

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
June 12, 2023

Mayor Canose called this meeting to order at 7:00 p.m. Present were Council Members Jay Ambelang, Diane Greenfield, Jena McCredie, Al Ribeiro, and Christine Zamarra. Also present were Nancy Malool, Administrator, Anthony Suriano, Borough Clerk, and John Pidgeon, Borough Attorney. Council Member Chad McQueen arrived at 7:25pm.

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 15, 2022.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

Downtown Bernardsville - Light Pole Banner Project, Olivia Manning of Downtown Bernardsville spoke about a Bernardsville Banner Program. She said this would expand the Hometown Heroes banners to promote local events. She gave examples of the type of events such as Restaurant Week, Welcome To Bernardsville, Bernardsville Honors Our History, Hometown Heroes, and Happy Holidays. She explained the procedure and new device to hang the banners. She said she is not asking council for money as this year the state has a small grant for this project, so part of it would be paid for by the grant and the rest would come out of Downtown Bernardsville's budget. She said the project all totaled is about \$10,000 to \$12,000 to put the automated system in, get a whole new banner up, and then have them installed/taken down at least two times a year. It was noted that the content of the banners would be run past Ms. Malool. Ms. Zamarra asked about potentially having a banner with a sponsor as she's seen in other towns that have these types of banners. Ms. Manning said other towns make it a lucrative program by offering sponsors but she hesitant to do that right out of the gate. She said in the future if we find this program is very successful and we can find a way to make it look nice in the process, then we can be open to that. She said right now it's not meant to be a money making opportunity, and every year when they do their budget they will have a line item to account for whatever is needed. Ms. Manning said the company doing the banners is going to change the banners in and out for the first year. Ms. McCredie asked if this would be the responsibility of Public Works. Ms. Malool said she talked to John Macdowall earlier today and he said that while the process will be faster since less employees will be needed, if they have to do it six times a year for different events, we would need them more times per year than we do now. She said it's helpful to know that the company would do it for the first year. Council was in favor of the Bernardsville Banner Program.

Mr. McQueen arrived.

OPEN SESSION

Mayor Canose opened the meeting to the public.

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

ORDINANCES (Public Hearing)

Mayor Canose opened the public hearing on Ordinance #2023-1966, **AN ORDINANCE EXTENDING PERMITTED SIDEWALK SALE HOURS AND AMENDING ARTICLE 12 OF THE BOROUGH LAND USE ORDINANCE ENTITLED “ZONING”**. Hearing no comments, Mayor Canose closed the public hearing. Ms. Greenfield moved to pass this ordinance on final reading and adopt as published. Ms. McCredie 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.

ORDINANCES (Introduction)

Mr. Ambelang moved that Ordinance #2023-1969, **SALARY ORDINANCE FOR EMPLOYEES OF THE BOROUGH OF BERNARDSVILLE WHO ARE POLICE DISPATCHERS**, 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, June 26, 2023. Ms. Zamarra seconded and the motion to introduce was approved with six yes votes.

Ms. McCredie moved that Ordinance #2023-1970, **AN ORDINANCE AMENDING SALARY ORDINANCE #2023-1955**, 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, June 26, 2023. Ms. Zamarra seconded and the motion to introduce was approved with six yes votes.

Mr. Ribeiro moved that Ordinance #2023-1971, **BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO MUNICIPAL PROPERTY IN AND BY THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$1,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,615,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**, 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, June 26, 2023. Mr. McQueen seconded and the motion to introduce was approved with four yes votes. Mr. Ambelang and Ms. Zamarra abstained.

Ms. Zamarra moved that Ordinance #2023-1972, **APPROPRIATING THE SUM OF \$180,000 FOR VARIOUS EQUIPMENT & IMPROVEMENTS**, 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, June 26, 2023. Ms. McCredie seconded and the motion to introduce was approved with six yes votes.

RESOLUTIONS

- #23-119 AUTHORIZE PAYMENT OF BILLS**
- #23-120 AUTHORIZING RENEWAL OF A.B.C. LICENSES**
- #23-121 REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS PER NJSA 40A:4-87**
- #23-122 AUTHORIZING REFUND OF STORMWATER ESCROW
ACCOUNT 04-280-7053-0100 FOR LILIAS LEE FOR 335
MENDHAM RD.**
- #23-123 AUTHORIZING TRADE-IN OF 1998 JOHN DEERE 310SE
BACKHOE AND PURCHASE OF 2023 JOHN DEERE WHEEL
LOADER THROUGH ESCNJ COOP#65-MCESCCPS CONTRACT
22/23-27**
- #23-124 APPROVING A FIREWORKS PERMIT FOR SOMERSET HILLS
COUNTRY CLUB**
- #23-125 AMENDING THE PROFESSIONAL SERVICES CONTRACT
WITH CLEARY, GIACOBBE, ALFIERI, & JACOBS**
- #23-126 AMENDING THE CONTRACT WITH SOMERSET COUNTY
TRANSPORTATION**
- #23-127 A RESOLUTION ENDORSING THE PROPOSAL TO DISPOSE OF
PARKLAND AND AUTHORIZING THE FILING OF A PRE-
APPLICATION WITH GREEN ACRES PURSUANT TO N.J.A.C.
7:36-26.9**

Regarding Resolution #23-125, Mayor Canose asked at what point the developers take over the legal fees. Mr. DeMarco said once we sign a Redeveloper's Agreement. He said we will be going over that later tonight in executive session. Ms. Greenfield asked about the frequency of this type of resolution and if there would be more in the future. She said it was originally \$7,000, increased via resolution by \$5,000, and now we're increasing it by another \$5,000 tonight. Mayor Canose said when we did the original resolution we had no idea how much time Mr. DeMarco was going to put in and we picked a number at random which was not a solid number. Mr. DeMarco said it was an amount picked by then Administrator Tom Czerniecki.

Regarding Resolution #23-127, Mayor Canose said this is being done to satisfy Green Acres' requirements.

Mr. McQueen moved to adopt Resolutions #23-119 to #23-127. Mr. Ribeiro seconded and the motion was approved by the following roll call vote: Mr. Ambelang, Ms. Greenfield, Ms. McCredie, Mr. McQueen, Mr. Ribeiro, and Ms. Zamorra voted yes.

ITEMS OF BUSINESS

Mayor's Update

Mayor Canose said on May 23rd she and Ms. Malool met with Van Cleef Engineering to go over the initial assessment report which comes from a study done to see if The Highlands was an option for the Borough. Van Cleef was very complimentary and indicated we have a very robust Master Plan and an Open Space Plan. They said the next step is to apply for another grant which would take us a little further into the process where we'd actually get feedback from The Highlands. Van Cleef asked for our Planner and Engineer to review the report and they are doing so. Ms. Malool said we have a meeting on June 29th with Walter Lane of Somerset County on this topic. Mayor Canose reported that we had a Centennial Committee meeting. There is a logo contest still open for any artists who would like to design a centennial logo. Mayor Canose said we have three submissions so far and can still take more. The deadline was extended to July 30th. Mayor Canose said November 4th will be a kickoff event at Upton Pyne and then each month we'll celebrate a decade with some kind of an event. On June 24th Mayor Canose was honored to receive the Millicent Fenwick award from the Somerset County Federation of Republican Women. Mayor Canose said we had the Memorial Day Parade on May 29th. Mayor Canose said she attended her first board meeting for the New Jersey Conference of Mayors. She said there is a big push to write to your Legislators about energy tax receipts and to let them know we want them back in the budget. She said as of right now there are 422 Mayors that signed the petition. Mayor Canose said the Downtown Bernardsville Car Show was held and was a great event. Mayor Canose said she attended the Somerset County Office on Aging meeting. She said every year requires them to do a public hearing in order to continue to get Federal funding and it's amazing what kind of programs that are available. Mayor Canose said she attended a meeting for the Somerset Hills Magazine. Mayor Canose said they held a Downtown Bernardsville Board meeting and discussed a lot of good ideas. She said she attended a Library Strategic Planning Committee meeting and they are working on engaging the community in various ways. Mayor Canose officiated a wedding on June 9th. Mayor Canose said the Farmers Market opened on Saturday June 10th. Mayor Canose said she attended Mr. T's album debut at Dance Local and copies of his album are available at the Rebecca Collection. Mayor Canose attended John Tober's Eagle Scout honor and read a proclamation honoring his achievement. Mayor Canose said we are getting a stormwater assistance grant for green infrastructure.

Administrator's Update

Ms. Malool said we have an official date of July 22nd for the Mobile MVC which is to be located at the Farmers' Market. She explained the procedure for signing up online and the various services they provide. Ms. Malool said we got a notice from NJDOT that they're going to be improving the crosswalks on Route 202 by ShopRite and by PNC Bank. She said they will be improving them with better signage, lighting, and will install a button to push when you want to

cross. Mr. McQueen asked if the crosswalk on Mount Airy Road and Prospect Street could be improved as well, but it was noted that is a County road. Ms. Malool said Resolution #23-126 was passed earlier in the meeting which amend the contract with Somerset County Transportation to add Kings' in Bedminster as a location to the contract for Friday trips for seniors. Ms. Malool said the Construction and Zoning offices are open now at 7:30am and will remain open until 4:30pm. She said on most days there is only one employee who comes in at 7:30am so when that person is on vacation or sick they won't open at 7:30am but when we have enough advance notice, such as for vacation, we will put the days on our website that it won't be open.

Community in Crisis Ribbon Hanging in September

Council consent was given to Community In Crisis to hang purple ribbons around lamp posts and some larger trees in Bernardsville to mark Overdose Awareness Day on Aug 31st as well as to commemorate Recovery month in September. The ribbons will be removed on October 1st.

Correspondence - None

Unfinished Business

Verizon Coverage, Mr. Ribeiro said he got in touch with a Verizon representative and they have been very helpful with coverage issues on Pill Hill Road and Charlotte Hill Drive. He said they sent network teams out and talked to residents. He said we have seen an increase in coverage in the area.

New Business

Open Session/Public Hearing Speaker Time, Mayor Canose brought up a topic from Kathy Peachey's letter from a prior meeting that suggested changing the Open Session/Public Hearing time from three minutes to five minutes. After discussion, council did not take any action to make changes to the ordinance. It was noted that the time allotment could be at the Mayor's discretion, such as if there is a small number of people present they could potentially talk for five minutes but if there is a larger number of people present, the three minute time limit would need to be enforced. Mr. Ambelang said he could not think of times when allowing three minutes to speak has not worked. Mayor Canose said we offer multiple sessions and have allowed people to stand up and speak more than once. Ms. Greenfield asked when someone talks for three minutes and their time is up, could someone in the audience offer their three minutes to that speaker. Mr. Pidgeon said no. Mr. McQueen suggested for rare occasions when there's an issue that has a lot of people present, we should probably be in a town hall format rather than a council business format. Ms. Zamarra said we did that for the Bernards Avenue project.

CLOSED SESSION

It was moved to adjourn to an executive session to consider Property Acquisition and Contract Negotiations 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 9:20p.m.
