

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
February 11, 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., Chris Schmidt, and Christine Zamarra. Also present were John Pidgeon, Borough Attorney, Ralph A. Maresca, Jr., Administrator/CMFO, and Anthony Suriano, Borough Clerk.

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

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.

Steve Reynolds, Stevens Street, asked if we are charging for the turf field to outside entities only? Mayor Canose said all teams are charged. Mr. Reynolds discussed the turf field condition and said puddling needs to be addressed. He said in his opinion it was installed improperly as a turf field should not puddle. Mayor Canose said we will collect data and then form a strategy on how to proceed. Mr. O'Dea said last year's rainfall was increased by a double digit percentage over the prior year's and we need information to proceed. He suggested publishing the dimensions of the field on the borough's website. Mayor Canose said there is a Recreation Fields Study Committee meeting tomorrow night where more discussion could take place. Ms. Zamarra said a resident who could not make it to this meeting emailed her about the topic of fields and she will forward this email to the Mayor.

ORDINANCES

Mayor Canose opened the public hearing on Ordinance #2019-1790, **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**. Hearing no comments or questions from the public, Mayor Canose closed the public hearing. Mr. Donahue moved to pass this ordinance on final reading and adopt as published. Mr. Hammond seconded and a roll call vote followed. Council Members Donahue, Hammond, O'Dea, and Zamarra voted yes. Ms. Greenfield and Mr. Schmidt voted no.

Mayor Canose opened the public hearing on Ordinance #2019-1791, **AMENDING THE STANDARDS FOR ISSUANCE OF CONSTRUCTION RECORDS CLEARANCE CERTIFICATE AND SUPPLEMENTING AND AMENDING CHAPTER XII OF THE BOROUGH CODE ENTITLED “BUILDING AND HOUSING**. Hearing no comments or questions from the public, Mayor Canose closed the public hearing. Ms. Greenfield moved to pass this ordinance on final reading and adopt as published. Mr. Schmidt seconded and a roll call vote followed. Council Members Donahue, Greenfield, Hammond, O’Dea, Schmidt, and Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2019-1793, **BANNING CERTAIN SUMP PUMP DISCHARGES INTO BOROUGH STREETS AND SUPPLEMENTING AND AMENDING CHAPTER XIV OF THE BOROUGH CODE ENTITLED “POLICE REGULATIONS”**. Mr. Pidgeon suggested amending section 3-21.1 to “unsafe conditions such as icing or flooding”. Mr. O’Dea moved amendment of Ordinance #2019-1793 as read by Mr. Pidgeon. Mr. Schmidt seconded and the motion was approved with six yes votes. Hearing no comments or questions from the public, Mayor Canose closed the public hearing on the ordinance as amended. Mr. Schmidt moved to pass this ordinance on final reading and adopt as amended. Ms. Greenfield seconded and a roll call vote followed. Council Members Donahue, Greenfield, Hammond, O’Dea, Schmidt, and Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2019-1794, **AN ORDINANCE INCREASING THE NUMBER OF MEMBERS OF THE BOROUGH HISTORIC PRESERVATION ADVISORY COMMITTEE AND SUPPLEMENTING AND AMENDING CHAPTER II OF THE BOROUGH CODE ENTITLED “ADMINISTRATION”**. Hearing no comments or questions from the public, Mayor Canose closed the public hearing. Ms. Greenfield moved to pass this ordinance on final reading and adopt as published. Mr. Donahue seconded and a roll call vote followed. Council Members Donahue, Greenfield, Hammond, O’Dea, Schmidt, and Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2019-1795, **ESTABLISHING SPEED LIMITS ON ANDERSON HILL ROAD AND MT. HARMONY ROAD AND SUPPLEMENTING AND AMENDING CHAPTER VII OF THE BOROUGH CODE ENTITLED “TRAFFIC”**. Hearing no comments or questions from the public, Mayor Canose closed the public hearing. Chief Valentine said the speed limit is being reduced to 25mph. Ms. Zamarra moved to pass this ordinance on final reading and adopt as published. Ms. Greenfield seconded and a roll call vote followed. Council Members Donahue, Greenfield, Hammond, O’Dea, Schmidt, and Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2019-1796, **CONCERNING SEWER CONNECTION FEES AND SEWER USER RATES AND ALLOCATION AND AMENDING CHAPTER XVI OF THE BOROUGH CODE ENTITLED “SEWER REGULATIONS”**. Hearing no comments or questions from the public, Mayor Canose closed the public hearing. Ms. Greenfield moved to pass this ordinance on final reading and adopt as

published. Mr. Schmidt seconded and a roll call vote followed. Council Members Donahue, Greenfield, Hammond, O’Dea, Schmidt, and Zamarra voted yes.

RESOLUTIONS

- #19-34 AUTHORIZING PAYMENT OF BILLS**
- #19-35 APPOINTING KEVIN DUMAPIT AS A PART-TIME SUBSTITUTE
DISPATCHER**
- #19-36 AUTHORIZING THE BOROUGH OF BERNARDSVILLE OFFICE
OF EMERGENCY MANAGEMENT TO ACCEPT FUNDS FROM A
SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2018
EMERGENCY MANAGEMENT AGENCY ASSISTANCE
PROGRAM FUNDING AND FOR THE CHIEF FINANCIAL
OFFICER TO AMEND THE BUDGET AND CERTIFY THE
AVAILABILITY OF FUNDS**
- #19-37 PERMITTING USE OF BOROUGH PROPERTY, CLAREMONT
FIELD PARKING LOT AND ROUTE 202 PARKING LOT, BY JTG
CONSTRUCTION, INC. FOR SLOPE SECTION
IMPROVEMENTS PROJECT**
- #19-38 CONFIRMING THE APPOINTMENT OF TYLER J. DEMOTT AS
PROBATIONARY POLICE OFFICER**
- #19-39 AUTHORIZING EXECUTION OF AN AGREEMENT WITH
SOMERSET COUNTY FOR A CERTIFIED RECYCLING
PROFESSIONAL (CRP) TO SIGN THE ANNUAL RECYCLING
TONNAGE REPORT**
- #19-40 AUTHORIZING THE MAYOR AND CLERK TO SIGN THE 2019
RECYCLING AGREEMENT WITH SOMERSET COUNTY**
- #19-41 RECOGNIZING NJ LOCAL GOVERNMENT WEEK, APRIL 7TH -
13TH 2019, AND ENCOURAGING ALL CITIZENS TO SUPPORT
THE CELEBRATION AND CORRESPONDING ACTIVITIES**
- #19-42 AUTHORIZING REFUND OF ESCROW FEES, BOA
APPLICATION #18-02, FITZPATRICK**

- #19-43 AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH OF BERNARDSVILLE AND THE BERNARDSVILLE FIRE DEPARTMENT FOR THE IMPLEMENTATION OF A RESCUE TASK FORCE**
- #19-44 APPOINTING ANTHONY SURIANO AS A BACKUP FOR PLANNING BOARD AND BOARD OF ADJUSTMENT MEETING COVERAGE**
- #19-45 APPOINTING A RESCUE TASK FORCE**
- #19-46 AUTHORIZING REVISIONS TO THE PERSONNEL POLICIES AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK**

Regarding Resolution #19-36, Chief Valentine explained the grant and said if we meet the conditions we get \$10,000 for reimbursement to his salary. Regarding Resolution #19-37, Mr. O'Dea asked if the timeframe of three months as indicated in their email, could be added to the resolution to show the amount of time given to JTG Construction to use borough property. Council agreed to add this timeframe. Regarding Resolution #19-43, Chief Valentine explained details about the Rescue Task Force.

Ms. Greenfield moved to adopt Resolutions #19-34 to #19-46, with #19-37 as amended. Mr. Hammond seconded and a roll call vote followed. Council Members Donahue, Greenfield, Hammond, O'Dea, Schmidt, and Zamarra voted yes.

ITEMS OF BUSINESS

Fleet Inventory

Rosalie Baker, Green Team member, was present and said a summary report needs to be completed by May 1st and then forwarded to Bob Baker, Green Team Chairman. Mr. O'Dea asked if someone on staff could do the report. Ms. Baker said Kathy Redling did the last one. Council consent was given to do a summary report.

Farmer's Market Banner

Ed English, Olde Town Court, was present and said the participating farmers would like to request a banner to advertise the Farmer's Market. The ordinance allows a banner to be hung for three weeks. Council discussed allowing them to leave the banner up all season and revisit this topic if another group wants to hang a banner. Mr. Schmidt moved to allow hanging the

Farmer's Market banner for the entire season. Ms. Greenfield seconded and the motion was approved with six yes votes.

**Amending Resolution #18-252 Entitled "Establishing Decal Fees
And Other Regulations For Municipal Parking Lots During 2019"
By Increasing Hourly Rate At Railroad Station Parking Lot**

Mr. O'Dea said the Finance Committee recommends the fee for using the new parking kiosk to be set at \$.25 for every 15 min with a minimum of \$1 for one hour when using electronic payment. Mr. O'Dea moved the Finance Committee's recommendation. Mr. Hammond seconded and the motion was approved with six yes votes.

Fee Modification to Ordinance #18-1757

Mr. Pidgeon will have an ordinance for introduction at the February 25th council meeting.

Raritan Headwaters Stream Cleanup, Request for Website Notice

Ms. Zamarra said on April 13th there will be a stream cleanup in town and anyone who is interested can sign up at any time including the day of the event. Anyone signing up prior to March 1st will get a free t-shirt. The hours of the cleanup are from 9:00am to 12:00pm. Council consent was given to put a notice on the website announcing the stream cleanup.

Third Party Websites Linking to Quimby Village RFP

Mayor Canose asked council if we should allow a link from Brownfield Listings, LLC to our RFP for Quimby Village. Council consent was given.

Update on Proposed Marijuana Legislation

Mayor Canose gave an update and said in the future, if marijuana is legalized, each town will need an ordinance to either opt in or out.

Municipal Attorney's Training Session Continued from 1/28 Meeting

Mr. Pidgeon continued his training session from the January 28th meeting and talked about parliamentary procedures, executive session, financial matters, and contracts. More training will be done at the February 25th meeting.

CLOSED SESSION

It was moved to adjourn to an executive session to consider Personnel Matters, Ongoing Investigation, and Property Acquisitions 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. It was noted that action may be taken after closed session.

REOPEN

It was moved and seconded to reopen the meeting to the public. The motion was approved with five yes votes (Mr. Schmidt left the meeting during closed session).

ADJOURNMENT

Mayor Canose adjourned the meeting at 10:20 p.m.

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