

BOROUGH OF BERNARDSVILLE

Mayor & Borough Council Meeting Minutes

February 12, 2018

Council President Jeffrey J. DeLeo called this meeting to order at 7:00 p.m. Present were Council Members Thomas O'Dea, Jr., Chris Schmidt, and Christine Zamarra. Also present were John Pidgeon, Borough Attorney, Ralph A. Maresca, Jr., Administrator/CMFO and Anthony Suriano, Acting Clerk. Mayor Kevin Sooy arrived at 7:45 p.m. Council member Michael Sullivan 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

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.

Council President DeLeo opened the public session.

Annie Ferrante, Mullens Lane, read a statement about her father-in-law, Louis Ferrante, who recently passed away. She mentioned his service to the community. He taught math at Bernardsville Middle School for 37 years, working for the Bernardsville Post Office for 46 years, and 49 years service the Bernardsville Fire Company. Ms. Ferrante asked the council to rename one of the fields in his honor. Mr. DeLeo said there is a policy in place and asked Mr. Pidgeon to distribute it so we can discuss this item at the next council on February 26th.

Olivia Manning, Orchard Street, said she is the chair of the Special Events Committee. The purpose of this committee in the short term is to assist raising funds to contribute to the beautification and improvement of our downtown initiatives executed by various groups. Long term is to build pride in Bernardsville, encouraging residents and business owners to be welcomed to shop, eat, play, and encourage others to do the same. Also, to help rebuild the local economy and popularity, becoming a sought out destination. She mentioned 2018 events such as Beat The Mountain, a 5K and Fun Run proposed for April 29th. Summer Outdoor Movie Night, date to be determined. Bernardsville Apple/Fall Festival, September 29th. Holiday Jubilee - Fair & Festivities, December 15th.

Matt Kneafsey, Mine Mount Road, said plans are being made for a scoreboard at Claremont Field with no cost to the town. He would like to establish batting cages at Claremont Field after they had to be removed with the installation of the turf field. Mr. DeLeo said we can return batting cages to the Polo Grounds and this topic can be referred to the Recreation Committee.

Rosalie Baker, Olcott Avenue, said a grant was received for trapping, spay/neutering, and returning cats at the compost site. The price will be \$25 per cat instead of \$55. A kennel will be boarding the cats. She asked if donations are made, checks can be made payable to the Borough of Bernardsville. There will also be some cats up for adoption. This project may start next week, but hopefully by the beginning of March.

Dan Lincoln, Olcott Avenue, said HPAC and Friends of Historic Bernardsville had a Powerpoint presentation at the Library called An Armchair Tour of Bernardsville. It was a success with 73 people in attendance. HPAC has also been approached by Kathleen Palmer to see if they can coordinator a downtown walking tour in conjunction with one or two of her events.

Melanie dePoortere, Mine Brook Road, read a statement from Michael dePoortere regarding his resignation, listing all the accomplishments that were done in the borough in his time as councilman, and thanking the other council members and staff he worked with over the years.

Hearing no further comments or questions, Mr. DeLeo closed the open session.

PRESENTATIONS

Kristi MacDonald, Raritan Headwaters, is working with the Green Team and Environmental Commission on providing well testing kits. She gave an overview of various information on well testing kits, and that they test for nitrate, iron, manganese, lead, arsenic, volatile organics, pesticides, radon, and gross alpha. Council consented to having test kits available at borough hall on April 30th, May 1st, and May 2nd, with the return date of May 3rd.

Mayor Sooy arrived at 7:45 p.m.

Donna Allison of Ridewise spoke about the Street Smart NJ campaign. The goals of the campaign are to educate drivers and pedestrians, and to provide targeted enforcement. The campaign focuses on five messages: obey speed limits, stop for pedestrians, wait for the walk, use crosswalks, heads up-phones down. The campaign is being done in North Plainfield and Somerville and being planned for Manville. Chief Valentine said the Public Safety Committee has discussed this in the past and we can combine it to what we already have in place. Mr. O'Dea asked about the status of a crosswalk by the Tae Kwon Do building that was mentioned at a prior council meeting. Chief Valentine said that is in a holding pattern at this time. Chief Valentine asked Ms. Allison if the campaign was just for crosswalks. Ms. Allison responded it is for crosswalks, speed, and bicyclists.

Chief Valentine spoke about Somerset County Hazard Mitigation Plan. He said the impact on natural disasters can be reduced through hazard mitigation. Hazard mitigation plans identify the hazards, describe the risks, and set forth mitigation strategies to reduce key risks. Implementing these mitigation projects will make our community sustainable and disaster-resilient. The county Multi-Jurisdictional Natural Hazard Mitigation Plan was a requirement to comply with the Disaster Mitigation Act of 2000 and makes jurisdictions and the county eligible to apply for FEMA mitigation project grants. Hazard mitigation plans must be implemented on an ongoing basis and updated every five years.

Mayor Sooy said he appoints Bonnie Sellers to HPAC, Class B. Ms. Sellers is currently a member of the Planning Board.

ORDINANCES

Mayor Sooy opened the public hearing on 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"**. 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, O'Dea, Schmidt, and Zamarra voted yes. Mr. Sullivan was absent.

Mayor Sooy opened the public hearing on 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**. 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, O'Dea, Schmidt, and Zamarra voted yes. Mr. Sullivan was absent.

Mr. Schmidt moved that Ordinance #18-1759, **AN ORDINANCE APPROPRIATING \$100,000 FROM THE BOROUGH OPEN SPACE TRUST FUND FOR VARIOUS IMPROVEMENTS TO THE BOROUGH TURF FIELD LOCATED AT THE POLO GROUNDS**, 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 26, 2018. Mr. DeLeo seconded the motion, which was approved with four yes votes.

Ordinance #18-1760, **AN ORDINANCE DESIGNATING THE BOROUGH ENGINEER AS THE FLOODPLAIN ADMINISTRATOR AND AMENDING ARTICLE 14 OF THE BOROUGH LAND USE ORDINANCE ENTITLED “ENVIRONMENTAL REQUIREMENTS”** was tabled to a future meeting pending review by Somerset County OEM.

RESOLUTIONS

- #18-33 AUTHORIZING TRANSFER OF APPROPRIATION RESERVES**
- #18-34 AUTHORIZING SUBMISSION OF A GREEN COMMUNITIES
2018 GRANT APPLICATION**
- #18-35 AUTHORIZING THE MAYOR AND CLERK TO SIGN THE 2018
RECYCLING AGREEMENT WITH SOMERSET COUNTY**
- #18-36 AUTHORIZING AN EXCHANGE OF CERTAIN HOLIDAYS FOR
PUBLIC WORKS UNION EMPLOYEES**
- #18-37 AMENDING RESOLUTION #18-29, WHICH AUTHORIZED
AUDITORS TO COMPLETE FINANCIAL DOCUMENTS**
- #18-38 AUTHORIZING THE SOLICITATION OF BIDS**
- #18-39 AWARDING A CONTRACT FOR LIQUID ALUM**
- #18-40 AUTHORIZING CHANGE ORDER #3 TO THE CONTRACT FOR
PUBLIC WORKS STORAGE GARAGE**
- #18-41 REGARDING HIRING PRACTICES IN COMPLIANCE WITH
THE U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION**
- #18-42 AUTHORIZING CHANGE ORDER #2 TO THE CONTRACT FOR
THE DUNSTER SQUIBB PROPERTY**
- #18-43 APPROVING BURGIS ASSOCIATES PARTICIPATION IN THE
BERNARDSVILLE DOWNTOWN VISIONING SESSION
PROCESS AND SETTING A BUDGET FOR THE PROJECT**
- #18-44 APPROVING EMERGENCY TEMPORARY APPROPRIATIONS**

- #18-45 AUTHORIZING PAYMENT OF BILLS**
- #18-46 SETTING RECREATION FEES**
- #18-47 AUTHORIZING THE FILING OF AN APPLICATION FOR
MEMBERSHIP IN KEYSTONE PURCHASING NETWORK**
- #18-48 APPOINTING ANTHONY SURIANO AS BOROUGH CLERK**

Mr. O'Dea requested clarification on **Resolution #18-37** and Mr. Maresca explained it was necessary due to an illness to a member of the staff. Mr. O'Dea asked if we could reduce the amount in **Resolution #18-40** and Mr. Maresca explained the change order process. Regarding **Resolution #18-42**, Dan Lincoln said the smokehouse was affected, funds are in place and the project is essentially done. He added that they have been able to do work within the confines of the grant. Regarding **Resolution #18-43**, Mr. DeLeo asked if Burgis Associates could come in and explain the project. Mayor Sooy said Burgis is the new planner, one thousand people have responded to the survey, and there will be a public response in March at the high school.

Mr. O'Dea moved to adopt Resolutions #18-33 to #18-48. Ms. Zamarra seconded and a call of the roll followed. Council Members DeLeo, O'Dea, Schmidt, and Zamarra voted yes. Mr. Sullivan was absent.

Claremont Road Parking Restrictions

Mr. Schmidt said the county is involved since it is a county road, and there has been talk about restricted parking from the Bearded Dragon on Claremont Road to Orchard Hill Road, especially in the evening hours, for two hours. Keith Lynch, Orchard Hill Road, said cars park there creating a situation where a car driving on Claremont Road would have to cross the center line. He said the County Engineer has recommended restricting parking in that area for 24 hours. Mayor Sooy said the Public Safety Committee will review and come back to council with a recommendation.

Council Contact Info

Council consent was given to add bios and a borough phone number with an extension for all members of the governing body to the borough website.

Correspondence

A request from Kristi MacDonald of Raritan Headwaters to use \$300 of Clean Communities

Funds for the Raritan Headwaters Stream Cleanup on April 14, 2018 was considered. Council Members DeLeo, O'Dea, Schmidt, and Zamarra voted yes. Mr. Sullivan was absent.

Ms. Zamarra said there is a medication drop-off at the Bernardsville Police Department on March 10th.

Mr. Maresca said we have received two million dollars of capital requests and asked council if they wanted to borrow money between \$1M and \$1.2M. A bond anticipation note will be considered at the next meeting.

Mr. DeLeo said Chris Schmidt will be on the Finance Committee to replace Michael dePoortere. Council consent was given. The Finance Committee will meet on February 21, 2018 at 6:30 p.m.

CLOSED SESSION

It was moved to adjourn to an executive session to consider Attorney Client/Privilege 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 four yes votes.

ADJOURNMENT

Mayor Sooy adjourned the meeting at 9:40 p.m.

Anthony Suriano, Borough Clerk