

**BOROUGH OF BERNARDSVILLE**  
Mayor & Borough Council Meeting Minutes  
June 10, 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**

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

**ORDINANCES (Introduction)**

Mr. Schmidt moved that Ordinance #2019-1804, **AN ORDINANCE FIXING RESPONSIBILITY FOR THE REPAIR AND MAINTENANCE OF SEWER LATERALS AND SUPPLEMENTING AND AMENDING CHAPTER XVI OF THE BOROUGH CODE ENTITLED "SEWER REGULATION"** 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., June 24, 2019. Mayor Canose noted that owners are responsible for repairs to laterals. Ms. Zamarra seconded the motion, which was approved with six yes votes.

Ms. Zamarra moved that Ordinance #2019-1805, **AN ORDINANCE CREATING A CULTURAL ARTS ADVISORY COMMITTEE AND SUPPLEMENTING AND AMENDING CHAPTER II OF THE BOROUGH CODE ENTITLED "ADMINISTRATION"** 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., June 24, 2019. Mr. Pidgeon read a section of the ordinance that will be added that pertains to membership qualifications. Mr. Hammond suggested that a person from out of town who works in town could be valuable on this committee and we should not limit membership to residents. It was decided to strike the residential membership requirement and leave it up to council to decide if they want to appoint a non-resident. Ms. Greenfield seconded the motion, which was approved with six yes votes.

**RESOLUTIONS**

- #19-122      AUTHORIZING PAYMENT OF BILLS**
- #19-123      AUTHORIZING REFUND OF STORMWATER ESCROW  
ACCOUNT 04-280-7000-0035 FOR DPH HOLDING FOR 11  
HIGHVIEW AVENUE**
- #19-124      AUTHORIZING A CHANGE FUND IN THE HOUSING/ZONING  
OFFICE CHANGE FUND**
- #19-125      AUTHORIZING CHANGE ORDERS #2, #3, & #4 TO THE  
CONTRACT FOR SLOPE SECTION IMPROVEMENTS**
- #19-126      AUTHORIZING RENEWAL OF A.B.C. LICENSES**
- #19-127      APPOINTING MICHAEL NELSON, PART-TIME FIRE  
INSPECTOR**
- #19-128      ADOPTING AN AFFORDABILITY ASSISTANCE MANUAL**
- #19-129      RESOLUTION TO CANCEL CERTAIN UNEXPENDED  
BALANCES OF CAPITAL ORDINANCES IN THE GENERAL  
CAPITAL FUND**

Regarding Resolution #19-126, Mr. Pidgeon will find out whether council can object to the special ruling issued by the state that is needed to renew inactive licenses.

Regarding an item on the bill list of payment to Topology in Resolution #19-122, it was decided to get a timetable from the Downtown Revitalization Committee of the work to be completed by Topology.

Availability for upcoming council meetings in July and August was discussed. Mr. Suriano was directed to send an email to the Mayor and Council for their availability during these months. This topic will be on the June 24<sup>th</sup> council agenda for further discussion and a possible change in meeting dates.

Resolution #19-129 was added to the consent list to cancel certain unexpended balances of capital ordinances in the general fund in order to pave Mount Harmony Road. An ordinance appropriating money for this project will be discussed later in the meeting.

Mr. Donahue moved to adopt Resolutions #19-122 to #19-129. Mr. O'Dea seconded the motion, and a roll call vote followed. Mr. Donahue, Ms. Greenfield, Mr. Hammond, Mr. O'Dea, Mr. Schmidt, and Ms. Zamarra voted yes.

### **Organic Pesticide Draft Resolution**

Mr. Pidgeon provided a sample resolution. Council will review the sample and we will await the results of the recent soil test.

### **Detached Accessory Dwelling Units**

Mr. Pidgeon will provide an update in closed session.

### **Bernards Township Ordinance: Individual and Semi-Public Water Supply and Soil Permeability Testing**

Ms. Greenfield said she received this Bernards Township ordinance from their Health Officer. Council decided to send it to the Bernardsville Board of Health for review and possible adoption. It was noted the Board of Health can adopt their own ordinances.

### **Use of NJDEP Recommended "Bonide-Burnout" for Treatment of weeds outside of grassed areas**

Mr. Walker said he spoke to the NJDEP and they suggested Bonide-Burnout. Treatments would have be coordinated with Somerset Hills Little League (SHLL) so someone is on site when it is applied and we would need council approval. Mr. Hammond asked if this treatment would be an approved agent if we adopted an organic pesticide resolution as discussed earlier. Mr. Walker said yes. Council consent was given to use Bonide-Burnout for treatment of weeds outside of grassed areas. Mr. Walker will follow up with SHLL. Chad McQueen of SHLL was present and took note of this item.

### **Mayor's Update**

Mayor Canose said she and Mr. Hammond attended a meeting of the Somerset County Business Alliance on May 30<sup>th</sup>. Somerset Hills Chiropractic sponsored a Ladies Night Out with a lot of participation from local businesses. Congressman Malinowski was in town on May 31<sup>st</sup> at Bonnie Sellers' request. He observed the downtown area and went over the Quimby Lane plan. He also took part in the grand opening of Summit Prep and talked about ideas for getting grants. On June 1<sup>st</sup> we had the grand opening of the Butterfly Garden at Kiwanis Field and Mayor

Canose thanked Ms. Zamarra and Mr. Walker for their work on the project. On June 3<sup>rd</sup>, Mayor Canose met with representatives of Sherwin Williams to discuss contributing to our mural painting. They are interested and will contact their main office to see how they can help. Mayor Canose, Mr. O'Dea and Mr. Walker met with Ed Caldwell to look at the snack shack and Veterans Field to discuss options of what can be done at those locations. The Mayor's Wellness Campaign met and they would like to coordinate a program called Walk With A Doctor as suggested by Mr. Hammond. Mr. Hammond said this is a national program and consists of physicians organizing a dozen walks per year to promote wellness. They provide insurance and topics to discuss. It is a modest fee of \$590 to get access to their material. The Mayor's Wellness Campaign is sponsoring a self-defense class at City Gym for women on June 26<sup>th</sup> which is geared toward teenagers going off to college. On June 9<sup>th</sup>, milk weed planting took place at Kiwanis and the Polo Grounds. Mayor Canose said Bernards Township has shown interest in joining the shared court that we are currently in with Peapack/Gladstone and Bedminster. Each town currently in the shared court needs a representative from council to attend meetings as needed. Ms. Greenfield volunteered to be Bernardsville's representative to the shared court.

### **Correspondence**

There was none.

### **Unfinished Business**

There was none.

### **New Business**

Mr. Schmidt moved that Ordinance #2019-1806, **APPROPRIATING THE SUM OF \$270,000 FOR THE MILLING AND PAVING OF MT. HARMONY ROAD** 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., June 24, 2019. Mr. O'Dea seconded the motion, which was approved with six yes votes.

### **CLOSED SESSION**

It was 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. The motion was seconded and approved with six yes votes.

### **ADJOURNMENT**

The meeting was adjourned at 8:50pm \_\_\_\_\_