

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
February 27, 2012

This meeting was called to order by Mayor Lee C. Honecker at 7:00 p.m. Present were Council Members John F. Farrell, Charlotte J. Foster, Joseph Rossi and Kevin Sooy. Council Members Craig Lawrence and John McCrossan arrived late. Also present were John Pidgeon, Borough Attorney, Ralph A. Maresca, Jr., Administrator and CMFO, and Sandra G. Jones, Borough Clerk and Assistant Administrator.

STATEMENT OF PRESIDING OFFICER

Mayor Honecker announced that 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 4, 2012.

PLEDGE OF ALLEGIANCE

Council Members McCrossan and Lawrence arrived at this point in the meeting.

PRESENTATIONS

Agenda item 11C, the Somerset County Senior Transportation program, was moved to this point in the meeting. Yvonne Manfra, Director, was present to discuss the program now available to Bernardsville seniors and the disabled who are residents of the borough. Ms. Manfra said the program operates five days per week, Monday to Friday, and provides transportation identified in their program brochure, including non emergency medical trips, senior wellness center trips and grocery shopping one day per week in Bernardsville. The program is already widely used by borough residents as demonstrated one week during December 2011, when 43 residents rode the vehicle. In addition to normally scheduled services, Ms. Manfra stated the county would consider a contract to cover additional transportation needs. If the borough wishes to consider same, needs would have to be identified in order for the county to determine cost.

It was unanimously decided to notify riders that our local program will be discontinued effective April 1st, and that their transportation needs will be met by Somerset County Transportation. Brochures outlining the county program, including contact information, will be sent to borough riders who have filed contact information with the Clerk's Office.

APPROVAL OF MINUTES

Mr. Lawrence moved approval of minutes of meetings held January 23, February 2 and February 14. Mrs. Foster seconded the motion which was adopted with six yes votes.

OPEN SESSION

Paula Marasco, Round Top Road resident, announced Outstanding Women in Somerset County awards which will be present to four local residents at a dinner to be held on March 23. They are Debbie Kirsch in the Arts/Entertainment category, Diana Kramer, Entrepreneur, Sherry Frawley, Government/Public Service, and Katie Meyler, Social Services. Mayor Honecker said he will prepare proclamations to record the honors in the public record.

ORDINANCES

Mayor Honecker opened public hearing on #12-1598, **AN ORDINANCE CONCERNING RESIDENTIAL RENTAL PROPERTY REGISTRATION AND INSPECTION REQUIREMENTS AND SUPPLEMENTING AND AMENDING CHAPTER XI OF THE BOROUGH CODE ENTITLED "PROPERTY MAINTENANCE CODE"**. Hearing no comments or questions, the Mayor closed the public hearing. Mr. Farrell moved to pass the ordinance on final reading and adopt as published. Mrs. Foster seconded the motion which was adopted upon a call of the roll. Members Farrell, Foster, Lawrence, McCrossan, Rossi and Sooy voted yes.

Mayor Honecker opened public hearing on #12-1599, **CONCERNING SEWER CONNECTION FEES AND SEWER USER RATES AND ALLOCATION AND AMENDING CHAPTER XVI OF THE BOROUGH CODE ENTITLED "SEWER REGULATIONS"**. Hearing no comments or questions, the Mayor closed the public hearing. Mr. Sooy moved to pass the ordinance on final reading and adopt as published. Mr. Rossi seconded the motion which was adopted upon a call of the roll. Members Sooy, Rossi, McCrossan, Lawrence, Foster and Farrell voted yes.

Mayor Honecker opened public hearing on #12-1600, **APPROPRIATING \$17,000 FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND**. Hearing no comments or questions, the Mayor closed the public hearing. Mr. McCrossan noted for the record that the \$17,000 provided by this ordinance is for an engineering study to determine if the filters must be replaced or can be rehabilitated. It was decided to add the words "engineering study" to the end of the sentence in Section 1. Mr. Rossi moved to amend the ordinance as discussed, to pass on final reading and adopt as published. Mr. Sooy seconded the motion which was adopted upon a call of the roll. Members Farrell, Foster, Lawrence, McCrossan, Rossi and Sooy voted yes.

Moved by Mrs. Foster that #12-1601, **AN ORDINANCE CONCERNING PARKING RESTRICTIONS ON OLCOTT AVENUE 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., March 26, 2012. Mr. Rossi seconded the motion which was approved with six yes votes. Mrs. Foster urged posting signs as soon as possible following adoption of this ordinance.

Moved by Mr. Rossi that #12-1602, **CONCERNING THE BOROUGH TOWING ORDINANCE 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., March 26, 2012. Mr. Sooy seconded the motion. Following discussion, it was unanimously agreed to withdraw motions on this ordinance and hold it for further discussion at the March 12 meeting. Captain Perez will be asked to attend that meeting.

Moved by Mr. Sooy that #12-1603, **AN ORDINANCE CREATING THE POSITION OF PURCHASING OFFICER AND SUPPLEMENTING AND AMENDING CHAPTER II OF THE BOROUGH CODE ENTITLED 'ADMINISTRATION'**, 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., March 26, 2012. Motion was seconded by Mr. Rossi and approved with six yes votes.

Moved by Mr. McCrossan that #12-1604, **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**, 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., March 26, 2012. Motion was seconded by Mrs. Foster and approved with six yes votes.

RESOLUTIONS

- #12-45 ACCEPTING MONTHLY REPORTS**
- #12-46 AUTHORIZING SUBMISSION OF 2011 RECYCLING TONNAGE GRANT APPLICATION**
- #12-47 AUTHORIZING EXECUTION OF OCA BENEFIT SERVICES DATA GATHERING FORM**
- #12-48 AUTHORIZING AMENDMENTS TO RR STATION SUBLEASE**
- #12-49 AMENDING THE TEMPORARY BUDGET**
- #12-50 AUTHORIZING PAYMENT OF BILLS**
- #12-51 AUTHORIZING EXECUTION OF THE CERTIFICATION OF COMPLETION OF AFFORDABLE HOUSING PROJECT AND UNIT MONITORING IN THE CTM (COAH TRACKING AND MONITORING) REPORT SYSTEM**

Resolutions #12-45 and 12-48 were removed from the list for discussion. Mr. Sooy moved approval of Resolutions #12-46, 12-47, 12-49, 12-50 and 12-51. Mrs. Foster seconded the motion which was approved upon a call of the roll. Members Farrell, Foster, Lawrence, McCrossan, Rossi and Sooy voted yes.

Regarding Resolution #12-45, Mr. Lawrence stated that he will vote to approve this resolution, but requests a year to year comparison going forward in monthly reports from the Police Department. Mr. Rossi asked for more detailed reports from Public Works. Mr. McCrossan requested that future Public Works reports reflect total man days available. Mrs. Foster moved acceptance of monthly reports shown in Resolution #12-45, noting reservations discussed herein, and pending revisions in future reports, as discussed, to show man hours. Mr. Sooy seconded the motion which was approved with six yes votes.

Resolution #12-48 was briefly discussed, then Mr. Farrell moved approval. Mr. Rossi seconded the motion which was approved with six yes votes.

REPORT OF THE MUNICIPAL ATTORNEY

Mr. Pidgeon's monthly report was briefly discussed.

COUNCIL COMMITTEE REPORTS

Public Safety

Mr. Rossi stated that manpower concerns will be discussed in closed session.

Finance

Mr. McCrossan reported that the committee is meeting weekly to work on the 2012 budget. Library Trustees will attend tomorrow's meeting to discuss their budget request which is \$926,000.

Personnel

Mr. Farrell said a committee meeting was held on this date to consider items which will be discussed further in closed session.

Engineering, Technology & Public Works

Mr. Lawrence reported on various projects. Regarding the Pond Dredging project, he advised that our DEP permit does not include removal of silt behind the Fire Company or at Bernards

Avenue. Mr. Rossi asked why those areas were not included in the permit application and if the permit could be amended to include them now? Mayor Honecker suggested that the Public Works Manager be asked if that is a practical suggestion and what it would cost to seek an amendment.

ITEMS OF BUSINESS

Projects at Dunster Squibb property

Dan Lincoln, Chair, HPAC and Paula Marasco, HPAC member and Member of Friends of Historic Bernardsville, were present to discuss the Dunster Squibb property off Route 202, opposite Old Quarry Road, Lots 14 and 14.01 in Block 80. Mr. Lincoln discussed project status and grants obtained to date. In addition to grants obtained to purchase the property, the borough received \$60,000 for roof repairs to be done this Spring, \$10,000 for a Historic Structures Report and \$70,000 for Historic Structure Report/Preservation Plan for the three buildings on the site. Mr. Lincoln said the spring house and barn roofs would be viable projects for future grant applications. He said the Report/Plan for the site will take about two years, that a project like Dunster Squibb will take about ten years to complete. Mrs. Marasco reported on private fund raising efforts and donations received thus far. Mr. Lincoln said it will be necessary to cover roofs with tarps until roofs are repaired, and he was informed that the Public Works Department can assist with the task.

Unity Day Report

Mr. Rossi stated the financial report for 2011 Unity Day is still not available; will be available for the March 12 meeting.

Recreation Nature Camp

The Recreation Director, via a memo, asked if there is a conflict if the son of a Recreation Committee member, who is a teacher in our schools, were to run a summer camp for the Recreation Department? Mr. Pidgeon advised that since Recreation is an advisory committee Council could authorize it via contract. There was unanimous agreement to approve.

Friends for a Greener Bernardsville

Kevin Sooy advised that Friends has asked to remove a maple tree from its location near the Millicent Fenwick Statue to a small island in the parking lot which now contains a viburnum bush. The viburnum will be moved to the pond side of the municipal building. There was unanimous agreement to do so.

OPEN SESSION

Mayor Honecker opened. Hearing no comments, he closed the open session.

CLOSED SESSION

Mrs. Foster moved to adjourn to executive session to consider **personnel matters**, and that the time when and circumstances under which the matters can be disclosed to the public is when it (they) are finally resolved. Mayor Honecker advised that it is likely that action may be taken following the closed portion of the meeting. Mr. Farrell seconded the motion to adjourn and said motion was unanimously approved.

REOPEN

Moved by Mr. Rossi, seconded by Mr. Lawrence, approved unanimously.

Police Department Personnel Changes

Mr. Rossi moved to authorize Richard A. Mickles, a current part-time, substitute Dispatcher, to work full time at Step 6, \$45,050, with no benefits because he is ineligible to receive pension and health benefits due to the fact that he is a retired police officer. Mr. Sooy seconded the motion which was approved with six yes votes.

Two openings are anticipated in the department due to the pending retirement of one officer and the resignation of another. Mr. Rossi moved to authorize Chief Valentine to start the process to hire two new officers. Mr. Sooy seconded the motion which was approved with six yes votes.

ADJOURNMENT

Moved, seconded, and unanimously approved at 9:40 p.m.

Borough Clerk

keywords: senior-transportation-county-rental-housing-sewer-parking-olcott-towing-pruchasing-budget-finance-police-recycling-grant-sublease-benefit-coah-pond-dredging-women-dunster-squibb-unity-recreation-friends-greener-dispatcher

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