

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
November 25, 2019

Mayor Canose called this meeting to order at 7:00 p.m. Present were Council Members John Donahue, Diane Greenfield, Jeff Hammond, Thomas O’Dea, Jr., and Christine Zamarra. Also present were John Pidgeon, Borough Attorney, Ralph A. Maresca, Jr., Administrator/CMFO, and Anthony Suriano, Borough Clerk. Council Member Chris Schmidt 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 11, 2018.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

Before the presentations took place, Mayor Canose asked for a moment of silence for former councilman Denis Dooley, who recently passed away.

Shade Tree Planting Plan, Ed English, member of the Shade Tree Committee, asked council for approval of the initial step in the tree planting plan which is believed to establish methods minimizing ongoing issues and to secure a foundation for future work. All the plantings are on borough property. Mr. English said the plan is aiming to develop a signature look with a variety of complimentary species that will reflect the unique and diverse character of Bernardsville. He said the initial plan starts north of the Firehouse on Route 202, continues south to Spring House Road and Meadow Brook Farm, Quarry Road, and continuing south just up the hill at the Dunster Squibb House. Mr. English said the plan has four maps for sections of Route 202. **Map #1** shows planting beginning after the fire house on the northbound side of 202. **Map # 2** shows the small patch of woods further north on the north bound side of 202 adjacent to the firehouse. **Map # 3** shows planting & pruning on the North bound side of Route 202 from DPW building, sewage treatment area, to Quarry Rd. **Map # 4** shows North bound 202, entrance area to Quarry Rd and around the corner, progressing up to the top of the first hill on 202 south, back from the road, area for maintenance and fence - plant small flowering trees like Red Bud, dogwoods (cultivars), etc. Mr. English said the Environmental Commission is to coordinate all work with Shade Tree Committee. He gave the tree listing as follows:

Location	Species	(Latin)	Quantity
Meadow Brook Farm	Flowering Dogwood (White)	Cornus florida	4
	Flowering Dogwood (Pink)	Cornus florida	1
	Eastern Redbud	Cercis canadensis	5
	Winterberry	Ilex verticillata	5
1 Spring House	American Fringe Tree	Chionanthus virginicus	3
	Flowering Dogwood (Pink)	Cornus florida	2

Location	Species	(Latin)	Quantity
Borough Hall WWTP	Leatherleaf Viburnum	rhytidophyllum	3
	Winterberry	Ilex verticilalta	8
	Eastern Redbud	Cercis canadensis	3
Stone Garage	Elizabeth Yellow Magnolia	Magnolia x Elizabeth	1
Front Borough Hall	Dwarf Flowering Dogwood (Pink)		3
	Dwarf Flowering Dogwood (White)		2
Toe of Slope Near Firehouse	Eastern Redbud	Cercis canadensis	3
	Flowering Dogwood (White)	Cornus florida	2
Top of Slope Near Firehouse	Winterberry	Ilex verticilalta	8

He said he is looking for council approval to move forward and put an order in for the trees. Ms. Greenfield moved to approve Mr. English’s request to move forward with the Shade Tree Planting Plan. Mr. Hammond seconded and the motion was approved with five yes votes.

Winter Farmers’ Market, Ed English, Olde Town Court, said the Bernardsville Business District Corp. (BBDC) is proposing to sponsor a new Winter Farmers’ Market in a similar manner to the Farmers’ Market that has been ongoing for the past 25 years. He said with the building at the train station now vacant, that would be the location they are looking to hold the winter market. The hours would be from 10:00am to 1:00pm on Saturdays beginning in December or January and running through March with the option to continue on a month to month basis depending on the situation of the sublease at the train station building. Mr. Walker said the building has been checked and it is able to accommodate the winter market. Ms. Greenfield moved to approve the Winter Farmers’ Market as stated above. Mr. Hammond seconded and the motion was approved with five yes votes.

Green Infrastructure Plans, Johanna Wissinger and Kathy Redling were present from the Environmental Commission to speak about a Rain Garden implementation project for Nervine Pond and the Bernardsville Library. There is grant for this project obtained from the NJ Highlands, who selected Bernardsville and Tewksbury as model towns for the grant. Ms. Wissinger said Raritan Headwaters Association has helped with this project.

APPROVAL OF MINUTES

Ms. Greenfield moved approval of minutes from October 28, 2019 and November 12, 2019. Mr. Hammond seconded and the motion was approved with five yes votes.

OPEN SESSION

Carol Bianchi, JCP&L, said they are doing rehab vegetation management and installation of trip savers to help prevent power outages.

Terry Thompson, Mine Mount Road and Library Board member, said the state library came out with new rules for awarding grants. They will only give 50% of costs so they may need to request money in the future for the other half that the grant does not cover as they are in need of donors. Ms. Thompson said that Friends of the Bernardsville Library held a mini-golf fundraiser in the past and would like to do so again. The event included beer and the organization providing the beer is not willing to sign a hold harmless agreement. Ms. Thompson will discuss with Mr. Suriano and the JIF to work out a solution.

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

ORDINANCES (Public Hearing)

Mayor Canose opened the public hearing on Ordinance #2019-1825, **AN ORDINANCE AMENDING THE COMMERCIAL AND RESIDENTIAL PROPERTY MAINTENANCE CODES BY ADDING DEFINITIONS OF “JUNK” AND “JUNK YARD” AND SUPPLEMENTING AND AMENDING CHAPTER XI OF THE BOROUGH CODE ENTITLED “PROPERTY MAINTENANCE”**. Hearing no comments from the public, Mayor Canose closed the public hearing. Mr. Pidgeon said Chief Valentine contacted him and feels the definition of junkyard is inconsistent with ordinances and removing the last sentence of the definition will alleviate this problem. Mr. Hammond moved to amend this ordinance to remove the last sentence in the definition of junkyard. Mr. O’Dea seconded and the motion was approved with five yes votes. Mr. Hammond moved to pass this ordinance on final reading and adopt as amended. Ms. Greenfield seconded and the motion was approved with five yes votes.

Mr. O’Dea said Ordinance #2019-1826, **AN ORDINANCE SETTING 2020 SALARIES AND HOURLY RATES FOR NON-CONTRACTUAL EMPLOYEES”** will be discussed further by the Finance Committee and will be tabled to the December 9, 2019 meeting.

Mr. O’Dea moved that Ordinance #2019-1827, **BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$855,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**, 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, December 9, 2019. Mr. O’Dea said this was part of the ten million dollar bond that was approved by voters several years ago, and this ordinance is being done to make sure we are ready for the spring and

can pave the roads that were previously identified as part of the internal bond ordinance process as being the most in need of repair. Ms. Greenfield seconded and the motion was approved with four yes votes. Ms. Zamarra abstained.

RESOLUTIONS

- #19-226 AUTHORIZING PAYMENT OF BILLS**
- #19-227 ACCEPTING MONTHLY REPORTS**
- #19-228 AUTHORIZING THE MAYOR AND CLERK TO SIGN FORM 1A
AND 1B OF THE SOMERSET HILLS MUNICIPAL ALLIANCE
AND YOUTH SERVICES COMMISSION 2020 - 2021 GRANT
UPDATE**
- #19-229 AUTHORIZING ADOPTION OF THE UPDATED
MULTIJURISDICTIONAL HAZARD MITIGATION PLAN FOR
SOMERSET COUNTY**
- #19-230 AUTHORIZING RELEASE OF A BOND FOR STREET OPENING
PERMIT NO. 3124 FOR 9A GROVE STREET#19-209**
- #19-231 AUTHORIZATION OF A TAX REFUND**
- #19-232 AUTHORIZING REFUND OF ESCROW FEES - PB
APPLICATION #SP-223, ZEIDAN**
- #19-233 AUTHORIZING TRANSFER OF FUNDS**
- #19-234 APPOINTING A PART TIME SCHOOL CROSSING GUARD**
- #19-235 APPROVING PLANS PRODUCED BY RUTGERS COOPERATIVE
EXTENSION WATER RESOURCES PROGRAM**

Mr. O’Dea moved to adopt Resolutions #19-226 to #19-235. Mr. Hammond seconded the motion and a roll call vote followed. Mr. Donahue, Ms. Greenfield, Mr. Hammond, Mr. O’Dea, and Ms. Zamarra voted yes.

Municipal Attorney’s Report

There were no comments or questions from council on Mr. Pidgeon’s report of November 20, 2019.

Council Committee Reports

Public Safety Committee, there was no meeting since the last report.

Finance Committee, Mr. O’Dea said the committee is reviewing preliminary numbers as they relate to the 2020 budget. They will have a number of meetings until they come back with a proposal, so they are in the initial phase and will prioritize properly with the things that are more important to the public.

Personnel Committee, there was no meeting since the last report.

Engineering, Technology & Public Works Committee, Ms. Zamarra said the paving of the slope has been delayed and residents have been informed about it. Mr. Walker said it will take place tomorrow morning at 6:30am. Mayor Canose asked if the committee has talked about a concern from a resident on Seney Drive Extension regarding an easement. Mr. Walker and Ms. Zamarra said the committee has not discussed that topic yet.

Other committee/commission reports

Housing, Mr. Price said in the time since he spoke at the last meeting about putting a lien on the property at 131 Mount Harmony Road, that property has been cleaned up and we have received a bill from the contractor who did the cleanup. He said all paperwork has been completed and a check was received from the bank. Mr. O’Dea asked if a similar approach is needed for other properties. Mr. Price said nothing immediate is needed being that we are coming up on the winter season and he will come back to council if something is pending that needs to be looked at.

Council Liaison Reports

Board of Health, Ms. Greenfield said the board passed Ordinance #2019-2 regarding individual subsurface sewage disposal systems and schedule of fees for Board of Health functions. She said in October the Bernards Township Health Department conducted eight flu shot clinics in the area including one in Bernardsville and they administered 252 shots. They will have fewer locations next year due to participation but Bernardsville will still be a location. Ms. Greenfield said the Board of Health is applying for a grant for radon canisters which would be distributed for free.

HPAC, Ms. Greenfield said bidding has begun for the Dunster Squibb main house and bids are due tomorrow. The cottage barn painting is complete and looks very nice. There was a lecture on October 13th at the Library on famous architects from Bernardsville.

Housing, Mr. Hammond said there will be an ordinance for introduction at the December 9th meeting regarding a revision to the property maintenance ordinance.

ITEMS OF BUSINESS**Mayor w/Council Consent, Appointment of
John Frisina to the Housing Committee**

Mayor Canose said she would like to appoint John Frisina to the Housing Committee. Ms. Greenfield moved consent to the appointment. Mr. Donahue seconded and the motion was approved with five yes votes.

Mayor's Update

Mayor Canose said she met with Dan Fenco on November 14th who is a Pastor and Church Planner who has started a community Latino church. Mr. Fenco's goal is to help the Latino community assimilate with the community at large. He has also met separately with Chief Valentine and is working with the school and the YMCA tutoring program. Mayor Canose talked about the mural project with Mr. Fenco. Mayor Canose attended two ribbon cutting ceremonies, one on November 16th at Bernardsville Center and one on November 18th at Kessler. The Cultural Arts Committee recently met with Caren Frost Olmstead, the artist working on the mural, to go over the results of the community meetings and online surveys. Mayor Canose said one of the questions on the survey were famous landmarks and the top ones mentioned were the train station, the Bernards Inn, the old library, town hall, the pond outside town hall, Meadowbrook Farms, and the movie theater. Mayor Canose, Ms. Zamarra, Mr. Hammond, and Ed English attended the Sustainable Jersey luncheon at the NJ League of Municipalities Conference where Bernardsville received bronze certification. Mayor Canose said the Bernards High School Boys Soccer Team won the State Championship. The topic of the council having a vision or goal setting came up during the campaign season and Mayor Canose said she reached out to the NJ League of Municipalities and they are sending her resources for a facilitator on having the council establish a vision or goal setting. Council agreed to move forward.

Correspondence

There was none.

Unfinished Business

There was none.

New Business

Ms. Zamarra asked about having the boys soccer team come to future meeting. Mayor Canose said we will have a proclamation for their accomplishment at the December 9th meeting and invite them to that meeting.

Mr. Hammond said he and Ms. Zamarra have talked about the NJ Transportation Planning Authority having a grant for technical assistance. There are a couple of categories and the one for bicycle corridor and network plans might be an extension of the Bernards Avenue walkability study that we have done with Complete Streets. The application is due December 20th and they are going to work with staff to apply.

OPEN SESSION

Terry Thompson, Mine Mount Road, talked about the Complete Count for the Census and said Somerset County is looking at Bernardsville to be under counted. Ms. Thompson offered to help with the count and suggested Gretchen Dempsey, School Superintendent, be included to help. Mayor Canose offered to ask Pastor Dan Fenco to help. Ms. Thompson said the count is important, especially for school taxes.

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, Property Acquisition, Contract Negotiations, and Pending Litigation 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.

REOPEN

It was moved and seconded to reopen the meeting to the public. The motion passed with five yes votes.

It was moved to approve **Resolution #19-236, APPOINTING MARTIN MANDELL AS FIRE INSPECTOR**. The motion was seconded and approved with five yes votes.

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.
