the governing body adopted 16 ordinances and passed 179 resolutions.

Lastly, Mr. Semrau advised that he has requested an executive session at tonight's meeting to discuss a tax appeal matter and settlement strategy.

MAYOR'S ITEMS

Mayor Serrano Glassner reported that the Mendham Business Association will once again install a holiday tree and lighting at the Borough Park gazebo, however, an annual community celebration would not be planned due to the corona virus pandemic. She also confirmed that Santa Claus has been invited to visit the Phoenix House. Information will be posted on the Borough's website and social media.

PUBLIC COMMENT – AUDIENCE PARTICIPATION

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

Bob Ritger, 14 Gunther Street, Chair of the Zoning Board of Adjustment, inquired about the merging of the Planning Board and Zoning Board of Adjustment and how members would be appointed.

Mr. Semrau responded that he and the chairs of the Planning Board and Zoning Board of Adjustment, and the board's respective attorneys were invited to attend a meeting on Friday, November 20th to discuss the merging of the two boards into a joint Land Use Board. He advised that the Joint Land Use would be comprised of 13 members (nine regular members and four alternate members) and who would be appointed and serve pursuant by state law. Mr. Semrau further advised that the appointment of members and professional

services to the Joint Land Use Board remain to be considered. He reported that Ordinance #16-2020, which establishes the Joint Land Use Board is scheduled for public hearing and adoption at the December 17th Council meeting. Once the Ordinance is adopted, the organization meeting of the new board would take place in January.

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

APPROVAL OF VOUCHERS

Bills List dated November 23, 2020.

Resolution #057-2020, passed at the March 18, 2020 Special Meeting, authorized the Borough Administrator to approve vouchers subject to the availability of funds.

CLOSED SESSION

#180-2020 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(s) without the presence of the public in accordance with the Open Public Meetings Act exemptions, N.J.S.A. 10:4-12b.

Matter to be discussed: Attorney-Client Privilege - Crown Castle tax appeal settlement

Following the closed session, no other matters will be discussed or acted upon in public session by the governing body. The Mayor and Council will reconvene into public session only for purpose of adjourning the public meeting.

There was no Council discussion.

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

The Mayor and Council convened into Executive Session at 8:55 p.m.

#

The Mayor and Council reconvened into public session at 9:25 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, seconded by Council Member Andrews. Upon a voice vote, the motion was passed unanimously.

Meeting adjourned at 9:25 p.m.

The next regular meeting of the Mendham Borough Mayor and Council will be held on December 9, 2020, 8:00PM, the Garabrant Center, 4 Wilson Street, Mendham.

Respectfully Submitted:

Robin R. Kline

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