

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
June 14, 2021

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, Thomas O'Dea, Jr. and Christine Zamarra. Also present were John Pidgeon, Borough Attorney, Tom Czerniecki, Administrator, and Anthony Suriano, Borough Clerk. Council Member Chad McQueen was absent.

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

OPEN SESSION

Mayor Canose opened the meeting to the public.

Johanna Wissinger, Environmental Commission Chair, made a statement regarding the stormwater regulations ordinance that was discussed at prior meetings. She said stormwater runoff negatively affects our residential properties, streams, and roads. The consequences of not containing stormwater are likely to continue and most likely even increase because of our continual increase of impervious surfaces and the net loss of trees. She thanked members of this council for their support in addressing stormwater issues, mentioning Mayor Canose for her work with the Rutgers Green Infrastructure Program, support for the four rain gardens we've installed, and work with the NJDEP to address the wet issue on the far side of the pond. She thanked Mr. Hammond for his participation and guidance, grants, and serving as liaison to the Environmental Commission. She thanked Ms. Zamarra for heading up the Raritan Headwater Association stream cleanup. She said she would like to implore the members of this council and future councils to consider the following two suggestions. She said she realizes the council does not want to overburden civic minded volunteers, however, the inclusion of green infrastructure practices is a very significant part of the Ordinance discussed at the March meeting. She said it is a very important part for a solution and has not received adequate attention in her opinion. Second, she asked council to continually be alert and open-minded to ideas that will improve and make our stormwater ordinance more effective. The Environmental Commission will continue to learn how best to contain stormwater and provide information and outreach to help the residents comply. She said while it's important for the Environmental Commission to remain independent and do their own research, they would appreciate any opinion or enlightenment from the council members and our experts, so we can achieve what we hope is our common goal.

It was noted that as directed from the last council meeting, this ordinance has been set to be reviewed by the Public Works Committee.

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

ORDINANCES (Public Hearing)

Mayor Canose opened the public hearing on Ordinance #2021-1883, **SALARY ORDINANCE FOR PATROLMAN AND DETECTIVES OF THE BERNARDSVILLE POLICE DEPARTMENT**. Hearing no comments from the public, Mayor Canose closed the public hearing. Mr. Donahue moved to pass this ordinance on final reading and adopt as published. Mr. Hammond seconded and the motion was approved by the following roll call vote. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. O'Dea and Ms. Zamarra voted yes.

Mayor Canose opened the public hearing on Ordinance #2021-1884, **SALARY ORDINANCE FOR SERGEANTS AND LIEUTENANTS OF THE BERNARDSVILLE POLICE DEPARTMENT**. Hearing no comments from the public, Mayor Canose closed the public hearing. Mr. Donahue 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. Donahue, Mr. Hammond, Ms. McCredie, Mr. O'Dea and Ms. Zamarra voted yes.

ORDINANCES (Introduction)

Ms. Zamarra moved that Ordinance #2021-1885, **CONCERNING OUTSIDE DINING AND OFF-STREET PARKING REQUIREMENTS AND SUPPLEMENTING AND AMENDING VARIOUS SECTIONS OF THE BOROUGH CODE**, 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 28, 2021. Ms. McCredie seconded and the motion was approved with five yes votes.

Ms. McCredie moved that Ordinance #2021-1886, **AN ORDINANCE CONCERNING DOGS AND AMENDING CHAPTER 5 OF THE BOROUGH CODE ENTITLED "ANIMAL CONTROL"**, 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 28, 2021. Ms. Zamarra seconded and the motion was approved with five yes votes.

RESOLUTIONS

#21-123 AUTHORIZING PAYMENT OF BILLS

- #21-124 AUTHORIZATION OF TAX REFUND**
- #21-125 AUTHORIZING SUBMISSION OF A LETTER TO THE FEDERAL RAILROAD ADMINISTRATION (FRA) REGARDING TRAIN QUIET ZONES**
- #21-126 APPROVING SUBMITTAL OF A GRANT APPLICATION FOR THE BERNARDS AVENUE IMPROVEMENT PROJECT**
- #21-127 APPROVING SUBMITTAL OF A GRANT APPLICATION FOR THE BERNARDS AVENUE NEIGHBORHOOD PROJECT**
- #21-128 APPROVING SUBMITTAL OF A GRANT APPLICATION FOR THE WEST STREET AND BOYLAN TERRACE SAFE ROUTES TO SCHOOL SIDEWALK PROJECT**
- #21-129 REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS PER NJSA 40A:4-87**
- #21-130 AUTHORIZING REOPENING OF BOROUGH FACILITIES**
- #21-131 APPROVING CORE VALUES STATEMENT FOR MUNICIPAL EMPLOYEES**
- #21-132 APPROVING AN ORGANIZATIONAL CHART OF THE BOROUGH OF BERNARDSVILLE**
- #21-133 AUTHORIZING RENEWAL OF ABC LICENSES**
- #21-134 AUTHORIZING BOROUGH OFFICIALS TO SIGN CORONAVIRUS LOCAL FISCAL RECOVERY FUND DOCUMENTS**
- #21-135 AUTHORIZING TRADE-IN OF 2000 JOHN DEERE 444H WHEEL LOADER AND PURCHASE OF 2021 JOHN DEERE 524P LOADER THROUGH ESCNJ COOP#65-MCESCCPS**
- #21-136 AWARDED A CONTRACT FOR THE CHESTNUT AVENUE IMPROVEMENT PROJECT**
- #21-137 DECLARING JUNE 2021 AS LGBTQ+ PRIDE MONTH**
- #21-138 AUTHORIZING JUNKING OF VEHICLES**

Mr. O'Dea moved to adopt Resolutions #21-123 to #21-138. Ms. Zamarra seconded and the motion was approved by the following roll call vote. Mr. Donahue, Mr. Hammond, Ms. McCredie, Mr. O'Dea, and Ms. Zamarra voted yes.

ITEMS OF BUSINESS

Mayor's Update

Mayor Canose said we have continued to have the technical assistance meetings on our energy use, and thanked Kathy Redling, and Leslie Roberson, for doing an incredible job of collecting all the data and using the new input system. We had a direct install survey done at the library and they are still deciding whether to pursue it. She said there are some savings to be found and thanked Mr. Hammond for reaching out for that grant. Mayor Canose said she attended a park bench chat webinar which talked about the park score index that was done by the Trust For Public Land. The 2021 park score rankings were released and really stressed that parks are not just a nicety but are part of essential public health infrastructure and turned out to be a lifeline during the pandemic. Their standard is that ideally every resident should have a 10-minute walk to a park. The index takes into account the municipality's acreage, amenities, access, investment, and this year they added equity. Bernardsville is rated 37 percent, which is how many people have access within 10 minutes to a park. Mayor Canose said our unique landscaping and the way we are laid out, makes it difficult to put in a park and the main group of people who don't have access are the mountain residents. They said five percent of our property is used for recreation or parks and the national median is fifteen, but they did not include 271 Mine Brook Road, so that will bring that number up. Mayor Canose said she officiated her third wedding on May 30th. She said Memorial Day was a great day and everything went really well. She thanked Bob Markowick for working out all the details with the veterans, Doug Walker for all the work he did getting the walls ready for the murals, the Police Department for keeping people safe, and the Fire Department for using their trucks in the escort. On June 3rd, Mayor Canose attended a green infrastructure webinar, as did Johanna Wissinger, and they had some excellent panelists from the Highlands Council, the NJ Infrastructure Bank, Sustainable Jersey, and our own resident Kristi MacDonald from Raritan Headwaters. They were highlighting our rain garden program which was a great thing to see us taking the lead on something like that. There were also some interesting funding opportunities that they talked about for grants, future infrastructure, and green infrastructure. Mayor Canose said she was a judge along with Megan McDowell at the car show at Gallaway & Crane and they raised five thousand dollars for Heartworks. There was a meeting of the Mayor's Wellness Campaign which is partnering with Community In Crisis and our own Recreation Department. This month is mental health awareness month so Community In Crisis is looking to offer an intense mental health awareness training session before the end of the month. Mayor Canose attended the Somerset County Planning Partners meeting and they have completed a Preservation Plan which includes the Open Space Plan and The Historic and Farmland Preservation Plans. It is the first time they have done a unified plan and it is four volumes of 600 plus pages. She said it will be available for public

review sometime in the middle of summer and then they will be having public hearings on it. They also incorporated the Walk Bike Hike Program. Mayor Canose said she attended the first in person Somerset County Governing Officials Association meeting in a year and a half. The speaker was Paul Penna who is the Legislative Analyst for the NJ League of Municipalities and he reviewed the rescue funds and how they get used. Mayor Canose said she and Mr. Hammond were at the Community in Crisis Leadership Forum on June 10th which was a brainstorming session on addiction and mental health issues. They did a community survey and the results will be available soon. There has been an approximate 30% increase in opioid overdoses since the pandemic so they are really trying to tackle that. Mayor Canose attended the Somerset County Stigma Free Committee meeting and they are looking to host a conference sometime in the fall. Somerset County is doing their meetings with Mayors from all towns in the county twice a month and they will be piloting a mental health program for the police in Bridgewater. Mayor Canose said our Boylan Terrace Walkway project was one of ten that Congressman Malinowski put forward but the county then narrowed it down to three and we were not in the final three. Somerset County will be having a Juneteenth celebration on June 17th on the courthouse green from 6:00pm to 7:00pm. Ms. McCredie thanked Mayor Canose for the time and effort she puts in.

Administrator's Report

Mr. Czerniecki thanked Chris D'Amato for his assistance in putting together the organizational chart in Resolution #21-132. He said the chart will be posted on the website and the names of the council members could link to a bio and a photo and he will follow up with each member individually so they could provide information they would like to link. Mr. Czerniecki said we now have both Quimby Lane redevelopers' conceptual submissions and Mayor Canose is setting up a Redevelopment (Land Use) Committee meeting so we can start talking about the next steps. The submission received from Advance Realty this past week will be uploaded to the website. Mr. Czerniecki acknowledged the Recreation Department and all the work that they have done in the spring and summer, capped off with the success of the pool season. He said he will provide some financials in his report at the next meeting, but briefly our memberships for this year are now at 1,432 and it's not closed yet. He said last year we barely broke 1,000 and in 2019 we were at 1,393, so they have done a great job in getting more pool membership. He said revenue will not just be from memberships, it will be from other activities that are being planned.

Mr. Czerniecki said tree removal was necessary and has been completed to get the booster station project at Oak Ridge Road moving forward. He said the Police Department has been working closely with school officials to improve the traffic flow situation, which has been exasperated by Covid inspired scheduling and has really created some potentially hazardous situations. The whole department is making sure that it's safe and as a result, some permanent improvements have been identified. Mr. Czerniecki thanked Chief Valentine and the Police Department along with school officials for working together. He said we are transitioning our drug education program from DARE to LEAD, which is a very popular trend. Mr. Czerniecki said Chief Valentine and his team have been working on resuming the Coffee With A Cop

program, which will be done at a location in the town center this summer. Mr. Hammond asked about the transition from DARE to LEAD. Chief Valentine said the DARE program has been our go-to drug prevention education program for more than 20 years, but the program has morphed into something a little different than it used to be and unlike in the past, the program support is not there for us in our area on the east coast. He said the new (Law Enforcement Against Drugs) LEAD program is about four or five years old, and a lot of the people that were involved with the NJ DARE program got together with some educators and developed a new curriculum that is a little bit more flexible. He said it gives us more flexibility to take certain components of the program and plug them into needs that are customized to our community. It is the same basic premise where the officers are going to be specially trained and they are going to go into the schools. He said we have three officers now that are trained and we have a training conference coming up later this month. Chief Valentine will be attending with two of our trained officers to try to get a grasp on what the program really has to offer so we can make the best use of it.

Mobile DMV

Ms. Zamarra discussed an email she received from the NJ Motor Vehicle Commission to see if Bernardsville is interested in having a mobile MVC as they could accommodate at some point over the summer in July, August, or September. It was noted this would be a great service to our residents given the limited availability and distance of MVC locations and the convenience of having it in town. Council consent was given to apply to the NJMVC to have a Mobile MVC in Bernardsville. Mr. Czerniecki will file the application and look into which location in town is best.

Request for Hardship Exemption from Street Opening Moratorium on 59 Hull Road

A memo from Mr. Macdowall's referenced a request from John Herrmann of 59 Hull Road for a hardship road opening for PSE&G to install a new gas service. Mr. Herrmann's request indicates PSE&G was under the impression that their gas main was outside the limits of the paved road surface. Council consent was that unless the borough provided bad information that led the resident to the decision they made, it is not the borough's fault and the fee would not be waived. If it is determined that the borough provided the information, then this topic will be brought back to council.

Correspondence - None

Unfinished Business

Ms. McCredie said she contacted Samantha Frenda, who is the head of community relations at the Board of Education, and is hopeful that we can end up with a group that can open the lines of communication with the Board of Education.

New Business

Request for School Buses to be Parked on Borough Property near the Tennis Courts for Graduation, a request from the Principal of Bernards High School was discussed. They are looking to park eight small buses at the tennis courts on June 17th from approximately 9:00am to 12:45pm. Council consent was given for this request.

Hardship Exemption, Mr. O'Dea referenced the hardship exemption discussed earlier and said our goal was to not have residents tearing up the roads right after we paved them, but he would like to see if there is a happy medium that the borough can strike with homeowners because it is understandable that coming up with another four thousand dollars would be hardship for a resident. He suggested our ordinance indicates that they would have to put the money in escrow for the period of time until the road reaches five years of age. That way if the repair was effective during any time up until five years, we would have the escrow money to repair it. We would be foregoing the \$2,500 fee, which is a declining fee as the road gets closer to five years of age. He suggested changing the ordinance so residents would have to keep money in escrow until the road is five years of age, which would be a happy medium to accomplish having nice roads and being a bit more resident friendly. It was decided to have the Public Works Committee review this topic.

CLOSED SESSION

Ms. McCredie 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. Donahue seconded and the motion was passed with five yes votes.

ADJOURNMENT

The meeting was adjourned at 8:20 p.m.
