

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

April 26, 2021, 7:00PM

AGENDA

Zoom webinar Apr 26, 2021 7:00 PM, Webinar ID: 833 6773 1846

The public is invited to attend and join the webinar:

Click the link: <https://us02web.zoom.us/j/83367731846>

- iPhone one-tap: +13126266799,,83367731846# or +19292056099,,83367731846#
- Telephone: Dial: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799
or +1 669 900 6833 or +1 253 215 8782

1. CALL TO ORDER

2. MOMENT OF SILENCE AND FLAG SALUTE

3. MAYOR'S OPENING STATEMENT

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.

4. ROLL CALL

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
Council Member Brennan Reilly

5. CONSENT AGENDA ITEM(S)

- 1. Approval of Minutes:** April 14, 2021 Regular Meeting
- 2. Banner Display Requests:** Mendham First Aid Squad
EMS Week, May 14, 2021 to May 24, 2021
The Pastime Club
Labor Day Carnival, August 23, 2021 to September 9, 2021
- 3. Raffle Game Applications:** The Westmont Montessori School
577 Route 24, Mendham, Off-premises 50/50
June 5, 2021
The Pastime Club
Borough Park, Off-premises 50/50
September 6, 2021
The Pastime Club
Borough Park, Arcade and Wheel Games
September 3, 2021 to September 6, 2021
- 4. Special Event Application:** St. Mark's Church
Mother's Day Boutique and Craft Sales Event
May 1, 2021, 10:00AM to 1:00PM
Pastime Club
Labor Day Carnival, Borough Park
September 3, 2021 to September 6, 2021
- 5. Public Project Proposal:** Girl Scout Troop 96635
Outdoor Mini-kiosk Library, St. Mark's Church

6. ORDINANCE FOR INTRODUCTION

#09-2021 ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, AMENDING CHAPTER 206, VEHICLES AND TRAFFIC, TO REVISE THE NO-PARKING TIME LIMIT ON EAST MAIN STREET

Summary: This ordinance amends the No Parking time limit on East Main Street proceeding westerly from the Firehouse driveway to the intersection with Mountain Avenue from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m.

The public hearing is scheduled on May 12, 2021.

7. ORDINANCE FOR ADOPTION

#03-2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2021 (N.J.S.A. 40A: 4-45.14)

Purpose: The allowable annual cost of living adjustment (COLA) for municipal budgets is capped at 1.5%. A municipality may by ordinance increase the COLA percentage up to 3.5% [N.J.S.A. 40A:4-45.14(b)] or bank (for up to two years) the difference between its final appropriation subject to the cap and 3.5%. Cap banking is not automatic. A single ordinance can be used to accomplish both activities: increasing appropriations and banking any unappropriated balance. The banked dollar amount would be available to the Borough in the event there was an emergent need.

Legal Notice Statement: A legal notice was published indicating that Ordinance #03-2021 was introduced and passed on first reading at the March 22, 2021 meeting and further indicated that the second reading and public hearing would be held on April 26, 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 will open the public hearing, at which time any interested person will be given an opportunity to be heard on this Ordinance. To ensure that every citizen has an opportunity to speak, the Mayor will recognize the individual and ask them to clearly state their name and address for the record.

After the public hearing is closed, the Borough Council will consider Ordinance #03-2021 for final passage and adoption.

#05-2021 ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND CHAPTER 60, AFFORDABLE HOUSING, REGARDING ADMINISTRATIVE AGENT FEES

Purpose: This Ordinance amends Chapter 60, Affordable Housing, of the Borough Code by authorizing the Borough to hire an administrative agent to administer affordable units in Mendham Borough and sets forth that administration costs shall be reimbursed to the Borough. Administration costs will include affirmative marketing, determining, and establishing rents and sales prices for affordable units, establishing buyer and tenant income eligibility, certifying buyer's income eligibility to purchase an affordable unit, and rental and re-sale of units.

Legal Notice Statement: A legal notice was published indicating that Ordinance #05-2021 was introduced and passed on first reading at the April 14, 2021 meeting and further indicated that the second reading and public hearing would be held on April 26, 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 will open the public hearing, at which time any interested person will be given an opportunity to be heard on this Ordinance. To ensure that every citizen has an opportunity to speak, the Mayor will recognize the individual and ask them to clearly state their name and address for the record.

After the public hearing is closed, the Borough Council will consider Ordinance #05-2021 for final passage and adoption.

#06-2021 AN ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF AN EASEMENT IN FAVOR OF THE BOROUGH OF MENDHAM FOR A PORTION OF THE PROPERTY KNOWN AS BLOCK 1901, LOT 19

Purpose: This Ordinance provides a 10-foot-wide walking path easement on a portion of private property known as Block 1901, Lot 19 for the pedestrian benefit of the general public, which will address the long-standing need to memorialize the public's pedestrian need to access Main Street in Mendham. The easement is limited to pedestrian use, no motorized vehicles, and from dawn to dusk for a term of one year.

Legal Notice Statement: A legal notice was published indicating that Ordinance #06-2021 was introduced and passed on first reading at the April 14, 2021 meeting and further indicated that the second reading and public hearing would be held on April 26, 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 will open the public hearing, at which time any interested person will be given an opportunity to be heard on this Ordinance. To ensure that every citizen has an opportunity to speak, the Mayor will recognize the individual and ask them to clearly state their name and address for the record.

After the public hearing is closed, the Borough Council will consider Ordinance #06-2021 for final passage and adoption.

#07-2021 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 \$1,017,000 THEREFOR FROM VARIOUS FUNDS OF THE BOROUGH

Purpose: This Ordinance appropriates \$1,017,000 from moneys available in the Capital Improvement Fund of the Borough for capital improvements of (a) the Department of Public Works facilities, including rehabilitation of the Administrative/Mechanical/Garage building, the demolition of the Equipment/Vehicle storage building and the construction of a new building (\$630,000); (b) the improvement of various roads in the Borough (\$317,000); (c) the improvement of the Garabrant Center by the construction and installation of a dais (\$25,000); and (d) the acquisition and installation of new and additional equipment for use by the Police Department of the Borough including an in-car body camera system.

Legal Notice Statement: A legal notice was published indicating that Ordinance #07-2021 was introduced and passed on first reading at the April 14, 2021 meeting and further indicated that the second reading and public hearing would be held on April 26, 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 will open the public hearing, at which time any interested person will be given an opportunity to be heard on this Ordinance. To ensure that every citizen has an opportunity to speak, the Mayor will recognize the individual and ask them to clearly state their name and address for the record.

After the public hearing is closed, the Borough Council will consider Ordinance #07-2021 for final passage and adoption.

#08-2021 BOND ORDINANCE APPROPRIATING \$200,000, AND AUTHORIZING THE ISSUANCE OF \$105,000 BONDS OR NOTES OF THE BOROUGH, FOR THE ACQUISITION OF VARIOUS EQUIPMENT BY THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS, NEW JERSEY
[Ordinance requires affirmative vote of not less than 2/3 of all Council members]

Purpose: This Bond Ordinance appropriates \$200,000 and authorizes the issuance of \$105,000 in bonds or notes for the purchase of (1) backhoe, one (1) truck and a fuel management system for the Department of Public Works.

Legal Notice Statement: A legal notice was published indicating that Ordinance #08-2021 was introduced and passed on first reading at the April 14, 2021 meeting and further indicated that the second reading and public hearing would be held on April 26, 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 will open the public hearing, at which time any interested person will be given an opportunity to be heard on this Ordinance. To ensure that every citizen has an opportunity to speak, the Mayor will recognize the individual and ask them to clearly state their name and address for the record.

After the public hearing is closed, the Borough Council will consider Ordinance #08-2021 for final passage and adoption.

8. RESOLUTIONS

#067-2021 RESOLUTION AUTHORIZING THE RELEASE OF A CASH BOND FOR A ROAD OPENING PERMIT CONCERNING PROPERTY LOCATED AT 86 MOUNTAIN AVENUE [BLOCK 101, LOT 8]
[tabled from April 14, 2021]

#072-2021 RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS FOR THE MONTH OF MAY FOR THE CURRENT BUDGET [Resolution requires affirmative vote of not less than 2/3 of all Council members]

#073-1021 RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS FOR THE MONTH OF MAY FOR THE SEWER UTILITY BUDGET [Resolution requires affirmative vote of not less than 2/3 of all Council members]

#074-2021 RESOLUTION AUTHORIZING THE CANCELLATION OF THE UNEXPENDED BALANCE AMOUNT NO LONGER NEEDED IN THE CURRENT FUND RESERVE ACCOUNT FOR LITIGATION

#075-2021 RESOLUTION OF THE BOROUGH OF MENDHAM AUTHORIZING THE SETTLEMENT OF A CERTAIN TAX APPEAL FILED IN THE TAX COURT OF NEW JERSEY

9. CY2021 BUDGET ADOPTION

#076-2021 RESOLUTION TO READ THE MUNICIPAL BUDGET FOR CALENDAR YEAR 2021 BY TITLE

#077-2021 RESOLUTION TO ADOPT THE 2021 MUNICIPAL BUDGET

[Resolution requires affirmative vote of not less than 2/3 of all Council members]

Public Hearing: Mayor Serrano-Glassner will open the public hearing, at which time any interested person will be given an opportunity to be heard on the 2021 Municipal Budget. To ensure that every citizen has an opportunity to speak, the Mayor will recognize the individual and ask them to clearly state their name and address for the record.

After the public hearing is closed, the Borough Council will consider adoption of the 2021 Municipal Budget.

10. ADMINISTRATOR'S REPORT

11. COUNCIL REPORTS

12. ATTORNEY'S REPORT

13. MAYOR'S ITEMS

14. PUBLIC COMMENTS

This is an opportunity for the public to comment on any matter or concern. To ensure that every citizen has an opportunity to speak, the Mayor will recognize the individual and ask them to state their name and address for the record. Speakers are asked to limit their comments to four minutes. Please note that Public Comments do not follow a question-and-answer format; however, a member of the Governing Body may offer a brief response when it is helpful to do so.

15. APPROVAL OF VOUCHERS

Bills List dated April 26, 2021

16. EXECUTIVE SESSION

#xxx-2021 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:

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.

17. ADJOURNMENT

The next scheduled meeting of the Mendham Borough Mayor and Council will be held May 12, 2021 at 7:00 PM, the Garabrant Center, 4 Wilson Street, Mendham and remotely by Zoom webinar.