

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
March 25, 2024

Mayor Mary Jane Canose called this meeting to order at 7:00 p.m. Present were Council Members Jay Ambelang, Jena McCredie, Al Ribeiro, Jeffrey Roos, and Christine Zamarra. Also present were John Pidgeon, Borough Attorney, Nancy Malool, Administrator, and Anthony Suriano, Borough Clerk. Council member Chad McQueen was absent.

STATEMENT OF PRESIDING OFFICER

Notice of this meeting was provided to the Bernardsville News and Courier News, filed with the Municipal Clerk and posted on the Municipal Bulletin Board on December 14, 2023.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

CASA Proclamation, Mayor Canose said she is doing a proclamation for Court Appointed Special Advocates (CASA) of Somerset, Hunterdon and Warren Counties to proclaim April 2024 as CASA Child Advocate Month.

Somerset Hills Baseball Club – Netting Installation Project, Greg Freisen, President of Somerset Hills Baseball Club, was present to discuss a netting installation project for Kiwanis Field. The scope of the project is: Add netting 15 feet above the 1st and 3rd base fence lines for 100 feet each; Add netting 16 feet above the entire perimeter of the outfield fence from foul pole to foul pole (350 feet); Install galvanized posts to support netting. Mr. Freisen said the lowest quote was from Solanos Fencing for \$27,200. A resolution will be considered by council later in the meeting to share the cost 50/50 and appropriate \$13,600 from the Open Space Trust Fund.

APPROVAL OF MINUTES

Ms. Zamarra moved to approve the minutes of February 20, 2024 and February 26, 2024. Ms. McCredie seconded and the motion was approved with five yes votes.

OPEN SESSION

Mayor Canose opened the meeting to the public.

Chris D’Amato, IT Specialist and Bodnar Street resident, acknowledged he received a Rice Notice prior to this meeting and chose to have discussion in public. He said he is proud of his performance, talked about notices and directives he received, and that he spoke last meeting not to preserve his job, but to preserve his self-respect. He said borough systems are safe.

Christine Tseles, Colette Armenti, Chiana Armenti, Mark Ondress, Debra Koonce, Mary Ann Amiano, all spoke favorably about their experiences with Ms. Malool.

Aaron Duff, Crestview Drive, spoke in opposition of the demolition of 251 Claremont Road. He said there is more than adequate room for parking already on site for the intended use of park which is passive Recreation and limited Recreation programming. He said there's no benefit to destroying a valuable Recreation asset to replace it with a large parking lot that is not needed for the property's use. He said if council is truly concerned about access to the property they should look to what can be done to widen and improve the driveway for safe simultaneous entrance and egress.

Andy Phillips, Cub Scout Leader, said the Cub Scouts in Bernardsville have no home base or area where they operate from. He said they could potentially use 251 Claremont Road and would like to discuss the possible use with Borough staff. He said the Girl Scouts are also interested in this location.

Renee Apuzzo, resident of Millington and former Borough Zoning Officer, spoke in support of IT Specialist Chris D'Amato.

Hearing no further comments, Mayor Canose closed the open session.

ORDINANCES (Public Hearing)

Mayor Canose opened the public hearing on **Ordinance #2024-1993, CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**. Hearing no comments, Mayor Canose closed the public hearing. Mr. Ambelang moved to pass this ordinance on final reading and adopt as published. Ms. Zamarra seconded and the motion was approved with the following roll call vote: Mr. Ambelang, Ms. McCredie, Mr. Ribeiro, Mr. Roos, and Ms. Zamarra voted yes.

Mayor Canose opened the public hearing on **Ordinance #2024-1994, AN ORDINANCE ABOLISHING HOUSING, PROPERTY MAINTENANCE AND ZONING COMPLIANCE ADVISORY COMMITTEE, AND AMENDING CHAPTER 2 OF THE BOROUGH CODE ENTITLED "ADMINISTRATION"**. Hearing no comments, Mayor Canose closed the public hearing. Mr. Ribeiro moved to pass this ordinance on final reading and adopt as published. Mr. Ambelang seconded and the motion was approved with the following roll call vote: Mr. Ambelang, Ms. McCredie, Mr. Ribeiro, Mr. Roos, and Ms. Zamarra voted yes.

Mayor Canose opened the public hearing on **Ordinance #2024-1995, AN ORDINANCE CONCERNING PAYMENTS TO MUNICIPAL PROFESSIONALS UNDER THE MUNICIPAL LAND USE LAW ("MLUL")**. Hearing no comments, Mayor Canose closed the public hearing. Ms. Zamarra moved to pass this ordinance on final reading and adopt as published. Ms. McCredie seconded and the motion was approved with the following roll call vote: Mr. Ambelang, Ms. McCredie, Mr. Ribeiro, Mr. Roos, and Ms. Zamarra voted yes.

ORDINANCES (Introduction)

Ms. McCredie moved that **Ordinance #2024-1996, APPROPRIATING \$100,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND FOR UPGRADE DESIGN OF MORRISON AVENUE PUMP STATION** be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, April 22, 2024. Ms. Zamarra seconded and the motion was approved with five yes votes.

Mr. Roos moved that **Ordinance #2024-1997, , SUPPLEMENTING AND AMENDING CHAPTER 3 OF THE BOROUGH CODE ENTITLED “POLICE REGULATIONS” BY ADDING A NEW SECTION 3-27 ENTITLED “RESIDENT PROTECTION”** be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, April 22, 2024. Ms. McCredie seconded and the motion was approved with five yes votes.

Mr. Ribeiro moved that **Ordinance #2024-1998, AMENDING THE STORMWATER CONTROL ORDINANCE AND SUPPLEMENTING AND AMENDING CHAPTER 12 OF THE BOROUGH LAND USE CODE** be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, April 22, 2024. Ms. Zamarra seconded and the motion was approved with five yes votes.

RESOLUTIONS

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| #24-71 | AUTHORIZING PAYMENT OF BILLS (As of 3/11/24) |
| #24-72 | AUTHORIZING PAYMENT OF BILLS (As of 3/20/24) |
| #24-73 | AWARDING A CONTRACT FOR JANITORIAL SERVICES |
| #24-74 | AUTHORIZING THE PROVISION OF A LOAN PURSUANT TO THE BOROUGH OF BERNARDSVILLE AFFORDABILITY ASSISTANCE PROGRAM FOR THE PURCHASER OF AN AFFORDABLE HOUSING UNIT LOCATED AT ADDRESS 19C FOX HOLLOW TRAIL |
| #24-75 | AUTHORIZATION OF TAX REFUND |
| #24-76 | APPROVING EMERGENCY TEMPORARY APPROPRIATIONS |
| #24-77 | SUPPORTING NJ STATE LEGISLATURE BILLS A-3806 AND S-2819 CONCERNING MOTOR VEHICLE THEFT OFFENSES |
| #24-78 | AUTHORIZING THE PUBLIC WORKS MANAGER TO OBTAIN |

QUOTATIONS FOR A CONCESSION TO OPERATE THE POOL SNACK BAR

- #24-79 AUTHORIZING LOWER LEVEL LIBRARY LEASE - SUITE 101**
- #24-80 AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
WITH PAULUS, SOKOLOWSKI AND SARTOR, LLC FOR
MORRISON AVENUE PUMPING STATION DESIGN
ENGINEERING SERVICES**
- #24-81 AUTHORIZING TRANSFER OF FUNDS**
- #24-82 APPROVING MEMBERSHIP IN THE FIRE COMPANY**
- #24-83 AUTHORIZING PROFESSIONAL SERVICES CONTRACT
WITH HATFIELD SCHWARTZ LAW GROUP LLC TO CONDUCT
AN INVESTIGATION AND TO SERVE AS ALTERNATE LABOR
COUNSEL**
- #24-84 AUTHORIZING DEMOLITION OF BUILDING AT 251
CLAREMONT ROAD**
- #24-85 AUTHORIZING THE EMPLOYMENT OF ALANA MORIAK
RECREATION PROGRAM COORDINATOR**
- #24-86 AUTHORIZING PARTICIPATION IN THE PASSAIC COUNTY
COOPERATIVE PRICING SYSTEM**

Regarding Resolution #24-84, council consented to amending the resolution to add authorization for closing of septic and decommissioning the well.

Mr. Pidgeon read the title to Resolution #24-87 to be added to the list:

- #24-87 APPROPRIATING \$13,600 FROM THE OPEN SPACE TRUST
FUND AND AWARDED A CONTRACT TO SOLANOS FENCE
TO INSTALL NETTING AT KIWANIS FIELD**

Mr. Ambelang moved to pass Resolutions #24-71 through #24-87. Ms. McCredie seconded and the motion was approved with the following roll call vote: Mr. Ambelang, Ms. McCredie, Mr. Ribeiro, Mr. Roos, and Ms. Zamarra voted yes.

COUNCIL COMMITTEE REPORTS

Mayor's Update, Mayor Canose said on March 6 a member from Main Street National met with Olivia Manning of Main Street Bernardsville and went through all the survey results, talked about the transitional plans, and gave a lot of good input. Mayor Canose attended the NJ

League's Lunch and Learn which was on the OPRA portal, housing, and the Transportation Trust Fund proposed legislation. Mayor Canose attended the Somerset County Business Partnerships International Women's Day Breakfast, which was well attended with about 300 women from Somerset County. Mayor Canose presented a proclamation at the Eagle Court of Honor for Max Bozack. On April 16th there are four more Eagle Scouts coming up which makes a record of 10 for the most we've had in a year. Mayor Canose attended the Coffee & Conversation at Community In Crisis. There was a meeting of the Mayor's Wellness Campaign Committee and once again we have qualified as a Healthy Town To Watch. Mayor Canose said we met Ristorante MV regarding the Train Station building and those plans/negotiations are still on ongoing but we are waiting for New Jersey Transit to get back to us about the roof replacement, which is their responsibility. Mayor Canose attended the Somerset County Governing Officials Association monthly dinner in Warren. There was a Hazard Mitigation Planning Committee meeting where the objective is to reduce risk through proactive planning and to increase resilience and reduce future disaster losses. Mayor Canose officiated her 16th wedding on Saturday. Mayor Canose participated in the Shamrock Shuffle which is a fundraiser for St Elizabeth's School.

Administrator's Report, Ms. Malool said Bob Markowick told her that the cottage at 271 Mine Brook would be fine for the scouts to use. Mr. Ribeiro asked for a status update on correcting the entrance to 271 Mine Brook Road. Ms. Malool said DPW completed the turn into 271 Mine Brook Road. Mr. Ribeiro said he thought there was talk about clearing out the island. Mayor Canose said we were going to widen the side. It was noted that Doug Walker was working on that and NJDOT would not allow it. Ms. Malool said she would look into this. Ms. Malool said she would like to apply through Senator Booker's office for money to scan all of our documents. Council had no objections to filing said application. Ms. Malool said she received an email from Millennium Strategies, which is a grant writing company that provides grant research, writing, and administration for \$400/month. She would like to attend a Zoom meeting with them to find out more information. Council consent was given for Ms. Malool to attend a Zoom meeting to further explore Millennium Strategies. Ms. Malool said the last time we met we talked about the Polo Grounds lights and how long the lights would be on for and it was decided that eight hours was too long and six hours would be better. She said she and Tony Hajjar met with the Suburban Engineers and they said they could do a six hour timer. Ms. Malool is waiting to hear back from the contractor to do the balloon test. Discussion on the kitchen took place including whether it will be a commercial kitchen, if we are going to need health licenses, who will be responsible for cleanup. Ms. McCredie said lacrosse wants to use it and football wants to use it for concessions. Ms. Malool will talk to the architect tomorrow and find out what appliances we could use as it would be great if we can repurpose them instead of putting in the garbage.

Ms. McCredie moved to accept the monthly reports. Ms. Zamarra seconded and the motion was approved with five yes votes.

ITEMS OF BUSINESS

Use of Bernards High School Parking Lot to stage Electronics Recycling (E-Waste) Collection Event, Ms. Zamarra moved to confirm the Use of Bernards High School Parking Lot to stage Electronics Recycling (E-Waste) Collection Event. Mr. Ambelang seconded and the

motion was approved with five yes votes.

Shade Tree Committee, Mr. Ribeiro moved to confirm the Mayor's Appointments of *Jeff Calvert, Markus Dickson, Michael Lickstein, Lisa Morelli, Christina Ravera, Roberta Ruschmann, and Johanna Wissinger* to the Shade Tree Committee. Ms. Zamarra seconded and the motion was approved with five yes votes.

Cybersecurity and Infrastructure, Josh Schmookler of ATON Computing talked about the current infrastructure of the IT Department. He spoke about areas that needed to be rectified, such as cybersecurity compliance.

Correspondence – None

Unfinished Business – None

New Business

Somerset Hills Baseball Club – Opening Day Parade, council consent was given to the Somerset Hills Baseball Club opening day parade on April 13th.

OPEN SESSION

Mayor Canose opened the meeting to the public.

Chris D'Amato, IT Specialist and Bodnar Street resident, spoke in response to Josh Schmookler's discussion about IT infrastructure. He spoke about cybersecurity, an endpoint detection system, CJIS Security, cyber training, and Windows 7 computers in use,

Hearing no further comments from the public, Mayor Canose closed the open session.

CLOSED SESSION

It was moved to adjourn to an executive session to consider Personnel Matters and Contract Negotiations and that the time when and circumstances under which the matter can be disclosed to the public is when it is finally resolved. The motion was seconded and approved with five yes votes.

ADJOURNMENT

The meeting was adjourned at 9:20pm.
