

**BOROUGH OF BERNARDSVILLE**  
**Mayor & Borough Council Meeting Minutes**  
**February 14, 2022**

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

**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 27, 2021.

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

Board of Adjustment Vacancy, residents Markus Hoecherl and Kathi Sica had submitted a Skills Bank form for consideration of appointment to the Board of Adjustment. There are currently two vacancies on the Board of Adjustment. Mr. Hoecherl and Ms. Sica each gave their background and discussed with council why they would like to serve on the Board of Adjustment. Two other candidates with interest in serving on the Board of Adjustment, Danielle Loeffler and Michael Gunderson, were unable to attend this meeting and they will be invited to the next council meeting. No action of appointment was taken by council at this time.

**OPEN SESSION**

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

**ORDINANCES (Public Hearing) - None**

**ORDINANCES (Introduction)**

Mr. McQueen moved that Ordinance #2022-1909, **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) IN THE CALENDAR YEAR 2022**, 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, February 28, 2022. Ms. McCredie seconded and the motion was approved with six yes votes.

Ms. Greenfield moved that Ordinance #2022-1910, **CONCERNING SEWER CONNECTION FEES AND SEWER USER RATES AND ALLOCATION AND AMENDING CHAPTER XVI OF THE BOROUGH CODE ENTITLED "SEWER REGULATIONS"**, 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, February 28, 2022. Mr. McQueen seconded and the motion was approved with six yes votes.

**RESOLUTIONS**

- #22-38            AUTHORIZING PAYMENT OF BILLS**
- #22-39            APPOINTING PAUL FERRIERO AS BOROUGH ENGINEER AND  
AUTHORIZING A PROFESSIONAL SERVICES CONTRACT  
WITH FERRIERO ENGINEERING, INC.**
- #22-40            AUTHORIZING THE MAYOR AND CLERK TO SIGN A LEAP  
IMPLEMENTATION GRANT APPLICATION**
- #21-41            AWARDING A CONTRACT FOR LIQUID ALUM**
- #22-42            AUTHORIZING THE MAYOR AND CLERK TO SIGN A  
PROFESSIONAL SERVICES CONTRACT WITH SUBURBAN  
ENGINEERING FOR DESIGN, COST ESTIMATING, & SITE  
EVALUATIONS FOR BERNARDSVILLE PARKS**
- #22-43            AUTHORIZING REFUND OF ESCROW FEES - PB  
APPLICATION #653, KANE**
- #22-44            APPROVING EMERGENCY TEMPORARY APPROPRIATIONS**
- #22-45            ESTABLISHING PROCEDURE FOR FILLING VACANCIES ON  
THE BOROUGH ZONING BOARD OF ADJUSTMENT**
- #22-46            APPOINTING A PART TIME SCHOOL CROSSING GUARD**
- #22-47            AUTHORIZATION OF SEWER REFUND**

Regarding Resolution #22-42, Mr. Pidgeon asked that it be supplemented to make the form of the contract subject to the Borough Attorney's approval.

Regarding Resolution #22-45, Ms. McCredie asked if we had to remove this resolution or if we could proceed. Mr. McQueen said it establishes a procedure for filling vacancies on the Board of Adjustments and memorializes the process that we're going to use in the future. Mayor Canose said when there's a vacancy on the Board of Adjustment, we usually move Alternates up so that the first Alternate becomes a permanent member. She said this procedure has not been in writing and this resolution would make it official.

Regarding Resolution #22-42, Mr. McQueen said he had mentioned the light towers and whether or not they had the ability to be used for different purposes. He asked if that is something we need to include in their contract or something to add later. Mr. Czerniecki said when we start plotting out the details, that information will be conveyed. Mr. McQueen asked if that would affect the contract. Mr. Czerniecki said it would not.

Regarding Resolution #22-39, Ms. McCredie asked if we spoke to the Borough Engineer. Mr. Czerniecki said he had. Mayor Canose said she did as well along with speaking to Van Cleef Engineering. Mr. Czerniecki said it was made clear that we are going to put out an RFP for Borough Engineer on a regular basis every three years.

Mr. McQueen moved to adopt Resolutions #22-38 to #22-47 with #22-42 being subject to Mr. Pidgeon's review and approval. Ms. Greenfield seconded and the motion was approved by the following roll call vote. Mr. Ambelang, Ms. Greenfield, Ms. McCredie, Mr. McQueen, Mr. Ribeiro, and Ms. Zamarra voted yes.

## **ITEMS OF BUSINESS**

### **Girl Scout Cookie Sales at Millicent Fenwick Statue**

Council consent was given for the Girl Scouts to sell cookies at the Millicent Fenwick Statue from 10:00am to 2:00pm on March 5<sup>th</sup>, March 12<sup>th</sup> and March 26<sup>th</sup>. A certificate naming the Borough of Bernardsville as an additional insured and a signed Hold Harmless agreement will be provided by the Girl Scouts organization.

### **Mayor's Update**

Mayor Canose said Assemblywoman Aura Dunn had a veteran's outreach for Mayors. The NJ Department of Military and Veteran Affairs did a presentation on a program they have which is called "We Value Our Veterans Community Award". Mayor Canose said it's based on a point system and they were encouraging every community to apply, so she will be reaching out to the veterans to see how we can coordinate that. Mayor Canose attended a Sustainable Jersey program on EV transitioning. Their basic message was that it's important to first have the infrastructure before buying vehicles. The Cultural Arts Committee met and are in the process of lining up artists with the nominated Faces of Bernardsville. On January 29th the Downtown Bernardsville strategic planning session was held and they discussed next year's programs, which Olivia Manning gave a good overview of. Mayor Canose and Mr. Czerniecki met with the county's new Shared Service Coordinator Pablo Orozco. She said Mr. Czerniecki is going to be working with Mr. Orozco on some training ideas we can share with other towns and how we can put together a group for training. Mayor Canose attended a transit-friendly planning webinar and they have just issued a new guide. At the webinar, she asked about our Transit Village application and shortly after received an email that we will know by the end of this month. She also got a contact from the state to ask what we can do with the train station as a historic building. Mayor Canose said she connected Ashwin Barama, who is doing a wind bush project,

with the Somerset Hills Mountaineers because it was thought the Polo Grounds would be a better location than the Library. Mayor Canose attended the event wrap up for Wreaths Across America. They placed 2.4 million wreaths at 3137 locations with over two million volunteers. She said it was great that Bernardsville got to participate this year and we're going to hopefully expand next year. Mayor Canose attended a fair housing webinar which went over the qualified allocation plan and how they calculate tax credits for affordable housing. The point of the meeting was to solicit ways they can improve how they do the formula. She said Phil Abramson from Topology attended and gave a lot of good suggestions. Mayor Canose, Mr. Czerniecki, Doug Walker, and Bob Markowick met with the Somerset County Open Space Committee. They are reviewing our application for a grant for the pickleball courts. Mayor Canose said Downtown Bernardsville has applied for a transformational grant that hopefully will give them enough money for a year's worth of operations. The monthly county call took place and they have money available for people who need rental assistance. Covid cases are on a steady decline. In Somerset County 83% of residents have gotten both vaccinations which is probably the highest in the state. Also, 50% of county residents have received boosters. Somerset County has one thousand seedling trees to give away for Earth Day. Mayor Canose said at the February 22nd Commissioners meeting, they are having a presentation by the Community Police Alliance Pilot Program. On February 12<sup>th</sup>, Mayor Canose did the ribbon cutting for a new store called Olcott Squared in the former Carlisle Per Se store. She said they have really nice merchandise and wishes them a lot of success with their new business. Mayor Canose sent information to the Bernards High School Guidance Department about a scholarship that the NJ League of Municipalities offers for high school juniors and seniors that live in Bernardsville. The applications are due March 11<sup>th</sup>. Mayor Canose said the NJ League has a resolution to pass S-330 which is to restore the energy tax receipts. There were no objections from council to add this to the next meeting agenda. Mayor Canose said many years ago she had started a program called Outstanding Community Volunteers. There is a plaque on the wall at Borough Hall with people's names by year. Nominations would be made annually and there was a committee to review them. They would select three or four people each year, have a recognition dinner and give them a plaque. She said it was very nice to be recognizing volunteers. She started that before she was on the council and continued it when she was on the council. When she was no longer on council, it was not carried through and has not been done since. She has been asked why we're not recognizing our volunteers, and would like to try and get that program up and running again, possibly in coordination with the NJ League's Local Government Week in April. Council agreed to continue that program in the future.

### **Administrator's Report**

Mr. Czerniecki said we have been updating and transitioning our website to a new format and it's been active for about a week and a half. He said this new website format saves us about ten thousand dollars a year and it empowers the department heads to manage their content more proactively rather than working through an intermediary. He said we also challenge the department heads to look at towns our size that have won some awards statewide and nationally, to see how we can become best in class in this respect. Mr. Czerniecki said he had the pleasure of meeting his colleagues from the county at the Somerset County Municipal Managers meeting.

They discussed establishing regional truck washing areas which is a new NJDEP requirement that's upcoming. They also talked about making sure we're all aware of any vacancies in other towns so we can help some of our young professionals move forward in their careers. Mr. Czerniecki said we are actively recruiting for a Zoning Officer and we will shortly be posting for an additional Public Works Laborer. He said we are continuing to work with the Finance Committee, Personnel Committee, and Public Works Committee on various aspects of the budget and it's slowly coming together. He said there are other items to be discussed in executive session.

**Correspondence** - None

**Unfinished Business** - None

**New Business** - None

### **CLOSED SESSION**

Ms. Greenfield moved to adjourn to an executive session to consider Personnel Matters and Contract Negotiations and that the time when and circumstances under which the matter can be disclosed to the public is when it (they) are finally resolved. Mr. McQueen seconded and the motion was passed with six yes votes.

### **REOPEN**

It was moved, seconded, and approved with six yes votes to reopen the meeting to the public.

Mr. Ribeiro moved to adopt **Resolution #22-48, APPOINTING JOHN REMIAN CAPTAIN OF POLICE**. Mr. McQueen seconded and the motion was approved by the following roll call vote. Mr. Ambelang, Ms. Greenfield, Ms. McCredie, Mr. McQueen, Mr. Ribeiro, and Ms. Zamarra voted yes.

Ms. Zamarra moved to adopt **Resolution #22-49, PROMOTING OFFICER TIM RICHARD TO SERGEANT AND OFFICER JUSTIN ALT TO SERGEANT**. Ms. Greenfield seconded and the motion was approved by the following roll call vote. Mr. Ambelang, Ms. Greenfield, Ms. McCredie, Mr. McQueen, Mr. Ribeiro, and Ms. Zamarra voted yes.

### **ADJOURNMENT**

The meeting was adjourned at 8:55 p.m.

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