

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
January 10, 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 - None

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 #2021-1907, **CONCERNING NOTICES REQUIRED FOR PLANNING BOARD AND BOARD OF ADJUSTMENT HEARINGS AND AMENDING SECTION 4-7 OF THE BOROUGH LAND DEVELOPMENT REGULATIONS ENTITLED “HEARINGS: PUBLIC NOTICE REQUIRED”**, 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, January 24, 2022. Ms. Greenfield seconded and the motion was approved with six yes votes.

Ms. Greenfield moved that Ordinance #2021-1908, **CONCERNING NOTICES REQUIRED FOR PLANNING BOARD AND BOARD OF ADJUSTMENT HEARINGS AND AMENDING SECTION 4-7 OF THE BOROUGH LAND DEVELOPMENT REGULATIONS ENTITLED “HEARINGS: PUBLIC NOTICE REQUIRED”**, 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, January 24, 2022. Mr. McQueen seconded and the motion was approved with six yes votes.

RESOLUTIONS

- #22-21 AUTHORIZING PAYMENT OF BILLS**
- #22-22 APPOINTING A MUNICIPAL PROSECUTOR FOR SHARED
MUNICIPAL COURT FROM JANUARY 1, 2022 TO DECEMBER
31, 2022**
- #22-23 AUTHORIZING AN AGREEMENT WITH THE SOMERSET
HILLS REGIONAL SCHOOL DISTRICT TO PROVIDE SPECIAL
POLICE OFFICERS IN DISTRICT SCHOOLS**
- #22-24 APPOINTING A PUBLIC DEFENDER FOR SHARED
MUNICIPAL COURT FROM JANUARY 1, 2022 TO DECEMBER
31, 2022**

Mr. Ambelang moved to adopt Resolutions #22-21 to #22-24. 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**Mayor's Update**

Mayor Canose said she attended the Bernards High School Photo Club Art Show at Starbucks. There was amazing talent on display and they did a beautiful job holding the Art Show. Mayor Canose said we had a vaccination clinic at the Firehouse this past Saturday and it was very well attended and organized. She thanked Somerset County for having it. The Winter Farmers' Market started on Saturday January 8th. Mayor Canose said despite the cold it was well attended. She said they had a couple of new vendors and are going to be rotating some of the vendors throughout the Winter Market. The Somerset County Governing Officials Association will hold a meeting this Wednesday on Zoom at 6:30pm. Mayor Canose said they're usually held once a month and used to be in person at a restaurant with speakers present. She said the meetings have been on Zoom for the past two years and it's a really good way to meet people from other towns and hear their experiences. She said she will send out information on these meetings to the council members. Mayor Canose said the county call is now taking place once a month, which will be this Thursday for January. This Saturday we will be doing the cleanup for the Wreaths Across America when we will be taking the wreaths off and recycling them. Mayor Canose said if anyone wants to help it will be done on Saturday at 2:00pm at St. Bernards Cemetery.

Administrator's Report

Mr. Czerniecki said the borough took possession of a new front end loader which was authorized by council last year and is in the capital budget. He said our old one lasted 21 years which is really impressive and thanked our Public Works staff for doing such a great job taking care of our assets. Mr. Czerniecki, Mr. Macdowall, Mr. Walker, and Mr. Markowick will meet this Friday with the leadership team from Suburban Engineers in order to orient them to the Parks and Recreation Master Plan. He said they will be sharing what council has determined as priorities and start to work out a game plan. Mr. Czerniecki said we are getting very close to launching our new website. He thanked Chris D'Amato for taking the lead on that project. He asked council for brief bios to be inserted under their names on the website. Mr. Czerniecki said we're doing our best to deal with Covid and we now have about three senior managers and a number of police officers out at the moment. He said all employees were provided with KN95 masks and take-home test kits. He thanked Chief Valentine who is our OEM Coordinator, for helping secure those items and getting them distributed. Mr. Czerniecki said we have been working to coordinate the council's new standing committees, getting agendas ready and scheduling meetings. He said we're looking forward to working with them as we continue to chip away at developing the budget as we move closer and closer to the introduction deadline in March. He said we will be scheduling more meetings with the Finance Committee and briefing council more frequently. Mr. Czerniecki said an item not on the agenda that came in about 4:00pm today was a call from an interested party who wants to set up a Covid testing site in town. He said there's some contractual issues that we need some direction on both from a policy perspective and a legal perspective. He said that will be discussed in executive session.

Oak Place Booster Station – Temporary Pumps

Council authorized Geoff Price, Zoning Officer, to issue a temporary permit to NJ American Water Company for a period not to exceed three months for the usage of temporary pumps for the Oak Place Booster Station in accordance with the December 20, 2021 letter from Robert R. Schaefer, PE, Senior Director, Operations at NJ American Water and the January 10, 2022 letter from Niall J. O'Brien, from the law firm of Archer & Greiner, attorneys for NJ American Water.

Council Priorities

Mr. McQueen shared a document with council priorities for 2022 that included Redevelopment; Sidewalks and Connectivity; Borough Communications and Effectiveness; Business Environment and attractiveness to local businesses; Budget processes and taxes; Road Improvement Planning; Park Master Plan Implementation; and Borough Infrastructure. The next steps will be incorporating data points from our community survey, council prioritizing to a discrete list that is specific, analyzing feasibility, and identifying achievable steps. Mr. Czerniecki said the results of the community survey will be completed by January 24th. A special council meeting will be held after that date in order to incorporate the community survey and discuss council's priorities for 2022.

Raritan Headwaters Stream Clean Up Contribution

Mayor Canose said we received a request from Raritan Headwaters asking for a donation for a stream cleanup on April 23rd. She said as a public entity we can't make donations, but we have accommodated the request in the past and asked them to itemize what they give us, such as bags and gloves. Mr. Czerniecki said this is part of our Clean Communities Grant and is essentially a service they provide that we pay for. Mayor Canose thanked Ms. Zamarra for doing a great job in heading up this program. Council consent was given to proceed.

Correspondence - None**Unfinished Business** - None**New Business**

Redevelopment, Mayor Canose said we're looking to start the investigation for a redevelopment area for the Palmer Properties. Mr. Pidgeon said we've been approached by Advance Realty asking that we make the Palmer Properties an area in need of redevelopment so that we can enter into a redevelopment agreement for those properties. He said they would maintain the Palmer Building, which is a historic building, and it would be a non-condemnation area in need of redevelopment because they already have site control. He said this resolution would start the process of sending it to the Planning Board to determine whether it qualifies as an area in need of redevelopment under the statute. If the Planning Board finds it does, then they send it back to the council which would then declare it an area in need of redevelopment. Mr. Pidgeon said we could go through a similar process to what was done with Quimby Lane except there would be a lot fewer obstacles. Mr. McQueen said the benefit to the public and to our local businesses is it would allow us to have relocation language protection for local businesses and also that process may move faster and provide a relocation ability for places that may be in the Quimby Lane block. Mayor Canose said we've seen a rough draft of what's proposed and it is a very impressive development idea. She said hopefully we'll have Topology do a redevelopment plan. She said the beauty of having a redevelopment plan is it really shortens the Planning Board stage. Mr. Pidgeon said it gives the governing body a lot more control over the aesthetics and site improvements. Mr. McQueen moved to adopt **Resolution #22-25, AUTHORIZING THE BOROUGH PLANNING BOARD TO UNDERTAKE AN INVESTIGATION TO DETERMINE WHETHER ALL OR A PORTION OF CERTAIN PROPERTIES IDENTIFIED ON THE BOROUGH TAX MAPS AS BLOCK 125, LOTS 1, 2, AND 3 CONSTITUTE A NON-CONDEMNATION REDEVELOPMENT AREA.** 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.

Mask Mandate, Ms. Zamarra said a business owner in town asked about mandating masks indoors because some other nearby towns are doing it and wanted to know if we would consider taking such action in light of the Omicron variant spreading very quickly. Mayor Canose said

each store owner could mandate it on their own by putting up a sign that people could not enter without a mask. Ms. Zamarra said she did make that clear to this particular owner but told them she would ask. Mr. McQueen said his personal opinion on the topic is that he does not want to be more aggressive or conservative than the state. Mayor Canose said the other piece of this is regarding enforcement. She said would we ask the police to do the enforcing and mentioned we are short staffed with six officers out at this moment. She said it becomes a real issue on the enforcement side and would hate to put that burden on our Police Department. Mr. Pidgeon said Governor Murphy has made it clear that he has the state preempt these types of regulations so that it would be uniform, and has discouraged local rules and regulations. Mr. Ribeiro said the Board of Health met tonight. He said the Health Officer gave a report which mentioned the state is expecting the current Omnicron variant to have a peak around January 17th, one week from now. He said as Mr. Pidgeon stated about following the guidelines of the state, if the state is looking at a peak that is relatively soon, he feels that gives us more reason to observe what's happening in the environment and follow what the state guidelines are. No action on this topic was taken by council.

CLOSED SESSION

Ms. Greenfield moved to adjourn to an executive session to consider 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. Ribeiro seconded and the motion was passed with six yes votes.

ADJOURNMENT

The meeting was adjourned at 8:10 p.m.
