

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
January 25, 2021

Council President Christine Zamarra called this meeting to order at 7:00 p.m. remotely via Zoom. Present were Council Members John Donahue, Jeff Hammond, Jena McCredie, and Chad McQueen. Also present were John Pidgeon, Borough Attorney, Ralph A. Maresca, Jr., Administrator/CMFO, and Anthony Suriano, Borough Clerk. Mayor Mary Jane Canose and Council Member Thomas O'Dea, Jr. were 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 24, 2020.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

Police Chaplains, Chief Valentine talked about the role of Police Chaplain and thanked Pastor Daniel Fenco and Pastor Beth Rauén Sciaino for carrying out their duties in that role. Pastor Fenco and Pastor Sciaino each said they enjoy being a Chaplain in the community and helping our neighbors.

APPROVAL OF MINUTES

Mr. Hammond moved approval of minutes from December 23, 2020, December 28, 2020, January 4, 2021, and January 11, 2021. Ms. McCredie seconded and the motion was approved with five yes votes.

OPEN SESSION

Ms. Zamarra opened the meeting to the public.

Johanna Wissinger, Washington Corner Road, spoke in favor of adopting Resolution #21-34 which will award a contract for drainage improvements to Washington Corner Road. Ms. McCredie said the Public Works Committee discussed this topic at their last meeting and the resolution should go forward later in the meeting.

Hearing no further comments, Ms. Zamarra closed the open session.

ORDINANCES (Public Hearing)

Ms. Zamarra opened the public hearing on Ordinance #2021-1871, **CONCERNING SEWER CONNECTION FEES AND SEWER USER RATES AND ALLOCATION AND**

AMENDING CHAPTER XVI OF THE BOROUGH CODE ENTITLED “SEWER REGULATIONS”. Hearing no comments from the public, Ms. Zamarra closed the public hearing. Mr. McQueen moved to pass this ordinance on final reading and adopt as published. Mr. Hammond seconded and the motion was approved by the following roll call vote. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. McQueen, and Ms. Zamarra voted yes.

ORDINANCES (Introduction) - None

RESOLUTIONS

- | | |
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| #21-32 | AUTHORIZING PAYMENT OF BILLS |
| #21-33 | ACCEPTING MONTHLY REPORTS |
| #21-34 | AWARDING A CONTRACT FOR DRAINAGE IMPROVEMENTS TO WASHINGTON CORNER ROAD AND CARRIAGE HOUSE ROAD |
| #21-35 | AUTHORIZING THE BOROUGH OF BERNARDSVILLE TO GIVE A JUNK VEHICLE TO BERNARDS TOWNSHIP TO BE USED FOR PARTS |
| #21-36 | AMENDING RESOLUTION #21-11, DESIGNATION OF SIGNATORIES AND DEPOSITORIES |
| #21-37 | AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT SURVIVING SPOUSE - 100% DISABLED VETERAN, 93 MINE MOUNT ROAD |
| #21-38 | AWARDING A CONTRACT FOR INSTALLATION OF LOWER LEVEL GENERATOR AT THE BERNARDSVILLE LIBRARY |
| #21-39 | AUTHORIZING TRANSFER OF APPROPRIATION RESERVES |
| #21-40 | APPROVING EMERGENCY TEMPORARY APPROPRIATIONS |
| #21-41 | APPOINTING JASON LODATO AS DRIVER/LABORER IN THE PUBLIC WORKS DEPARTMENT |
| #21-42 | AUTHORIZING REFUND OF ESCROW FEES - BOA APPLICATION #17-02 & #17-02A, NGC DEVELOPMENT LLC |
| #21-43 | AUTHORIZING 2021 OEM APPOINTMENTS |

Regarding Resolution #21-38, Mr. McQueen asked if the funding for this project was in our current fiscal plan. Mr. Maresca said it has been in our financial plan for a few years and the money has already been appropriated.

Ms. Zamarra moved to adopt Resolutions #21-32 to #21-43. Ms. McCredie seconded and the motion was approved by the following roll call vote. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. McQueen, and Ms. Zamarra voted yes.

COUNCIL COMMITTEE REPORTS

Mayor's Update, Ms. Zamarra said Mayor Canose was involved with the mural painting at the train station and if anyone would like take part in painting the mural, they should go to downtownbernardsville.com. The Winter Farmers' Market is ongoing on Saturdays at the train station.

Public Safety Committee, Mr. Donahue said the committee has not met and will be scheduling a meeting shortly.

Finance Committee, Mr. McQueen said they are continuing to narrow the gap in the budget and we are well ahead of where we were last year in regard to getting the budget balanced. He said the committee is going through individual department lines and finding areas of saving where possible. They are reviewing discretionary requests for either improvements or items that were not part of the initial lines to be included. Mr. Donahue said we will probably have a final version by the end of February or early March.

Personnel Committee, Mr. Hammond said they went over the diversity resolution that was passed last year with the Labor Attorney and Mr. Maresca will report on that later in the meeting. They looked at creating a skills matrix among staff to identify areas of cross coverage and enhance productivity in times such as a pandemic or adverse weather conditions. He said Labor Counsel is looking at creating a Covid notification plan and policy. They discussed creating a wellness program for the staff. Mr. Hammond said they discussed staffing for Fire Prevention and that will be coming up later in the meeting. He said Leslie Roberson accepted the position of CMFO and will start in that position on February 1st.

Engineering, Technology, and Public Works Committee, Ms. McCredie said the committee discussed the Washington Corner Road and Carriage House Road project and we got a grant so funding is in place and available. They discussed funding for roads with additional money left from the \$10 million bond that was approved in 2015 by referendum. They will probably have something coming to council in the future for the remaining \$900,000. They discussed the dam remediation and requested a 12 month extension to the January 31st deadline. Ms. McCredie said we are looking to have a preliminary meeting with the NJDEP about the walking path and we are awaiting their availability. Mr. Donahue asked if this is due to there being wetlands and Ms. McCredie confirmed it was. Ms. McCredie said we filed a grant in the amount of \$1,000,000

with the NJDOT for the Boylan Terrace connection. She said we should expect an answer around September or October. The committee discussed Planning Board updates regarding 271 Mine Brook Road. The committee discussed alternate places instead of the lot across Borough Hall for contractors to park their trucks while doing work in town. They determined there is essentially no good place on that side of town other than the lot across Borough Hall.

Land Use Committee, Mr. Donahue said the committee has not met and will meet after Topology reviews the RFPs for the Quimby Lane Redevelopment project. He said Topology will initiate discussion after the review the RFPs. Ms. Zamarra said the RFP due date is February 18th. It was noted the Audi Dealership RFP was due mid-January and we received one proposal that is being reviewed.

Housing/Zoning Committee, Mr. McQueen said he recalled the committee suggesting removing the one year requirement from the stormwater regulations ordinance but there is a marked up ordinance on this agenda. Mr. Price said that version came from Ferriero Engineering who has been working with Somerset County and the NJAC. Mr. Pidgeon said the purpose of the ordinance is to bring our ordinance into compliance with state regulations. Mr. McQueen said the Housing Committee wanted our local requirement to evaluate the effectiveness and maintenance plan at least once a year and adjust the plan as needed struck from the ordinance. They also recommended that our ordinance should not be more restrictive than the state.

Recreation Committee, Bob Markowick, Recreation Director, said the Ski Club is going very well as they sold out Shawnee's three pack. He said on any given Friday there are about 150 Bernardsville kids at Shawnee Mountain. He said soccer is ongoing right now. He will contact Mr. Hammond and Mr. Donahue about the bike race. Mr. Markowick will discuss with Chief Valentine about whether they can hold the Memorial Day Parade and make a determination at a later date. He said indoor and outdoor sports are still on for the spring along with a fitness program.

Green Team, Mr. Hammond said they have not scheduled a meeting but committee chair Bob Baker is looking to hold a meeting.

Ad Hoc Train Noise Committee, Ms. McCredie said the committee met in mid-January and will meet again in mid-February. They are looking to see what the cost would be and to possibly have a consultant or someone from the Federal Railroad Association (FRA) come and talk to the committee. They are also looking to see how much interest there is in the community in investing in a quiet zone.

Board of Health, Ms. McCredie said the Board met but did not have a representative from the Bernards Township Health Department present due to the Martin Luther King holiday. The Board voted on their President and Secretary.

Library Board, Ms. Zamarra said the Library has been busy as they joined the Morris County Consortium. They will be sending announcements to council and the public for their upcoming Dr. Seuss day.

ITEMS OF BUSINESS**Municipal Stormwater Control Ordinance Revisions**

Mr. Donahue asked if construction permits need to be closed out when a house is bought. Mr. Price said there is a records closure certification. Mr. Donahue suggested rather than having a deed restriction to tie it into when permits are closed, if a permit is opened and has to be closed, you would have to show it has been maintained for 12 months or maintained before it's turned over. Mr. Price said there could be a box on the form indicating if there is a dry well on the property. Mr. McQueen said he would like to know where we are being more restrictive than the state so we can make informed decisions of what we include and do not include, and also are we in line with the state. Council decided to have Bob Brightly present at the next meeting where he can answer questions and then the ordinance can be introduced. Mr. Pidgeon will follow up with Mr. Brightly for more information as to the areas where we are being more conservative than the state.

Diversity Policy

Council discussed diversity training as researched and recommended by Labor Counsel and Mr. Maresca. Mr. Hammond said Mr. Maresca will inform new Borough Administrator Tom Czerniecki of the following: Planning Board Chair and Board of Adjustment Chair take the first two modules, The Mayor and Council take the first three modules, and the borough staff take all four modules. Mr. Czerniecki will review and this topic will be on the February 8th council agenda.

Board of Health Appointment – Al Ribeiro (Mayor's Appointment with Council Consent)

Mr. Hammond moved council consent of the Mayor's appointment of Al Riberio to the Board of Health. Ms. McCredie seconded and the motion was approved with five yes votes.

Approval of Alternate for NJAWC Mt. Airy Road Water Main Replacement

Ms. Zamarra moved council consent of Mr. Macdowall's recommendations as outlined in a memo dated January 20, 2021 of Alternate #2 for the NJ American Water Company Mount Airy Road water main replacement project. Mr. Hammond seconded and the motion was approved with five yes votes.

Approval of Hardship Road Opening at 46 Liberty Road

Ms. Zamarra moved council consent of Mr. Macdowall's recommendations as outlined in a memo dated January 20, 2021 of approving a hardship road opening at 46 Liberty Road. Mr. Hammond seconded and the motion was approved with five yes votes.

Application NJ Forestry Free Tree Event

Ms. Zamarra moved council consent of a request by Ed English to file an application with the NJ Forestry Service to receive up to one thousand free tree seedlings for our community. Mr. Hammond seconded and the motion was approved with five yes votes.

Municipal Stormwater Control Ordinance Revisions

Discussed earlier in the meeting.

Correspondence - None

Unfinished Business - None

New Business

NJ American Water Company Water Main Replacement Project, Chief Valentine discussed a request from Somerset County to see if the borough wanted the work on this project done during the day or night. Chief Valentine said the location is on Mendham Road from Tower Mountain Drive to the Mendham border. The work is due to start February 3rd. Chief Valentine said he believes this project can be done during the day which would be less disruptive to residents than if it were done at night. Council consented to day work.

Meeker Road, Chief Valentine said there will be work done on the bridge on Meeker Road beginning February 8th. He said the road will be closed and there will be detours.

Mount Airy Road, Chief Valentine said there will be work on Mount Airy Road beginning in June and there will be construction work going on during that project. The Police Department is getting information out through Facebook and their website regarding traffic related to this project.

Read Across Bernardsville Day, Ms. Zamarra said the Library is planning an event called Read Across Bernardsville Day on March 1st. She said Library Board of Trustees and Library Director are inviting the Mayor and Council to this event where they would read for 15 minutes. She said more details will be coming.

Council Liaisons, Ms. McCredie said she would send an email to Mr. Maresca about making a best practice or policy for when council liaisons change.

OPEN SESSION

Ms. Zamarra opened the meeting to the public. Hearing no comments, Ms. Zamarra closed the open session.

CLOSED SESSION

It was moved to adjourn to an executive session to consider Personnel Matters and Property Acquisition 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 five yes votes.

REOPEN

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

Mr. Hammond moved to adopt Resolution #21-44, **APPOINTING CAROLINE BLANCHARD AS PART TIME FIRE PREVENTION ADMINISTRATIVE ASSISTANT**. Ms. Zamarra seconded and the motion was approved by the following roll call vote. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. McQueen, and Ms. Zamarra voted yes.

Mr. Maresca thanked the Governing Body, past Governing Bodies, and staff for their time and efforts in working together with him throughout his 30 years of service with the Borough of Bernardsville. Council members wished Mr. Maresca well in his retirement.

ADJOURNMENT

The meeting was adjourned at 9:40pm.

Anthony Suriano