

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
October 26, 2020

Mayor Canose called this meeting to order at 7:00 p.m. remotely via Zoom. Present were Council Members John Donahue, Jeff Hammond, Jena McCredie, Chad McQueen, Thomas O’Dea, Jr., and Christine Zamarra. Also present were John Pidgeon, Borough Attorney, Ralph A. Maresca, Jr., Administrator/CMFO, and Anthony Suriano, Borough Clerk.

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 January 3, 2020 and revised on October 10, 2020.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

Ed English made a request to have a winter farmers market at the train station parking lot from mid-January to mid-March. Council consent was given to hold the winter farmers market.

APPROVAL OF MINUTES

Mr. McQueen moved approval of minutes from September 28, 2020 and October 13, 2020. Ms. Zamarra seconded and the motion was approved with six yes votes.

OPEN SESSION

Hearing no comments, Mayor Canose closed the open session.

ORDINANCES (Public Hearing)

Mayor Canose opened the public hearing on Ordinance #2020-1856, **AN ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, AND APPROPRIATING \$500,000 THEREFOR CONSTITUTING PROCEEDS OF GRANTS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

Hearing no comments from the public, Mayor Canose closed the public hearing. Ms. Zamarra moved to pass Ordinance #2020-1856 on final reading and adopt as published. Mr. Hammond seconded. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. McQueen, Mr. O’Dea, and Ms. Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2020-1858, **AN ORDINANCE CONCERNING ACCESSORY BUILDING SETBACKS IN THE R-1-10 RESIDENTIAL ZONE AND SUPPLEMENTING AND AMENDING ARTICLE XII OF THE BOROUGH**

LAND USE ORDINANCE ENTITLED “ZONING”. Hearing no comments from the public, Mayor Canose closed the public hearing. It was moved and seconded to amend the ordinance by deleting the word “wall” in Section 12-23.1(d). The motion was approved with six yes votes. Mr. McQueen moved to pass Ordinance #2020-1858 on final reading as amended and adopt as published. Ms. Zamarra seconded. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. McQueen, Mr. O’Dea, and Ms. Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2020-1859, **SUPPLEMENTING AND AMENDING ARTICLE 12 OF THE BOROUGH LAND USE ORDINANCE ENTITLED “ZONING” TO AMEND SECTION 12-23.15, SIGNAGE**. Hearing no comments from the public, Mayor Canose closed the public hearing. Mr. Hammond said the suggestions by the Planning Board were received late and recommended allowing more time to review them and not moving forward with adoption at tonight’s meeting. It was moved and seconded to amend the ordinance as suggested by the Planning Board by including the phrase “in no case shall a temporary sign be illuminated” in Section 12-23.15(b) as it was stricken in error; deleting Section 12-23.15(b)(1)(a) which stated “no real estate sign may be illuminated”; deleting Section 12-23.15(b)(1)(c) which stated “real estate signs may contain not more than three colors”. The motion was approved with six yes votes. Jeff Horowitz, Planning Board member, confirmed the Planning Board’s suggestions. Mr. McQueen said the Planning Board also suggests revisiting the sign ordinance in 2021 to determine whether this ordinance accomplishes the Board’s goal of reducing sign clutter and the appearance of blight associated with the proliferation of real estate signage in the Borough. Mr. McQueen moved to pass Ordinance #2020-1856 on final reading as amended and adopt as published. Ms. Zamarra seconded. Mr. Donahue, Ms. McCredie, Mr. McQueen, Mr. O’Dea, and Ms. Zamarra voted yes. Mr. Hammond abstained.

Mayor Canose opened the public hearing on Ordinance #2020-1860, **AN ORDINANCE ESTABLISHING A FEE FOR CANCELLED HOUSING INSPECTIONS AND SUPPLEMENTING AND AMENDING CHAPTER XI OF THE BOROUGH CODE ENTITLED “PROPERTY MAINTENANCE”**. Hearing no further comments from the public, Mayor Canose closed the public hearing. Mr. McQueen moved to pass Ordinance #2020-1856 on final reading and adopt as published. Ms. Zamarra seconded. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. McQueen, Mr. O’Dea, and Ms. Zamarra voted yes.

ORDINANCES (Introduction)

Mr. O’Dea moved that Ordinance #2020-1861, **ESTABLISHING SPEED LIMITS ON LLOYD ROAD AND WASHINGTON CORNER ROAD AND SUPPLEMENTING AND AMENDING CHAPTER VII OF THE BOROUGH CODE ENTITLED “TRAFFIC”**, 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, November 9, 2020. Mr. Hammond seconded. Chief Valentine was asked if residents saw the study and said the study only was given to the Public Safety Committee and Mr. Pidgeon. It was decided to put the study for Lloyd

Road and Washington Corner Road on the website for public view. The earlier motion to introduce was approved with six yes votes.

Mr. Donahue moved that Ordinance #2020-1862, **CONCERNING SUMP PUMPS AND SUPPLEMENTING AND AMENDING CHAPTER III OF THE BOROUGH CODE ENTITLED “POLICE 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, November 9, 2020. Mr. O’Dea seconded and the motion was approved with six yes votes.

RESOLUTIONS

- #20-245 AUTHORIZING PAYMENT OF BILLS**
- #20-246 ACCEPTING MONTHLY REPORTS**
- #20-247 REDUCING THE PERFORMANCE GUARANTEE FOR THE HERITAGE AT CLAREMONT - NEW PARISH HALL AND CHURCH OVERFLOW PARKING (NGC DEVELOPMENT)**
- #20-248 AUTHORIZING REFUND OF STORMWATER ESCROW ACCOUNT 04-280-7008-0100 FOR MR. & MRS DAN TODD FOR 5 PINE HOLLOW COURT**
- #20-249 AUTHORIZING REFUND OF STORMWATER ESCROW ACCOUNT 04-280-7000-0026 FOR MACDONALD/KING RESIDENCE FOR 5 SOMERSET AVE.**
- #20-250 SUPPORTING SOMERSET COUNTY’S STIGMA FREE CAMPAIGN**
- #20-251 ESTABLISHING DECAL FEES AND OTHER REGULATIONS FOR MUNICIPAL PARKING LOTS DURING 2021**
- #20-252 AWARDING A CONTRACT FOR EXCAVATION OF TEST PITS**
- #20-253 RESOLUTION AUTHORIZING ISSUANCE OF REQUEST FOR PROPOSALS TO FACILITATE THE REDEVELOPMENT OF 65 MORRISTOWN ROAD**
- #20-254 AUTHORIZING TRANSFER OF FUNDS**

- #20-255 INCREASING PETTY CASH FUND POLICE DEPARTMENT**
- #20-256 AUTHORIZING SHARED SERVICES AGREEMENT WITH
BERNARDS TOWNSHIP FOR FIRE PREVENTION**
- #20-257 AUTHORIZATION TO APPLY FOR LOCAL GOVERNMENT
EMERGENCY FUND (CRF) GRANT**

Mr. O’Dea moved to adopt Resolutions #20-245 to #20-257. Ms. Zamarra seconded and the motion was approved by the following roll call vote. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. McQueen, Mr. O’Dea, and Ms. Zamarra voted yes.

COUNCIL COMMITTEE REPORTS

Mayor’s Update, Mayor Canose said we had a settlement with NJ American Water which is being signed off today. She said she attended the joint meeting between Somerset County OEM and JCP&L to go over the last tropical storm and the restoration process. The Somerset County Governing Officials meeting was on October 14th and County Administrator Mike Amorosa was the guest of honor. Mayor Canose said she served as a witness for a resident’s attempt to beat a Guinness Book Record for consecutive frisbee throws. She noted they did not beat the record but will try again. The Diversity Council had their first listening session last Monday with 30 participants including the Mayor and Mr. Hammond. They shared stories of their experiences in town and created four subcommittees focusing on local government, educating the community about diversity, communication, and community. They are also looking to start a welcome committee to make new people in town feel welcomed. The Diversity Council is looking for volunteers. Mayor Canose attended opening day for Back To The Future at the movie theater. The complete count for the census was finished on October 16th and Somerset County came in fourth in the state and Bernardsville was 10th in the county at 76.2%. Mr. Hammond asked if these numbers included canvassers that went around town to speak to residents. Mayor Canose said we have not been given those numbers yet and only have the self reporting numbers. It was noted that our numbers should be higher than the 76.2% when we get additional numbers. Mayor Canose said a number of business on Olcott Square had a Halloween celebration that was very well attended. Mayor Canose was asked to serve on the Somerset County Human Services Advisory Council and the Mayor’s Reentry Task Force.

Public Safety Committee, Mr. Hammond said the committee has not met since the last council meeting. He said the engineering report on parking on Prospect Street is still being worked on and they are gathering data in response to residents’ questions about this topic.

Finance Committee, Mr. O’Dea said the committee did not have a physical meeting and shared data electronically. He thanked Mayor Canose for her work on the committee over the past two budget cycles as she has stepped down from the committee and Mr. McQueen is now taking her

place. Mr. O'Dea said they have scheduled four meetings to start the budget planning cycle and these will be the preliminary planning meetings for the 2021 budget.

Personnel Committee, Mr. McQueen said the committee has not met since the last council meeting and will setup a meeting to update the progress on the search for a new Borough Administrator.

Engineering, Technology, and Public Works Committee, Ms. Zamarra said the walking path at the Polo Grounds is still part of their agenda and they have done another walkthrough and are trying to determine the area of wetlands and how we can make the path work with the wetlands as they are or if there is a need for a change. She said we approved grants for Lloyd Road and Washington Corner Road earlier in the meeting. They are working on a project for a walkway from Boylan Terrace to the train station and Mr. Walker is working on a grant for this project. They are working on submission to NJDOT regarding the driveway at 271 Mine Brook Road and dealing with a septic system on the property. Ms. Zamarra said work on Hull Road and Lindabury Avenue was completed in September. There was work completed on Whitenack Road earlier this month. Work on the roof at the Library was completed earlier this month. The issue with mold in the Police Department has been taken care of. The committee will discuss the best options regarding dam remediation at the borough pond at their next meeting.

Land Use Committee, Mayor Canose said the committee met on October 19th and discussed the schedule for the Audi Dealership property. The RFPs will probably go out next week with submission of plans due December 22nd. Mayor Canose said for Quimby, on November 16th we should have a draft for council review and discussion for the RFP on November 23rd with a due date in February to avoid the holidays.

Housing/Zoning, Mr. Price said at the last meeting they were asked to provide electronic information to landlords and tenants for their inspections. They have a couple of software services that they are looking into.

Library Board, Mr. Hammond said the Board of Governors met with the Library Board on October 20th and we are proceeding with the transition of joining the MAIN (Morris Automated Information Network) Library Consortium. The goal is to complete the transition at the end of December or early January. The Library Board is working on the preliminary budget for 2021. The Library Foundation and Friends of the Bernardsville Library are holding a silent auction and 50/50 on November 17th. The school board allowed use of their property for a concert and that was a success. Mr. Hammond thanked the school board. There will be a blood drive at the Library and there are 27 volunteers already signed up to help.

Recreation Committee, Ms. McCredie said due to a conflict with the last council meeting on a Tuesday, she was unable to attend the Recreation Committee meeting on the same day.

Board of Health, Ms. McCredie said the Board has not met since the last report. She said flu shots are being given tomorrow at the Bernards Township Community Center.

Open Space, Ms. Zamarra said they have been working on making a path through Peters' Tract and thanked the volunteers for their time on this project.

ITEMS OF BUSINESS

Diversity and Inclusion Program Update

Mr. Maresca said he, Mr. Hammond and Mr. Suriano have discussed a draft diversity and inclusion policy with Labor Counsel, Lisa Barre-Quick. Discussion took place as to which volunteers should have a mandatory requirement to complete training. Ms. Barre-Quick said if that's a concern, the policy can say the borough is going to offer diversity and inclusion training to appropriate individuals and leave it open ended. She said if we purchase a program the council will have to approve the program along with funding for it and then can indicate in that same resolution who is going to be required to take the training. She suggested an overview type of training to introduce employees to issues like implicit bias and diversity inclusion. Council had no objections to this method. Ms. Barre-Quick said there should be a review period afterwards to see how the program was received and then a decision made on a going forward basis to determine if it's the right strategy or if something different should be done in the following year. Mr. Maresca will continue to work with Ms. Barre-Quick toward reaching a final policy.

Tour of Somerville Bike Race

Mr. Donahue said this race is being planned to be held on the Saturday of Memorial Day weekend in 2021 and asked if we a liaison from the Board of Education in case we need to use the school parking lot. Mayor Canose said she had reached out to the Board of Education but has not received a response. There were no objections from council to hold this event. Ms. Zamarra suggested contacting Joe Ray, a bike rider who came to a prior council meeting about a bicycle event, and informing him of this race. Mr. Donahue said he knows about Mr. Ray and other bike riders in town. Mr. Hammond said the Police Department is on board with this event and may need fundraisers to help cover overtime costs.

Request from Vollers to Use Borough Property (Lot across from Borough Hall) to Stockpile Materials

Council consent was given to Vollers to use the lot across from Borough Hall to stockpile materials. Mr. O'Dea suggested renting the space for future requests similar to this one. Mr. Pidgeon will work on a resolution for the next council meeting and Mr. Price will research and find a range of how much money we could charge.

Draft Resolution Retaining a Realtor in Connection with the Sale of a Portion of 271 Mine Brook Road

Mr. Pidgeon said no RFPs were received to date. Mr. Suriano said that local realtors were contacted. The Mayor and Council will make additional contacts with local realtors to see if we can get RFPs.

Somerset County Transportation

Council decided to get more information and asked the Clerk's Office to contact the current riders of the senior van to see if they have alternative transportation if this Friday service to Bernardsville residents was discontinued.

Correspondence

Email re: JCP&L & Bernardsville Working Together, Mayor Canose said she received an email from Carol Bianchi of JCP&L, which suggested working together is the best approach to addressing issues and making improvements.

Unfinished Business

Holiday Displays, Mr. Pidgeon had included several articles on holiday displays in the council's agenda file. It was decided to further review the information provided on this topic and given the timing, any changes would likely be made for next year's holiday season.

New Business - None

OPEN SESSION

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

CLOSED SESSION

It was moved to adjourn to an executive session to consider Personnel Matters, Contract Negotiations, Collective Bargaining, and Property acquisition/pending litigation/attorney-client privilege 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 six yes votes.

REOPEN

Mr. McQueen moved **Resolution #20-258, APPOINTING ROBERT PICKELL AS ASSISTANT FOREMAN**. Mr. Hammond seconded and the motion was approved by the following roll call vote. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. McQueen, Mr. O’Dea, and Ms. Zamarra voted yes.

ADJOURNMENT

The meeting was adjourned at 12:10 a.m.
