

## **BOROUGH OF BERNARDSVILLE**

### **Mayor & Borough Council Meeting Minutes**

May 29, 2018

Mayor Sooy called this meeting to order at 7:00 p.m. Present were Council Members John Donahue, Jeffrey J. DeLeo, Thomas O'Dea, Jr., Chris Schmidt, Michael Sullivan and Christine Zamarra. Also present were John Pidgeon, Borough Attorney and Anthony Suriano, Borough Clerk. Ralph A. Maresca, Jr., Administrator/CMFO was absent.

### **STATEMENT OF PRESIDING OFFICER**

Notice of this meeting was provided to the Bernardsville News, Courier News and the Star Ledger, filed with the Municipal Clerk and posted on the Municipal Bulletin Board on December 12, 2017.

### **PLEDGE OF ALLEGIANCE**

### **PRESENTATIONS**

Before presentations took place, Rob Walton, JCP&L, spoke about damage throughout town from a recent storm and explained the procedure of restoring power. Mr. DeLeo asked if old trees that may come down in future storms can be cleared. Mr. Walton said they can work with the town on this.

Three firms, Conifer, Community Investment Strategies, and RPM Development Group, who submitted RFQs for Affordable Housing Development, gave a presentation discussing the background of their firm, projects they have worked on in the past, and how they can build affordable housing units for the Borough of Bernardsville.

### **APPROVAL OF MINUTES**

Mr. DeLeo moved approval of minutes of the meeting held April 23, 2018 (Mr. Schmidt was absent) and May 14, 2018. Mr. Sullivan seconded the motion. The motion was approved with five yes votes.

### **OPEN SESSION**

At this point in the meeting, the Mayor & Council welcome comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers shall limit their comments to 5 minutes. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes.

Mary Jane Canose, Autumn Hill Road, asked about parking enforcement on Claremont Road. Mr. Macdowall said posts and markouts are on order.

Cynthia Meanwell, asked about the number of bedrooms in the affordable housing settlement agreement. Mayor Sooy said it will be mixed with one, two, and three bedroom units. Mr. O'Dea said a maximum of 20% will be one bedroom units, a minimum of 25% will be three bedroom units, and the rest will be two bedroom units. Randy Gottesman of CGP&H said we are still in the planning stages and on July 2<sup>nd</sup> Mr. Pidgeon will present a plan to the court.

Melanie dePoortere, Mine Brook Road, asked about the timeline of affordable housing units, the criteria to be eligible for affordable housing and if it will be available to people from other towns. Mr. Gottesman said it is available to both residents of Bernardsville and other towns and the applicants are randomly selected. Mr. Gottesman said the financial criteria is 60% of the regional income medium, though that may change to 80%. Mr. Pidgeon said the timeline is two years.

Ryan Weber, grandson of former Recreation Director Ron Nardone, read the accomplishments of Mr. Nardone, and requested a plaque in his honor at Claremont Field adjacent to the Fieldhouse. He said the Nardone family will pay for the plaque. Mayor Sooy said we are in the process of creating a policy which council will use to review and consider these types of requests.

Jeffrey Hammond, Flintlock Court, asked if a person that gets an affordable housing unit receives a promotion and their earnings increase, will they have to leave. Mr. Gottesman said a few towns do recertification but most do not. Mr. Pidgeon said we cannot evict anyone. Hearing no additional questions or comments, Mayor Sooy closed the open session.

## ORDINANCES

Mayor Sooy opened the public hearing on Ordinance #18-1770, **AUTHORIZING THE PURCHASE OF FILTERS FOR THE WASTEWATER TREATMENT PLANT AND APPROPRIATING \$710,000.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND**. Hearing no comments or questions from the public, Mayor Sooy closed the public hearing. Mr. Schmidt moved to pass this ordinance on final reading and adopt as published. Mr. DeLeo seconded and a call of the roll followed. Council Members DeLeo, Donahue, O'Dea, Schmidt, Sullivan, and Zamarra voted yes.

Mayor Sooy opened the public hearing on Ordinance #18-1771, **AN ORDINANCE DESIGNATING THE BOROUGH ENGINEER AS THE FLOODPLAIN ADMINISTRATOR AND AMENDING ARTICLE 14 OF THE BOROUGH LAND USE ORDINANCE ENTITLED "ENVIRONMENTAL REQUIREMENTS"**. Hearing no comments or questions from the public, Mayor Sooy closed the public hearing. Mr. DeLeo

moved to pass this ordinance on final reading and adopt as published. Mr. Schmidt seconded and a call of the roll followed. Council Members DeLeo, Donahue, O'Dea, Schmidt, Sullivan, and Zamarra voted yes.

### **RESOLUTIONS**

- #18-133      AUTHORIZING PAYMENT OF BILLS**
- #18-134      ACCEPTING MONTHLY REPORTS**
- #18-135      AUTHORIZATION OF TAX REFUND**
- #18-136      AUTHORIZING REDEMPTION OF TAX LIEN CERTIFICATE  
#17-00016, 54 AMBAR PLACE**
- #18-137      AUTHORIZING THE MAYOR TO SIGN THE 2018 GRANT  
APPLICATION FOR SOMERSET HILLS MUNICIPAL  
ALLIANCE & YOUTH SERVICES COMMISSION**
- #18-138      REQUESTING APPROVAL OF ITEMS OF REVENUE AND  
APPROPRIATIONS PER NJSA 40A:4-87 STATE OF NJ 2017  
DRUNK DRIVING ENFORCEMENT GRANT**
- #18-139      GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT  
(2017)**
- #18-140      GREEN ACRES PROGRAM ENABLING RESOLUTION**
- #18-141      AUTHORIZING RELEASE OF A BOND FOR  
STREET OPENING PERMIT NO. 3115**
- #18-142      BOROUGH OF BERNARDSVILLE RESOLUTION REQUESTING  
APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS  
PER NJSA 40A:4-87 STATE OF NEW JERSEY DONATION FOR  
ROSE BOWL IMPROVEMENTS CLIFFORD & JODI SEBASTIAN**
- #18-143      REAPPOINTING LESLIE ROBERSON AS BOROUGH TAX  
COLLECTOR WITH TENURE**

Ms. Zamarra moved to adopt Resolutions #18-133 to #18-143. Mr. DeLeo seconded and a call

of the roll followed. Council Members DeLeo, Donahue, O'Dea, Schmidt, Sullivan, and Zamarra voted yes.

The following three resolutions were voted on separately.

- #18-144      ENDORSING HOUSING ELEMENT AND FAIR SHARE PLAN AS ADOPTED BY THE PLANNING BOARD**
- #18-145      ADOPTING AN AFFIRMATIVE MARKETING PLAN FOR THE BOROUGH OF BERNARDSVILLE**
- #18-146      APPROVING UPDATED AFFORDABLE HOUSING SPENDING PLAN**

Mr. O'Dea moved to adopt Resolutions #18-144 to #18-146. Mr. DeLeo seconded and a call of the roll followed. Council Members DeLeo, Donahue, O'Dea, Sullivan, and Zamarra voted yes. Council Member Schmidt voted no.

#### REPORTS

##### Municipal Attorney

Mr. Pidgeon's confidential report of May 24, 2018 was reviewed. Mr. Sullivan asked about a property by the library on Wesley Avenue. Mr. Pidgeon explained the procedure for selling a property. Council had no further comments or questions on this report.

##### Council Committees

**Public Safety Committee**, Mr. Schmidt said there will be one matter discussed in executive session.

**Finance & Personnel Committee**, Mr. O'Dea said there was nothing new to report and committee may meet next week.

**Public Works**, Mr. Macdowall said the library restoration project will start this Thursday. A meeting on Mine Mount Road pre construction will be held next week, hopefully work will start in June. Preliminary engineering is done on Somerset, Woodland, and Passaic and we anticipate an August bid with work starting in September. Chapin Road and Mine Mount Road drainage is moving forward. The filter replacement project has been advertised and bids are due June 28<sup>th</sup>. State aid has been applied for through the state for Anderson Hill Road and Pill Hill Road.

Other committee/commission reports

**Housing**, Mr. Price discussed fire related requirements and said there is a recall on a specific brand of fire extinguishers.

Draft Ordinance Adopting Borough Facility Naming Policy

Mr. Donahue said it was not clear in the draft ordinance what a donation is. Other sections of the ordinance discussed were the number of signatures on petitions for naming a field, building, or property, and the waiting period. Mr. Pidgeon will prepare an ordinance for the next meeting clarifying donations, setting the number of signatures on petitions at 100, and making the waiting period two years.

Stormwater Review Training

The Borough Clerk was instructed to send a link to the governing body with a video on stormwater applications that must be viewed by July 1<sup>st</sup>.

Board of Adjustment Vacancies

There are two vacancies currently on the Board of Adjustment. Council will review Skills Bank forms and make appointments at a future meeting.

Correspondence- None

**OPEN SESSION**

Jeffrey Hammond, Flintlock Court, asked if there will be an opportunity for public comment on the field naming ordinance. It was answered yes, when the public hearing on the ordinance is held.

A request was received to make 30 minute parking spaces outside of Penguin Ice Cream. This will be referred to the Public Safety Committee.

**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 six yes votes.

**REOPEN**

It was moved and seconded to reopen the meeting to the public.

**ADJOURNMENT**

Mayor Sooy adjourned the meeting at 9:45 p.m.

---

052918.min