

BOROUGH OF BERNARDSVILLE

Mayor & Borough Council Meeting Minutes

July 9, 2018

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

Brian Kelly took an oath of office as he was recently appointed to the rank of Sergeant in the Police Department.

Tracey Heisler of CASA Shaw (Court Appointed Special Advocate of Somerset, Hunterdon, and Warren counties) talked about the organization which is a non-profit, 501(c)3 organization committed to advocating for children living in foster care under the jurisdiction of the NJ Family Court. She requested that a link to the CASA Shaw website be placed on the borough's website. Council consent was given to this request.

APPROVAL OF MINUTES

Mr. Schmidt moved approval of minutes of the meeting held June 25, 2018 (Mr. DeLeo and Mr. Sullivan were absent). Ms. Zamarra seconded the motion. The motion was approved with three yes votes. Mr. DeLeo and Mr. Sullivan abstained.

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.

Mayor Sooy opened the meeting to the public.

Mr. Sullivan discussed an email from Dom Orefice that was sent to council. Mr. Sullivan said in the email, Mr. Orefice addressed a concern about dropping his wife off at the train station where he felt uncomfortable having her walk through day laborers. Mr. Sullivan said he received a call from another person who had the same concern after dropping his daughter off at the train station. Chief Valentine asked for a copy of this email and would reach out to Mr. Orefice and possibly have him meet with someone from the police department and discuss his concerns. He said they can increase police presence but without any violations of the law, there is not much they can do. The police department wants to treat everyone fairly and make them feel as safe as possible.

Tom Och, Chestnut Avenue and owner of Penguin Ice Cream, thanked council for considering an ordinance amending parking regulations on Claremont Road.

Hearing no additional comments or questions Mayor Sooy closed the open session.

ORDINANCES

Mayor Sooy opened the public hearing on Ordinance #18-1774, **APPROPRIATING \$12,500 FROM THE CAPITAL FUND RESERVE FOR A MITIGATION PROJECT**. 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. Donahue seconded and a call of the roll followed. Council members DeLeo, Donahue, Schmidt, Sullivan, and Zamarra voted yes.

Mayor Sooy opened the public hearing on Ordinance #18-1775, **CONCERNING PARKING REGULATIONS ON CLAREMONT ROAD AND AMENDING CHAPTER VII OF THE BOROUGH CODE ENTITLED "TRAFFIC"**. Hearing no comments or questions from the public, Mayor Sooy closed the public hearing. Ms. Zamarra 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, Schmidt, Sullivan, and Zamarra voted yes.

Ms. Zamarra moved that Ordinance #18-1776, **AN ORDINANCE PROVIDING FOR IMPROVEMENT OF ANDERSON HILL ROAD BY THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, NEW JERSEY, AND MAKING AN APPROPRIATION OF \$250,000 THEREFOR CONSTITUTING PROCEEDS OF A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**, 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., August 13, 2018. Mr. Donahue seconded the motion, which was approved with five yes votes.

Mr. DeLeo moved that Ordinance #18-1777, **AN ORDINANCE ESTABLISHING PROCEDURAL RULES FOR BOROUGH ADVISORY COMMITTEES AND SUPPLEMENTING AND AMENDING CHAPTER II OF THE BOROUGH CODE ENTITLED "ADMINISTRATION"**, 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., August 13, 2018. Mr. Donahue seconded the motion, which was approved with five yes votes.

RESOLUTIONS

- #18-165 ACCEPTING MONTHLY REPORTS**
- #18-166 AUTHORIZING PAYMENT OF BILLS**
- #18-167 AUTHORIZING MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2018-2019**
- #18-168 AUTHORIZING RENEWAL OF INACTIVE A.B.C. LICENSE**
- #18-169 APPROVING USE OF MORRIS COUNTY CO-OP CONTRACT #6 FOR ROAD RESURFACING FOR MILLING AND PAVING VARIOUS ROADS IN 2018**
- #18-170 AMENDING RESOLUTION #18-120, WHICH AUTHORIZED A PROFESSIONAL SERVICES AGREEMENT WITH VERITA LLC TO CONDUCT AN INVESTIGATION**
- #18-171 AWARDING A CONTRACT FOR WASTEWATER TREATMENT PLANT FILTER REPLACEMENT**
- #18-172 AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT FOR SHARING SOMERSET COUNTY DEPARTMENT OF PUBLIC WORKS EQUIPMENT AND PERSONNEL BETWEEN THE BOROUGH OF BERNARDSVILLE AND THE COUNTY OF SOMERSET**
- #18-173 APPOINTING EVAN HOLTZ AS A PART-TIME SUBSTITUTE DISPATCHER**

Mr. Schmidt moved to adopt Resolutions #18-165 to #18-173. Mr. DeLeo seconded and a call of the roll followed. Council members DeLeo, Donahue, Schmidt, Sullivan, and Zamarra voted yes.

REPORTSMunicipal Attorney

Mr. Pidgeon's confidential report of July 5, 2018 was received. There were no comments or questions from council.

Council Committees

Public Safety Committee, Mr. Schmidt said a meeting is planned in the future. Chief Valentine said they are doing a speed survey on Bernards Avenue and analyzing results to determine whether they need increased enforcement. They are also looking to create better sign visibility. An electronic speed sign was installed today. Chief Valentine said we are on NJDOT's list to put a crosswalk from Depot Place across Route 202. An electronic sign board was installed by Olcott Square for posted truck routes. Mr. Schmidt said residents have asked about paper in the window of the now vacated Mastro Shoes store. Geoff Price, Zoning Officer, said it was put there during renovations and he will revisit this. Mr. Schmidt asked about displays on sidewalks. Mr. Price said that is difficult to regulate unless it is on the sidewalk blocking pedestrian traffic. Ms. Zamarra asked about a crosswalk for Old Army Trail, from the Audubon to the trail. Chief Valentine said the Public Safety Committee will review. A future ordinance will be prepared and signs can be installed now. Ms. Zamarra asked if residents can request a speed bump. Chief Valentine said it's up to council to approve speed bumps, but they try to address speeding in other ways with using speed bumps as a last resort. Mr. Macdowall said speed bumps usually get destroyed by snow plows and speed humps create noise. Chief Valentine said the committee will discuss a speed limit reduction on Anderson Hill Road from 35 mph to 25 mph.

Finance & Personnel Committee, there was nothing new to report and there will be items for the August 13th meeting.

Public Works, Mr. Macdowall said we are waiting for the contractor to get their precast in for the Mine Mount Road project. It should be complete on July 18th. We have applications at NJDOT for grants for Pill Hill Road and Anderson Hill Road improvements. We received good pricing on Wastewater Treatment Plant filter contract. Mr. Walker said we are moving ahead with lower level Library generator.

Other committee/commission reports

Housing/Zoning/Property Maintenance, Mr. Sullivan said the committee wants to meet on July 12th. Council consent was given for the committee to meet. Employees Cheryl Ferrante and Neil Mastrobuono regularly attend Recreation Advisory Committee meetings. Given the new

ordinance adopted earlier in the meeting, employees need to be authorized by council to attend advisory committee meetings. Mr. DeLeo moved to authorize Cheryl Ferrante and Neil Mastrobuono to attend Recreation Advisory Committee meetings. Mr. Donahue seconded and the motion was approved with five yes votes.

HPAC, Ms. Zamarra said the committee will be sending a letter to residents about what they are working on. A walking tour will be held in the fall.

Returning to the topic of the **Housing Committee**, Mr. Price explained his 2nd Quarter report. They are averaging ten notices of violations per month. They have been in contact with residents about tall grass on their property and some had questions as to why they have to cut it if they have large properties.

Morraine Crest (request from Open Space Committee)

Pat McFadden, Chair of the Open Space Advisory Committee, said she walked the Morraine Crest property with Doug Walker. The property needs work and it should be about \$15,000 to obtain a survey and delineation. Mr. DeLeo asked what's the goal for this property? Ms. McFadden said it would be used for trails. Mr. Donahue asked if we could talk to the county to expand the sidewalk. Mr. DeLeo said we already tried and the county would not give permission. Ms. McFadden said there are leaning trees and we may need a contractor to clear them. Mr. Pidgeon said we would need an ordinance appropriating money for a survey and delineation. Mr. Macdowall said he could get prices. Council consent was given to get a quote.

Request for Plaque at Claremont Field in Honor of Ron Nardone

Ryan Weber, grandson of former Borough Recreation Director Ron Nardone, discussed a request for a plaque in honor of Mr. Nardone at Claremont Field. He mentioned it could possibly be a sitting stone. Mr. Schmidt said Mr. Walker can review the location of the plaque while considering safety reasons. Mayor Sooy asked for a motion for a plaque at Claremont Field in honor of Ron Nardone. Mr. Donahue made a motion. Ms. Zamarra seconded and a roll call vote followed. Mr. Donahue, Mr. Schmidt, Mr. Sullivan, and Ms. Zamarra voted yes. Mr. DeLeo abstained.

Correspondence - Farmer's Market Banner

Ed English, Olde Town Court, said Bedminster has a banner for their Farmers Market, and the farmers who participate in the Bernardsville Farmers Market would like one as well. There are two Verizon poles across Route 202, and he will contact Verizon to request using the poles for a banner. NJDOT approval will also be needed as Route 202 is a state road. Council consent was

given to apply for a banner and the Zoning Officer will review the details and location of the banner.

OPEN SESSION

Mayor Sooy opened the meeting to the public. Hearing no comments or questions Mayor Sooy closed the open session.

Questions for Affordable Housing Developers

Council consent was given to submit the six questions contained in Mr. O'Dea's email of July 3rd. These questions will be submitted to the three affordable housing firms and they will each be invited back to the August 13th meeting where they will present their answers to these questions.

CLOSED SESSION

There was none.

ADJOURNMENT

Mayor Sooy adjourned the meeting at 8:05 p.m.

A handwritten signature in cursive script, appearing to read "Anthony Suraco", is written over a horizontal line.

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