

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
December 27, 2021

Mayor Mary Jane 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 John Pidgeon, Borough Attorney, Tom Czerniecki, Administrator, and Anthony Suriano, Borough Clerk. Council Member Chad McQueen arrived at 7:40pm during closed session.

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

APPROVAL OF MINUTES

Ms. Zamarra moved approval of minutes from November 22, 2021 and December 13, 2021. Ms. Greenfield seconded and the motion was approved with five yes votes.

OPEN SESSION

Mayor Canose opened the meeting to the public. Hearing no comments, Mayor Canose closed the open session.

ORDINANCES (Public Hearing)

Mayor Canose continued the public hearing from December 13th 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. Mr. Pidgeon said he had a video conference with the representative of Comcast and we are still negotiating and finalizing the form of the agreement. He said Comcast was good with putting this ordinance off until next year. There was no motion to adopt this ordinance.

Mayor Canose said the reason we are doing this ordinance right now is that we cannot prepare the specs or go out to bid without having appropriated the funds. She said we are trying to get all the paperwork done before the pool opens so we can get the project done. She said we're also waiting to see if we get a grant from the county. She said this is just the beginning of the process

and at any point if we don't get the grant or something doesn't work out, we can cancel the project. This ordinance sets aside the money that we will reimburse from the county and from the bond. Mayor Canose opened the public hearing on 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.** 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. 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.

ORDINANCES (Introduction) - None

RESOLUTIONS

- | | |
|----------------|---|
| #21-270 | AUTHORIZING PAYMENT OF BILLS |
| #21-271 | AUTHORIZING CANCELLATION OF CHECKS |
| #21-272 | AUTHORIZING THE CANCELLATION OF SMALL BALANCES ON TAX AND SEWER UTILITY ACCOUNTS |
| #21-273 | AUTHORIZING THE CANCELLATION OF \$4,780 FROM BUDGET APPROPRIATION FOR TURF FIELD REPLACEMENT |
| #21-274 | RESOLUTION TO CANCEL CERTAIN UNEXPENDED BALANCES OF CAPITAL ORDINANCES IN THE SEWER CAPITAL FUND |
| #21-275 | AUTHORIZING REFUND OF STORMWATER ESCROW ACCOUNT 04-280-7000-0011 FOR FISCHER FOR 25 JEAN PLACE |
| #21-276 | APPROVING MEMBERSHIP IN THE FIRE COMPANY |
| #21-277 | AUTHORIZING REFUND OF OVERPAYMENT OF 2021 TAXES FOR COUNTY BOARD OF TAXATION APPEAL, 445 MINE BROOK ROAD |
| #21-278 | AUTHORIZING REFUND OF OVERPAYMENT OF 2021 TAXES FOR COUNTY BOARD OF TAXATION APPEAL, 85-3 MOUNTAIN TOP |

- #21-279 AUTHORIZING REFUND OF OVERPAYMENT OF 2021 TAXES
FOR COUNTY BOARD OF TAXATION APPEAL, 110 CHAPIN
ROAD**
- #21-280 AUTHORIZING TRANSFER OF FUNDS**
- #21-281 RESOLUTION TO CANCEL CERTAIN UNEXPENDED
BALANCES OF CAPITAL ORDINANCES IN THE GENERAL
CAPITAL FUND**

Regarding Resolution #21-276, Mayor Canose thanked Connor Keiling for volunteering to become a member of the Fire Company.

Ms. Greenfield moved to adopt Resolutions #21-270 to #21-281. Ms. McCredie 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.

COUNCIL COMMITTEE REPORTS

Mayor's Update, Mayor Canose said she attended the Madrigals concert at the Library on December 14th and they did a terrific job doing songs from different cultures and religions. Mayor Canose, Mr. Czerniecki, and Geoff Price met with representatives from Community In Crisis as they are doing a construction project in the back of their property. They are building a two-story community center and we are trying to help them get through all the documents they need. Mayor Canose, Mr. Czerniecki and Chris Colley met with Peter Coccoziello of Advance Realty to talk about some other potential development plans in downtown. There was a Cultural Arts Committee meeting and they are working on the Faces of Bernardsville project which they hope to have completed in April. They plan to start with a reception at the Studio 7 and then have pictures throughout the downtown. They are also working on a Welcome To Bernardsville video. Mayor Canose, Mr. Hammond, and Mr. Ribeiro attended the employee luncheon on December 16th. Mayor Canose said she met with a sophomore student from Bernards High School, Ashwin Barama, who has been working on a project to put a solar bush at the Library. She said it's a very unique new solar idea that has been created in France and there are only two of them in the United States. Mayor Canose said she attended the Police Department awards breakfast on December 17th. She said there was a nice article in the Bernardsville News on all of the officers who received awards. On December 18th we had our first Wreaths Across America event at St. Bernard Cemetery. There were about 60 to 80 people participating and they placed 120 wreaths on the graves of veterans. Mayor Canose said the ceremonial wreath was on the grave of Jim Beringer who was a long-time Bernardsville resident and an amazing person. She said his family was in attendance and really appreciated it. She said every year Wreaths Across American hopes to keep adding wreaths, as there are approximately 238 veterans in St. Bernards Cemetery. Mayor Canose and Ms. Greenfield were judges for the Holiday Light contest. She said the winner was the Rasmussen family on Seney Drive and it is worth taking a ride to see as it is a really beautiful display. On December 23rd, Mayor Canose, Mr. Hammond, Mr. Czerniecki, and Mr. Suriano had a meeting to talk about the new office policy to deal with the increase in Covid cases. Mr. Czerniecki will give an update in his report.

Administrator's Report, Mr. Czerniecki said with respect to the ongoing Covid pandemic we were tracking hospitalizations across the state. He said we started getting over 2,000 hospitalizations and saw what type of slope that was creating. He said we then thought it was time to maybe reinstitute some of the restrictions that were previously in place. He said the goal is to do what we can as an organization to slow contributions toward hospitalization and also to preserve our organization so we can continue to deliver services. He said we reinstituted the dropbox inside the front door of borough offices rather than having people coming into the building. He said employees were given more advanced masks to wear in the building and we've returned to a work from home two days a week. Mr. Czerniecki said we are looking forward to wrapping up the entry of all the citizen surveys. He said we received over 300 surveys and created a relational database for entering all the data. He said if we wanted to get a regional section of the community, we can produce data on a specific question that was on the survey and what the answers were from that area of town. He said we can also break it down by age, so we're going to have some really good data that we can utilize. He said it's going to be built into our budget presentation when we start discussing priorities for the coming year. Mr. Czerniecki said he is very pleased that the sidewalk at the corner of Olcott Square has been repaired. He thanked John Macdowall, Public Works Manager, for coordinating the repair with our insurance company, property owner, and contractor. Mr. Czerniecki said there are other items he has that will be held for executive session.

Ms. McCredie moved to accept the monthly reports as listed on the agenda. Ms. Zamarra seconded and the motion was approved with five yes votes.

Municipal Attorney Report, there were no questions or comments from council on Mr. Pidgeon's report.

Public Safety Committee, Mr. Donahue said the committee has not met since the last report.

Finance Committee, Mr. Czerniecki said the committee met about two weeks ago and had a discussion on the 2022 budget.

Organization Development and Personnel Committee, Mr. Hammond said the committee met twice this month and are working out the final details of the union contract with the Department of Public Works. There will be more discussion held for executive session.

Engineering, Technology, and Public Works Committee, Ms. McCredie said the committee met and was in favor of the Environmental Commission using \$5,000 to spend on the Rutgers proposal for Green Infrastructure Engineering. She said the quiet zone recommendation was received from Van Cleef Engineering and they recommended quad gates to be installed at the Meeker Road and Whitenack Road crossings for a total estimated cost of \$260,000. The Train Noise Committee is looking to understand the total cost before they make any additional recommendations and wants to make sure this cost is something we can incur or are willing to incur. She said they had additional questions for Van Cleef and didn't look further from a detailed perspective and are waiting to hear back. They are going to try to schedule a follow-up meeting with Van Cleef which is already included in their purchase order. Ms. McCredie said

per John Macdowall's report, Timber Rock Trail to Seney Drive Extension are going to be milled and paved curb to curb, however this was pushed into spring of 2022.

Land Use Committee, Mayor Canose said items will be discussed in executive session.

Housing Committee, Ms. Greenfield said the committee met on December 9th and are continuing to discuss a possible perimeter fence ordinance.

Recreation Committee, Ms. Greenfield said the committee met on December 14th and in addition to the 37 programs and activities offered, the department put on four events that were free to the public. She said winter registration is ongoing but already improved over the past two years. The committee is currently reviewing 2022 pricing for the pool and will have the numbers ready for council in January. The department is looking to have the summer brochure ready in mid-March with the goal of summer registration to begin on April 4th.

Environmental Commission, Mr. Hammond said Commission met earlier in the month and reviewed some of the recent legislation that's being put forward in Trenton. They also discussed some of the ANJEC recommendations on that legislation. Mr. Hammond said they discussed the Commission have closer ties to the activities of the Recreation Committee and having a member of the Environmental Commission attend Recreation Committee meetings. There was discussion mostly led by our liaison to the Planning Board about Environmental Commission recommendations for new downtown redevelopment in terms of the properties being potentially Leadership in Energy and Environmental Design (LEED) compliant and whether we could proceed towards eventually getting some type of LEED certification. He said this will be a major thrust in 2022 and beyond for the Environmental Commission. Mr. Hammond said they discussed new composting and recycling activities which will be for next year.

ITEMS OF BUSINESS

Recognition of Service

Mayor Canose presented Council Members John Donahue and Jeffrey Hammond with a plaque for their service on the council as this is their last council meeting. She said we are very grateful for the time they have volunteered and commitment that they have given in serving on the Borough Council. Mr. Czerniecki presented Mr. Donahue and Mr. Hammond with a framed sepia colored photo of Borough Hall. Mr. Hammond said he's been asked many times if being on the council was fun and his response has always been that it's been hard but gratifying work. He said public service is a rare honor and he is grateful to have had this opportunity. Mr. Hammond said when he first ran in 2018, part of his platform was to use evidence in decision making to work to solve problems by looking around corners and over the horizon, and to provide a sense of urgency to solve and address our needs. He said he hopes he has succeeded in those goals. He said we've achieved much in the past three years and he is proud of the role he's had to play from implementing our veterans' banners program, to authoring our diversity and inclusion ordinance, to working with our OEM which is the best in the county. He said the reward for good work is more work and there is more to be done to build a better Bernardsville. He said while downtown redevelopment is front and center, we need to make sure that we

connect other business zones such as Bernards Avenue and Claremont Road to the core as we implement our recreational master plan. He said we need to ensure that recreational opportunities are for all age groups and pursue innovative and global broad-based uses for our newly acquired open spaces development, which should not come at the cost of the natural beauty that makes Bernardsville a desirable place to live. He said environmental concerns are as important as financial ones, so in looking to the future, we should accelerate efforts to integrate solar energy and implement e-vehicle charging at municipal sites, and deal with increasing noise pollution. He said as our superb business administrator Tom Czerniecki has often remarked, Bernardsville, even though a little town, is one town that punches above its weight. Mr. Hammond said we can do these things by harnessing the collective talents of our council through a more shared governance and with the help of the public. He said to that end he urges fellow residents to be more aware, knowledgeable, and involved. He said as former Supreme Court justice Louis Brandeis noted, the local arena is the laboratory of democracy opportunities to get engaged abound. He said he has every confidence in his fellow council members and especially in our exceptional borough staff. He said Bernardsville has been a wonderful place for his family to live for the past 30 years and as we approach its 100th anniversary in the next few years, it will get better and better. He thanked everyone and said it has been a privilege to serve this great community. Mr. Donahue said while he is leaving his role as council member, he will still be active and helping out in other roles in the future.

Correspondence - None

Unfinished Business - None

New Business -None

OPEN SESSION

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

CLOSED SESSION

It was moved to adjourn to an executive session to consider Contract Negotiations, Personnel Matters, and Collective Bargaining 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.

ADJOURNMENT

The meeting was adjourned at 8:50pm.
