

## **BOROUGH OF BERNARDSVILLE**

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

January 22, 2018

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

Frank Mottola, Administrative Officer of the Planning Board and Zoning Board called the roll. Present for the Board of Adjustment were David Greenebaum, Ed English, Anthony Dello Russo, Jeff Sailliard, Diana Kramer, Paul Sedlak, and Ed McDowell. Absent were Russell Giglio, Thomas Carton, Rich Traynor, and Christopher Otteau. Present for the Planning Board were Karen Gardner, Jeff Horowitz, Dorothy Paluck, and Michael Sullivan. Absent were Robert Graham, Terry Thompson, Mary Kellogg, Bonnie Seller, and Hal Simoff.

Mr. Greenebaum, Board of Adjustment Chairperson, presented the Annual Report. There were no comments or questions from council. Mr. Dello Russo expressed that there is a good blend of talent on the board. Mr. Greenebaum mentioned observations/recommendations from the Board of Adjustment which include more vigorous zoning enforcement throughout the borough; requesting the Planning Board to address existing non-conforming use by conforming the language; architectural streetscape design standards consistency. Mr. O'Dea said he supports the streetscape design standards. Mr. DeLeo asked what the process would be. Mr. Pidgeon stated that the Planning Board should make a presentation to the council, an ordinance would be drafted and the masterplan would be amended. Mayor Sooy said that the process is in place. Mr. Mottola mentioned that the recommendations from the downtown revitalization survey are being reviewed with public input. Mr. Sedlak said step one is to get public input, have a strategy, and a vision plan. He said this is not a patchwork solution and there will be scheduled visual public sessions that will include businesses. Mr. O'Dea inquired as to the length of the project. Mr. Sedlak mentioned that the Planner will present a statement of work in February and then we will have a better a timeframe. The Board of Adjustment adjourned their meeting. The Planning Board did not have quorum.

### APPROVAL OF MINUTES

Mr. Schmidt moved approval of minutes of the meeting held December 28, 2018 (Mr. Youngblood and Mr. Schmidt were absent), January 3, 2018 (Mr. Schmidt was absent) and January 8, 2018 (Mr. DeLeo was absent). Mr. Sullivan seconded the motion, which 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.

Michael Storms, a Bernards Township resident, said he was intimidated when he recently saw police officers with large vests and no badge or name tag and asked not to let militarization of the police force exist. Mayor Sooy said police officers are permitted to wear outer garment vests and that does not constitute militarization of the police force.

Mr. Schmidt asked Patrolman Chertoff who was in attendance if the uniforms they wear all the time would have their names hidden. Patrolman Chertoff answered that their names are on the uniforms.

### ORDINANCES

Ms. Zamarra moved that Ordinance #18-1757, **AN ORDINANCE ESTABLISHING A CONSTRUCTION RECORDS CLEARANCE CERTIFICATE AND SUPPLEMENTING AND AMENDING CHAPTER XIII OF THE BOROUGH CODE ENTITLED "BUILDING AND HOUSING"**, 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., February 12, 2018. Mr. Sullivan seconded the motion, which was approved with five yes votes.

Mr. DeLeo moved that Ordinance #18-1758, **AN ORDINANCE PROVIDING FOR IMPROVEMENT OF MINE MOUNT ROAD BY THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, NEW JERSEY, AND MAKING AN APPROPRIATION OF \$223,500 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., February 12, 2018. Mr. Schmidt seconded the motion, which was approved with five yes votes.

**RESOLUTIONS**

- #18-24      ACCEPTING MONTHLY REPORTS**
- #18-25      APPOINTING ROBERT ROSENDALE AS TEMPORARY  
BUILDING SUBCODE OFFICIAL**
- #18-26      AUTHORIZING CHANGE ORDER #1 (FINAL) TO THE  
CONTRACT FOR HIGHVIEW AVENUE IMPROVEMENTS**
- #18-27      SUPPLEMENTING RESOLUTION #18-17 BY ADDING AN  
ADDITIONAL WRECKER SERVICE**
- #18-28      AUTHORIZING MEMORANDUM OF AGREEMENT (MOA)  
WITH COACH U.S.A. - SUBURBAN TRANSPORT, INC. TO  
PROVIDE EMERGENCY EVACUATION SERVICES  
FOR THE OFFICE OF EMERGENCY MANAGEMENT**
- #18-29      AUTHORIZING AUDITORS TO COMPLETE FINANCIAL  
DOCUMENTS**
- #18-30      AUTHORIZING PAYMENT OF BILLS**
- #18-31      AUTHORIZING TRANSFER OF APPROPRIATION RESERVES**
- #18-32      APPOINTING JOHN SKINNER PART-TIME SUBSTITUTE  
DISPATCHER**
- #18-33      AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT  
WITH NGC DEVELOPMENT, LLC IN CONNECTION WITH  
PROPERTY LOCATED AT 88 AND 108 CLAREMONT ROAD,  
(BLOCK 37, LOT 18.01 AND BLOCK 68, LOT 9)**

Mr. Pidgeon said we are still waiting for an amount to insert into Resolution #18-33, so that resolution will have to be tabled to the next meeting.

Mr. DeLeo moved to adopt Resolutions #18-24 to #18-32. Mr. Sullivan seconded and a call of the roll followed. Council Members DeLeo, O'Dea, Schmidt, Sullivan, and Zamarra voted yes.

## REPORTS

### Municipal Attorney

Mr. Pidgeon's confidential report as of January 18, 2018 was received. Council had no comments or questions.

### Council Committees

**Public Safety Committee**, Mr. Schmidt said that the committee's first meeting of 2018 will be Thursday.

**Finance & Personnel Committee**, Mr. DeLeo said the committee will meet Thursday.

**Engineering, Technology, and Public Works**, Mr. DeLeo said the committee will be meeting on February 6<sup>th</sup>.

### Other committee/commission reports

Ms. Zamarra reported that the **Green Team** met and a Clean Up Day is planned for March 24<sup>th</sup>. The Raritan Headwaters Clean Up is on April 14<sup>th</sup>. On February 21<sup>st</sup>, a documentary about global warming will be at the Library titled Before the Flood. On February 22<sup>nd</sup>, the Green Team will hold their next meeting at the Audubon. **Open Space** will meet January 30<sup>th</sup> at 7:30 p.m. at Borough Hall. Mr. DeLeo said the **Board of Health** held their reorganization meeting on January 15<sup>th</sup> and selected their President and Secretary for 2018. Ms. Zamarra said signups for the Raritan Headwaters cleanup day for the Bernardsville location is done online.

### Feral Cats at Borough Compost Site

Council consent was given to spend funds to have approximately 12 cats at the borough compost site to be trapped, spay/neutered, and returned. Animal Control Solutions will be contacted to see if they can provide assistance.

### Code Blue Activation Plan

Council consent was given to authorize the OEM Coordinator to sign off on acceptance of the Code Blue Activation Plan.

Reimbursement to Bonnie Sellers for SurveyMonkey

Council consent was given to reimburse Bonnie Sellers \$408 for the cost of signing up with SurveyMonkey to host the downtown revitalization survey.

Request from Community In Crisis for Temporary Sign Permit

Council consent was given to allow this request to have temporary signs at the Olcott Square triangle from January 25<sup>th</sup> to February 2<sup>nd</sup>.

Correspondence

There was no correspondence to discuss.

**OPEN SESSION**

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

**CLOSED SESSION**

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

**ADJOURNMENT**

Mayor Sooy adjourned the meeting at 8:35 p.m.