

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
December 13, 2021

Mayor Canose called this meeting to order at 7:00 p.m. remotely via Zoom. Present were Council Members John Donahue, Diane Greenfield, Jeff Hammond, Jena McCredie, and Christine Zamarra. Also present were Tom Czerniecki, Administrator, Anthony Suriano, Borough Clerk, and John Pidgeon, Borough Attorney. Council Member Chad McQueen 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 24, 2020.

PLEDGE OF ALLEGIANCE

PRESENTATIONS - None

OPEN SESSION

Mayor Canose opened the meeting to the public.

Kerry Haselton, Mine Brook Road, and member of the Recreation Steering Committee read from a prepared statement. She said she is excited about the possibilities afforded us by the referendum on Open Space funds and believes that our priorities should reflect the expressed wishes of our community. She suggested future ordinance language be amended to replace the term “snack shack” with the more expansive and useful Polo Grounds Pavilion. Mayor Canose said what we are proposing is not just a snack shack. We are looking to have it be used for storage, a small snack bar during games, and bathrooms, so it's a multi-purpose building that we have always referred to as the snack shack. Ms. McCredie said we changed the name officially as she reported in the last council meeting. She said it changed from snack shack to pavilion and agreed with Mayor Canose that the term snack shack was used because everyone knows it as such.

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

ORDINANCES (Public Hearing)

Mayor Canose opened the public hearing on Ordinance #2021-1902, **APPROPRIATING THE SUM OF \$10,000.00 FOR THE EMERGENCY REPLACEMENT OF SBR BLOWER MOTOR – SEWER CAPITAL**. Hearing no comments or questions, Mayor Canose closed the public hearing. Ms. Zamarra 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, Ms. Greenfield, Mr. Hammond, Ms. McCredie, and Ms. Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2021-1903, **APPROPRIATING THE SUM OF \$133,000 FOR THE EMERGENCY REPLACEMENT OF UV DISINFECTION SYSTEM – SEWER CAPITAL**. Hearing no comments or questions, Mayor Canose closed the public hearing. Ms. McCredie moved to pass this ordinance on final reading and adopt as published. Ms. Zamarra seconded and the motion was approved by the following roll call vote. Mr. Donahue, Ms. Greenfield, Mr. Hammond, Ms. McCredie, and Ms. Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2021-1904, **CONCERNING LOCAL ENFORCEMENT OF THE UNIFORM FIRE CODE THROUGH A SHARED SERVICES AGREEMENT WITH BERNARDS TOWNSHIP AND AMENDING CHAPTER XV OF THE BOROUGH CODE ENTITLED “FIRE PREVENTION”**. Hearing no comments or questions, Mayor Canose closed the public hearing. Mr. Hammond moved to pass this ordinance on final reading and adopt as published. Ms. Zamarra seconded and the motion was approved by the following roll call vote. Mr. Donahue, Ms. Greenfield, Mr. Hammond, Ms. McCredie, and Ms. Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2021-1905, **AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, NEW JERSEY**. Hearing no comments or questions, Mayor Canose closed the public hearing. Ms. McCredie moved to carry this ordinance with no further notice to Monday, December 27, 2021 at 7:00pm. Ms. Greenfield seconded and the motion was approved with five yes votes.

ORDINANCES (Introduction)

Ms. McCredie moved that Ordinance #2021-1906, **AN ORDINANCE APPROPRIATING \$600,000 FROM THE BOROUGH OPEN SPACE TRUST FUND FOR THE CONSTRUCTION OF A PICKLEBALL COURT AT THE MUNICIPAL POOL COMPLEX/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., Monday, December 27, 2021. Mr. Hammond said this ordinance allows us to put out an RFP and make specs, but asked if we are committed if we don't get the grant and then be able to reconsider whether we're going forward for the full \$600,000. Mr. Czerniecki said council would have to award a very specific contract for that to take place so we would know beforehand whether or not we received the grant. Ms. Zamarra seconded and the motion was approved with five yes votes.

RESOLUTIONS

#21-260 AUTHORIZING PAYMENT OF BILLS

- #21-261 AWARDING A CONTRACT FOR 2022 EMERGENCY TREE PRUNING/REMOVAL**
- #21-262 AUTHORIZING EXECUTION OF AN AGREEMENT TO ACCEPT PUBLIC WORKS COMMODITIES AND SERVICES THROUGHOUT COOPERATIVE AND JOINT PURCHASING WITH SOMERSET COUNTY, JANUARY 1, 2022 THROUGH DECEMBER 31, 2026**
- #21-263 DESIGNATING FIELD TREATMENTS IN 2022**
- #21-264 AUTHORIZING REFUND OF STORMWATER ESCROW ACCOUNT 04-280-7000-0054 FOR PRESTIFILIPPO FOR 330 MENDHAM RD**
- #21-265 AUTHORIZING CHANGE ORDER #2 (FINAL) TO THE CONTRACT FOR CHESTNUT AVENUE CONSTRUCTION IMPROVEMENTS**
- #21-266 AUTHORIZING CHANGE ORDER #1 (FINAL) TO THE CONTRACT FOR CRESTVIEW DRIVE MILL AND PAVE IMPROVEMENTS**
- #21-267 AUTHORIZING CHANGE ORDER #1 (FINAL) TO THE CONTRACT FOR CHESTNUT AVENUE MILL AND PAVE IMPROVEMENTS**
- #21-268 AUTHORIZING TRANSFER OF FUNDS**
- #21-269 AWARDING EMERGENCY CONTRACT FOR UV DISINFECTION SYSTEM TO GLASCO UV**

Regarding Resolution #21-262, Mayor Canose said this resolution is regarding cooperative purchasing which really helps us save money. She said because we are a small municipality, by going into those larger pools we really are able to get better pricing on a lot of items.

Regarding Resolutions #21-265, #21-266, and #21-267, Ms. McCredie said a couple of the change orders result in money back to the borough. Mayor Canose said the net difference is \$47,865.42. Ms. McCredie said Doug Walker and staff have been doing a great job.

Ms. McCredie moved to adopt Resolutions #21-260 to #21-269. Ms. Greenfield seconded and the motion was approved by the following roll call vote. Mr. Donahue, Ms. Greenfield, Mr. Hammond, Ms. McCredie, and Ms. Zamarra voted yes.

ITEMS OF BUSINESS**Mayor's Update**

Mayor Canose said she attended the Somerset County Human Services Committee meeting on November 24th and the topic was about ending the HIV crisis. On December 1st there was a legislative update from the NJ League on A1571 and A1576. This was legislation that was requiring prevailing wage on redevelopment projects which can really affect any kind of redevelopment project, especially our affordable housing. Mayor Canose said the NJ League had a Mayor's sign-on which she signed as they were championing opposing this bill. She said it looks like for now that bill has died and that is a good thing because that really would have affected our redevelopment project. Mayor Canose said she also attended an NJ League webinar on Library Law. Mayor Canose said Mr. Pidgeon and Mr. Czerniecki put together a really well done new council members training session which included an afternoon of meeting the department heads. The tree lighting on December 4th was well attended. There was also the holiday lights parade on that same night which had seven vehicles along with 16 very creative floats. Mayor Canose said there was a meeting on December 7th with several of the members of the Downtown Redevelopment Committee along with Chris Colley of Topology and attorney Joe DeMarco to review the downtown redevelopment agreement. On December 7th, Mayor Canose said she did her fourth wedding. On December 7th Mayor Canose attended a Virtual Excellence in the Arts Awards ceremony that was done by the Somerset County Cultural and Heritage Commission. Our Cultural Arts Committee had nominated Downtown Bernardsville for the Arts in the Community Award for the mural project and they won the award. Mayor Canose said there was a virtual program where all the winners in the different categories produced a video and they did a really nice job of recognizing Downtown Bernardsville. Mayor Canose attended the Somerset County Planning Partners meeting and they are releasing a new Municipal Climate Resilience Planning Guide. On December 8th Mayor Canose attended the Somerset County Governing Officials Association dinner where they honored retiring Senator Kip Bateman. Mayor Canose attended a Complete Streets webinar on the new technical assistance programs that they're offering. We will determine if we can use one of the programs we had done. Ms. Zamarra said that was one of the technical assistance grants that was a walking audit, walkability, but there are other ones that can be done. Mayor Canose said she got the list of all the different assistance programs and we are going to see if there's one that we can apply for and work on more of our Complete Streets. She said part of that includes the need to revisit our policy and get that as more of a usable living document. Mayor Canose said the county calls were interesting with the amount of Covid cases in a week going from about 250 to over 600. She said 83% of those people were unvaccinated and the majority in Somerset County is still the Delta Variant. She said in Somerset County 97% of the 18 years and over population is vaccinated which is very impressive compared to the state average. She said 21% of 5 to 11 year olds, 69% of 12 to 17 year olds are vaccinated, and 35% of Somerset County residents have received boosters. On December 9th, Mayor Canose attended the Healthy Towns webinar and they went through the qualifications for their various designations. She said this is something the Mayor's Wellness Committee has been working on, hopefully to apply for a Healthy Up and

Coming followed by a Healthy Town to Watch and then a Healthy Town. On December 9th, Mayor Canose attended a Downtown Bernardsville board meeting. On December 10th, Mayor Canose attended a webinar by the transit-oriented development group NJTOD and they are going to have some new funding programs in 2022 for transportation type projects. Mayor Canose said today was the Somerset County Business Partnership annual meeting and there was a large crowd for an excellent presentation by the CEO of Fulton Bank on economic recovery. They also did 40 under 40 awards, where they recognized 40 up-and-coming people who were under 40 in Somerset County. She said one of them was Peter Coccoziello of Advance Realty who is our redeveloper. Mayor Canose said the Winter Market will be held on Saturdays at the train station parking lot from January 8th to March 26th. She said we are going to put up signs to remind people not to park in the market area from 7:00am to 1:00pm. Mr. Hammond said the menorah lighting was held on December 5th at Bernardsville Centre and it was a great turnout. Mayor Canose attended and she thanked Mr. Hammond for his work on this event.

Administrator's Report

Mr. Czerniecki said the budget is being worked on. Borough staff are pulling together the final numbers for this year. He said they are trying to project things for next year without having a lot of certainty over state funding just yet, but they are developing different projections and scenarios. Mr. Czerniecki said they are also incorporating the results of the resident survey and some key performance indicators. He said it's going to be a whole new document and will take time to pull together. He said we will have to introduce it by the end of March which is the deadline that the state has now set, though it is subject to change. Mr. Czerniecki congratulated the Department of Public Works on collecting all leaves before any significant snowfall occurred. He also thanked our mechanic for making sure the vehicles and equipment are running smoothly and well-tuned. Mr. Czerniecki welcomed Wendy Brown, who is our new Clerical Assistant to the Tax Assessor replacing Celeste Hartmann who recently retired after about 15 years of service. Mr. Czerniecki thanked the new council members for being generous with their time in coming to Borough Hall and meeting with staff about local government laws.

Green Infrastructure Engineering, Rutgers Proposal

A proposal from Rutgers prepared by Christopher Obropta, Extension Specialist, was reviewed. Mayor Canose said they are proposing to do a roadway bioswale reduction action plan. The cost is \$5,000 which Environmental Commission has available in their budget and they are proposing to move forward with the proposal. Mr. Hammond said he had reported on this in his liaison report at the last council meeting. He said they are going to essentially make an assessment of the borough and provide recommendations for ten sites that would benefit from this environmental technology. Mr. Pidgeon said this proposal could be approved by motion and then done by voucher since it is under the quote threshold. Mr. Hammond moved to proceed with the Green Infrastructure Engineering as indicated in the Rutgers proposal dated December 6, 2021. Ms. Greenfield seconded and the motion was approved with five yes votes. Mayor Canose will sign the proposal.

Correspondence - None

Unfinished Business - None

New Business

Covid Vaccinations, Ms. Zamarra announced the Covid booster vaccinations will be available at the Bernardsville Train Station Parking Lot tomorrow. There will be a notice posted on the borough website with details. Mayor Canose noted that all three regular vaccinations in addition to boosters will be available.

Mobile MVC, Mr. Czerniecki said that applications for requesting a Mobile MVC come to town in 2022 will be accepted by the Department of Motor Vehicles starting in March.

CLOSED SESSION

Ms. McCredie moved to adjourn to an executive session to consider Pending Litigation and that the time when and circumstances under which the matter can be disclosed to the public is when it (they) are finally resolved. Ms. Greenfield seconded and the motion was passed with five yes votes.

ADJOURNMENT

The meeting was adjourned at 8:05 p.m.
