

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
May 13, 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. 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

OPEN SESSION

Greg DeGrandpre, Flintock Court, read a statement which contained a synopsis of a meeting on April 24th with the Board of Somerset Hills Little League, Mr. Walker, Ms. Zamarra, and residents Chris and Melanie Moran about fertilization treatments of the grass at Kiwanis Field. The board members' unanimous concern is that there is currently not a plan for treating the fields to keep them in the excellent condition they are now. Mr. DeGrandpre said Somerset Hills Little League would like to ask the council to continue with synthetic treatment for 2019 in order to keep the fields in excellent condition, but they would not object to a change in 2020 as long as the borough is willing to commit the resources to achieve the same results we have now.

Rosalie Ballantine, Environmental Commission member, read a statement on behalf of the Environmental Commission regarding the open space trust fund referendum. The commission met on May 8th and does not support inclusion of the proposed open space tax ballot question on the November 2019 ballot.

Steve Reynolds, Stevens Street, said if we keep buying properties he is unsure how we are going to maintain or put trails with the 20%. He said the more we buy, the more diluted the 20% gets. He said we need to maintain and develop the properties that we have in a more rapid manner since the 20% goes quickly.

Mayor Canose said we took the word maintenance out of the draft.

Chad McQueen, Sycamore Hill Road, said he agreed with Mr. Reynolds and that this is about creating budget flexibility. He said he supports the 80/20 split, hopes to see it on the November ballot and hopes the council ratifies it.

Mark Stevens, Tysley Street and representing Somerset Hills Lacrosse Club, said he supports the referendum. There are needs of improvement and maintenance and it is important to have financial flexibility. He said we should not be bound by a number to do certain things in certain places. He said we should want to acquire any open space that is necessary for the better of the town.

Steve Reynolds, Stevens Street, asked why council passed on acquiring 496 Mine Brook Road. Mr. Donahue said he recalled wetlands being an issue.

The topic of fertilization was raised and Mayor Canose said we will discuss that and should make a decision later in this meeting.

Michael Long, Crest Drive, said he supports Mr. McQueen and Mr. Stevens statements. He said there is a balance between open space acquisition and the development of our space.

Kathy Redling, Claremont Road, said she is a neighbor of Peters' Tract and the two properties and there is serious flooding going on over there and it is something we need to be cognizant of. As a member of the Environmental Commission she said she would like to remind the public that not all of our acquisitions are open space that will be recreation, it is preserving land and watershed. She said in 1961 land was donated and we have a beautiful town pool and that is just as important. She said every other year we have a meet of champions at the pool and hopes that those supporting our fields will champion the pool. Numerous members of the audience said that was part of it.

Chad McQueen, said it is not just about the fields, it is about taking something like Peters' Park and making it part of our community. He said when people consider to buy in town they look to recreation, walking trails, dog parks, pieces of land that the community can use. He said right now the answer is almost universally no. He said we need discretionary funds.

Greg DeGrandpre, said we need the opportunity to have funds to repair and update some of our current public properties. He said he is asking council to let the voters vote to see how they want money allocated.

Ed Caldwell, Mine Mount Road and Football Program President, said the roof had blown off the equipment shed at the Polo Grounds where they were storing all their equipment and jerseys. Water got into the shed and when there were warm days it created mold all over the equipment and jerseys. The Snack Shack has not been operational in three years. He wants to understand the 80/20 split and asked if that would help the town with maintenance of the new turf field. He suggested phases which include a walking trail around the property. He said the council can help the community immensely with the 80/20 split on the ballot in November.

Mr. O'Dea said prior councils considered snack shacks and walking trails but were limited in what they could do due to the budget that they had available to them.

Chad McQueen, said making a decision now does not preclude any decisions in the future.

Jena McCredie, Page Hill Road, said the 80/20 split will help the borough decide where to spend the money. She said if we do not invest in our town no one else will and this will effect buying houses and opening up properties in town.

Kristi MacDonald, Anderson Hill Road, said sports are important in town. She said in the past she believes we found funding for sports from other places outside of the open space fund. She said she is willing to pay a few extra dollars in taxes for upgrades to the snack shack. She said open space is important and referenced 496 Mine Brook Road. She said while she supports sports in town, there are other ways to support sports rather than switching the open space fund to 80% upgrade and 20% open space acquisition.

Mark Stevens, Tysley Street, said the about a half million dollars goes to the Open Space fund each year so it has about seven million dollars currently which amounts to fourteen years of being accrued. He said there is a more efficient way to use it.

James Hartnett, Anderson Hill Road, said right now we can only acquire and cannot develop. He said it is not all about sports facilities it is about all the open space to develop once you purchase it. He said we need improvement everywhere and have not spent any money on the pool. He said we cannot let our properties deteriorate.

Mayor Canose said we are doing a project to improve the picnic area at the pool with operating funds.

Johanna Wissinger, Anderson Hill Road, said people who originally voted for 80/20 were thinking of open space, and we should remember this was the original reason.

Ray Loranzo, Ambar Place, said he would like to keep tradition alive and be able to coach his grandsons. He said it is about preserving what we have as we cannot compete with other towns. He said if we do not come together as a community now after having money accumulate for twenty years, and do not act now, the programs will not exist. Mr. Loranzo said there are not enough donations in the town anymore.

Kerry Haselton, Mine Brook Road, said she finds it troubling to hear about the roof blowing of the shed with the football equipment inside. She said it should not have gotten to that point. She said we should have priorities going forward and input from different areas to know what our priorities should be. She does not think the lack of a dog park is keeping anyone from moving to town. She suggested regional opportunities as you do not have to go far to find a dog park. Ms. Haselton suggested we should get the older generation in to see what their priorities are in addition to the priorities of those in attendance tonight. She said keeping the essence of Bernardsville is important.

Ed English, Olde Town Court and representing the Open Space Advisory Committee, read a statement from the committee. At their May 7th meeting, the committee discussed proposed changes to the Open Space Trust Fund and all were opposed. They felt the referendum was too broad in its scope, with reasons including it is not specific enough about the cost of projects, it does not spell out who would oversee costs, it does not explain who would decide which project gets priority, and it does not specify on what basis they would get priority. With regard to Peters' Tract, the committee would like various other committees to walk the property and then set up a meeting with the neighbors to discuss their concerns. The committee is putting together a survey that will allow residents to have input.

Steve Reynolds, Stevens Street, asked where the money comes from to develop Peters' Tract. Mayor Canose said the council has a 2% cap on their budget every year. Mr. O'Dea said in terms of what money is available, there is 20% of open space funds which is dedicated to the development of open space based on the referendum that passed in 2008. Additionally part of our operating budget can be used, but if that were to be increased it would potentially lead to increased taxes.

Brian Glenn, Laurel Lane, said the reason we cannot charge extra money for registration is we are about to get hit with turf usage fees across all sports (baseball, lacrosse, and football). He said 80/20 was originally voted in 2008 and 10% of those people have since moved and the whole point of voting is we can change things. He said the snack shack shed for football is a capital improvement. Mr. Glenn said the money that is in the open space trust fund is \$6.7 million, which is \$1,000 per person. He said people are excited we are sitting on this money and going forward, for now, maybe the right move is to visit this idea.

Mayor Canose said with the almost \$7 million that is sitting there, the Open Space Advisory Committee is looking at a few other properties.

Chad McQueen, Sycamore Hill Road, said this allows us to have funds to make improvements.

Peter Birnbaum, Round Top Road, said the recreation issue is common around this state and a town he lived in fifteen years ago had this same issue. Chatham Township and Chatham Borough combined and shared fields. The way they solved it was with turf fields since you can get more playing time. He said as mentioned earlier by Ms. MacDonald, he would be willing to pay a little more for upgrades. He said this can be done the old fashioned way with dedicated funds for the turf field.

Kathleen Williams, Round Top Road, requested council or Chief Valentine to have a safety assessment done on Round Top Road. Mr. Hammond said the Chief is not in attendance tonight but he will relay that message to him. Mr. Birnbaum said he agreed with this request. Ms. Williams suggested the speed limit be lowered from 35 mph to 25 mph.

Ray Loranzo, Ambar Place, mentioned the earlier reference to Chatham Borough and Chatham Township combining and sharing fields, and said they did not have enough kids to support separate leagues and they had triple the amount of space for fields that we have. He said we cannot compare that because we do not have the space that other towns have.

ORDINANCES (Public Hearing)

Mayor Canose opened the public hearing on Ordinance #2019-1802, **AN ORDINANCE ADDING FOUR-HOUR FREE PARKING AT THE MOUNT AIRY PARKING LOT AND SUPPLEMENTING AND AMENDING CHAPTER VIII OF THE BOROUGH CODE ENTITLED PARKING LOTS AND OFF-STREET PARKING.** A member of the audience asked council to review the train station lot paving but there were no comments on this ordinance. Mayor Canose closed the public hearing. Mr. Hammond 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, and Zamarra voted yes.

ORDINANCES (Introduction)

Mr. O'Dea moved that Ordinance #2019-1803, **APPROPRIATING \$90,000 FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS EQUIPMENT AS LISTED IN THE 2019 MUNICIPAL BUDGET** 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., May 13, 2019. Mayor Canose noted that this ordinance is for police equipment. Mr. Donahue seconded the motion, which was approved with five yes votes.

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

RESOLUTIONS

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| #19-103 | AUTHORIZING PAYMENT OF BILLS |
| #19-104 | APPROVING A FIREWORKS PERMIT FOR SOMERSET HILLS COUNTRY CLUB |
| #19-105 | AUTHORIZING RELEASE OF A BOND FOR STREET OPENING PERMIT NO. 3118 FOR 46 BERNARDS AVENUE |
| #19-106 | ACKNOWLEDGING AUTOMATIC RENEWAL OF 2008-2010 COOPERATION AGREEMENTS REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM ACTIVITIES |

- #19-107 AUTHORIZATION OF SEWER REFUND**
- #19-108 AUTHORIZING CANCELLATION OF CHECKS**
- #19-109 AUTHORIZING MAYOR TO SIGN NJDEP APPLICATION FOR
FRESHWATER WETLANDS GP1 AND FLOOD HAZARD AREA
GP11 FOR MEMORIAL PARK CULVERT REPLACEMENT**

Ms. Greenfield moved to adopt Resolutions #19-103 to #19-109. Mr. Donahue seconded the motion, and a roll call vote followed. Mr. Donahue, Ms. Greenfield, Mr. Hammond, Mr. O'Dea, and Ms. Zamarra voted yes.

Plaque for Lou Ferrante Field

Annie Ferrante was present to discuss this topic. Ms. Ferrante provided a proposal for wording on the plaque honoring Lou Ferrante that will be mounted to a boulder at the field. The boulder is approximately two feet by two feet. Council consent was given to display the plaque.

**Painting of Mt. Airy Rd. Bridge –
Quote from Doug Walker and ideas for local artists' participation**

Mayor Canose said this is a community type effort to get a mural. Mr. Hammond suggested a third grade Art teacher to assist with this project. Ms. Zamarra suggested Karen Frost to assist with this project. Mayor Canose said we could get ideas at a meeting. Mr. O'Dea said he likes this idea and that NJ Transit said we could move forward. He suggested a member of council take the lead on this project. Ms. Zamarra will take the lead. Mr. Hammond thanked Doug Walker for all of his efforts in getting this project started.

Friends For A Greener Bernardsville

Mayor Canose said Friends For A Greener Bernardsville is in need of volunteers and donations. They will be sending out a letter to residents asking for help. If they do not get enough help, they will not be able to put up hanging baskets throughout the borough as they have done annually. Mr. O'Dea said it would be great to see this group stay active.

At this point in the meeting, Mayor Canose recognized Glenn Miller, Fire Chief, and thanked the Fire Company for their effort in saving a house on Post Lane from a fire.

Summer Hours

Council consent was given for summer hours in 2019. Summer hours will run from the week of May 20th to the week of September 9th with no summer hours the week of July 1st due to the July 4th holiday weekend.

Planning Board Recommendation, Re: Detached Accessory Dwelling Units

Mr. O'Dea explained the Planning Board recommendation that no changes are necessary to the ordinance. Mr. Pidgeon said council could still make changes if they wish and that he will talk to the Borough Planner and report back at the first meeting in June. Mr. Maresca was asked to find out from Geoff Price the quantity of properties that would be affected.

Request by Environmental Commission, Honorary Elm & Plaque for Lou Matlack

Kerry Haselton of the Environmental Commission requested an elm tree and plaque by Veterans' Field in honor of Lou Matlack for all of his volunteer work. The elm would cost \$750 and plaque would cost \$300. The borough has a tree replacement fund which could be used for the elm but the plaque would not be borough funded. Ms. Greenfield said this could open it up to anyone who wants anything planted in the name of a volunteer and that it will be approved. She said there are a lot of volunteers and this sets a precedent. She asked if this should go through the Shade Tree Committee. Mayor Canose said this went through the Shade Tree Committee but council has to approve the funds. Ms. Zamarra moved to approve \$750 from the tree replacement fund for an elm in honor of Lou Matlack as requested by Kerry Haselton on behalf of the Environmental Commission. Mr. Hammond seconded. The motion was approved with four yes votes (Donahue, Hammond, O'Dea, Zamarra) and Ms. Greenfield abstained.

Request from Ridge High School, Community Service Event

Mr. Maresca said he received a request from Ridge High School for students to plant flowers and pull weeds at the Bernardsville Pool as part of a community service event from 9:00am to 2:00pm on June 4th. There will be twenty students and two chaperones. Ridge High School will need to complete a hold harmless and certificate of insurance. Ms. Zamarra moved approval of this community service event at the pool. Mr. O'Dea seconded and the motion was approved with five yes votes.

Skills Bank Form, Eich

Mr. Donahue moved the appointment of Heather Eich to the Recreation Committee. Mr. Hammond seconded and the motion was approved with five yes votes.

Open Space Trust Fund Question

Mayor Canose said it is important how the question is worded. Ms. Zamarra discussed the Somerset County Walk/Bike/Hike program which consists of a shared bike and walking path. The county does not fund this and they gave a plan we could work towards if we want to. It would connect Bernards Township to Far Hills. Mr. Donahue said to stay focused that we are asking the voters for a concept for funding, which gives future councils flexibility. Mr. Hammond said there has been competing ideas, 80/20, do nothing, leave the tax as is and take a one time lump sum out. He said he supports flexibility and we have needs that changing the 80/20 will not satisfy. He said he would have the referendum call for a large lump sum. Ms. Zamarra said it should be a flexible fund and could go 100% either way with the council deciding each year how to spend. Mayor Canose said the ad hoc committee discussed the 100% but thought it was a little radical for those people who want that conservation piece but it is ultimately up to the council. Ms. Greenfield said people voted in the first referendum for 80/20. She said to respect that vote and not touch what is there. Going forward it should be flipped and 80/20 with 20% guaranteed to open space and the other portion negotiable. Mr. O'Dea said we need a balanced approach. Currently we have little flexibility in the current operating budget and we need to have more. He said broad community input would be helpful as we need to know what is appealing to them. He said a referendum that does not pass is not helpful. Mr. Donahue said the recommendation of the ad hoc committee makes the most sense. He said we should have the conversation about the concept and the committee was astute with including the 20% and this gives future councils more latitude. Mr. Hammond said he would argue strongly for a hybrid of a lump sum taken out now and the 20% split for a finite period and then reconsideration. He said we will be able to get projects done and not have people competing to get their project done. Mr. O'Dea said with the 80/20 split, the question is which project goes first and which goes last. He said the hybrid approach has an advantage and might get broader support. Ms. Greenfield said we need to hear from other sections of the community. Council discussed these options further and Mayor Canose said the Recreation Committee is meeting tomorrow night and we should hear what their comments are. Discussion took place on having a special meeting on just this one topic. Council decided on Wednesday, June 5th at 7:00pm at Borough Hall. The Borough Clerk will notice this meeting.

Mayor's Update

Mayor Canose said she met with a representative of Congressman Malinowski's office regarding aircraft noise in Bernardsville. City Gym just recently opened. She attended the Mayor's Conference and was given information on Path To Progress. Council discussed a sample resolution in support of Path To Progress. Mr. Hammond said he supports some sections and opposes some sections. Mr. O'Dea said he needs time to review. It was decided to have various council committees review Path to Progress. Mr. Pidgeon will review the various sections and suggest which committee should review each section. The e-waste collection day took place on April 27th. On April 29th there was a community fund raiser called Chefs Unite. On May 3rd there was the intergenerational senior prom. On May 6th there was the Library

Luncheon. The Mayor's Wellness Committee is looking to have a Fall Fitness Crawl. On June 6th the Dad's Day Dash will take place.

Correspondence

Mr. Maresca said he was approached by two brothers in our auditing firm who have started a food collection process for children across Somerset County and asked if borough employees could be allowed to donate. Council consent was given for employees to donate food.

Correspondence - Path to Progress Report

Discussed earlier with the Mayor's update.

Unfinished Business

Organic versus synthetic field maintenance was discussed. Members of Somerset Hills Little League were present and voiced concerns that the borough does not have a plan in place. Ms. Greenfield asked how long the fields are closed after an application. Mr. Walker said when the August treatment for grubs is applied it is closed for 24 hours otherwise it is closed for a couple of hours after application. Ms. Greenfield said she is ok with continuing this year's application as long as we increase the amount of hours the field is closed after application. Ms. Zamarra said it is in our best interest to look at each field application individually. Mr. Walker said there is a five step program and at this point we have missed the pre-emergents. He said he will send council what is being used for treatment. Discussion took place on how to proceed and no treatment on the warning track at the Rose Bowl was mentioned. Mr. DeGrandpre said we would then need weeds to be pulled. Ms. Zamarra said the Adopt-A-Park program could be expanded to include pulling weeds. Mr. Donahue made a motion to maintain the hybrid plan for 2019 with the goal of achieving an IPM organic plan in 2020, do not treat the warning track at the Rose Bowl field, and no increase to the amount of time people have to stay off the field after an application. Mr. Hammond seconded and a roll call vote followed. Mr. Donahue, Mr. Hammond, and Mr. O'Dea voted yes. Ms. Greenfield and Ms. Zamarra voted no.

New Business

There will be an open house at the Bernardsville Pool on May 24th from 5:00pm to 7:00pm. Ms. Zamarra said she is working to get the Safe Routes to School Travel Plan updated and meeting with the county Ridewise official on June 11th at 8:30am at the county offices to get that started. May 18th will be a household cleanup day at the compost site.

REOPEN

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

ADJOURNMENT

The meeting was adjourned at 10:45pm
