

BOROUGH OF BERNARDSVILLE

Mayor and Borough Council Meeting Minutes

May 8, 2006

The meeting was called to order by Mayor Jay Parsons, at 7:00 p.m. on Monday, May 8, 2006, in the Borough Hall. Present were Denis Dooley, Charlotte Foster, Lee C. Honecker, Michael Landau, Joseph Rossi and Mikael Salovaara. Also present were John R. Pidgeon, Esquire, Borough Attorney, Sandra Jones, Borough Clerk & Assistant Administrator and Ralph A. Maresca, Jr., Administrator & C.M.F.O.

STATEMENT OF PRESIDING OFFICER

Mayor Parsons 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 December 14, 2005.

OPEN SESSION

Mayor Parsons opened the public session. Mariel O'Brien, Anderson Hill Road resident, introduced herself as a Democratic candidate for Borough Council, and referring to the proposed pocket park for the former Howlett property at Mt. Airy and Prospect, questioned whether a park or playground at that location would be safe for children who may use it. Ms. O'Brien remarked that other parks in the Borough are "in a state of disrepair" and she asked how maintenance of a new park would be funded? Mr. Rossi spoke about other potential uses for the Howlett site, including additional parking and housing, and the possibility of changing, by referendum, the way open space funds are used, to include maintenance. Mayor Parsons closed the public session.

ITEMS OF BUSINESS

Tax Assessments

Marcia Sudano, Assessor, distributed written information on mass appraisals in Bernardsville. She discussed a sampling of sales in various neighborhoods, the method used in assessing property, the application of ratios and coefficients by VCS (Value Control Sector), revaluation vs. reassessment, and the Farmland Assessment Act. The assessing function, Mrs. Sudano said, is governed strictly by statutes and the Assessor reports to the County Tax Board and the State Division of Taxation.

Members of the public were invited to speak and comments and questions were heard from Joseph Bonanno of Shadowbrook Court, Greg DiGioacchino of Somerset Avenue, Mariel O'Brien of Anderson Hill Road, Skip Orza of Old Fort Road, Charlotte Fischer of Childsworth Avenue, and Kathy Pierce of Holly Ridge Court.

Ordinance Public Hearings

Mayor Parsons opened the public hearing on #06-1428. Without comments or questions from the public, the hearing was closed. Mr. Salovaara moved that #06-1428, **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**, be passed on final reading and adopted as published. The motion was seconded by Mr. Landau and approved with six yes votes.

Mayor Parsons opened the public hearing on #06-1429. Without comments or questions from the public, the hearing was closed. Mr. Landau moved that #06-1429, **AN ORDINANCE CONCERNING CONSTRUCTION CODE FEES AND AMENDING CHAPTER XII OF THE BOROUGH CODE ENTITLED "BUILDING AND HOUSING"**, be passed on final reading and adopted as published. The motion was seconded by Mrs. Foster and approved with six yes votes.

Consent Resolutions

- #06-106** AUTHORIZING SUBMISSION OF A GRANT APPLICATION FROM THE SHADE TREE COMMITTEE
- #06-107** AUTHORIZING THE SUBMISSION OF THE YEAR 2007 BOROUGH OF BERNARDSVILLE PROPOSAL WITH SOMERSET COUNTY BOARD OF CHOSEN FREEHOLDERS (Municipal Alliance)
- #06-108** APPROVING A FIREWORKS PERMIT FOR SOMERSET HILLS COUNTRY CLUB (SHCC)
- #06-109** APPROVING AN OFF-PREMISE MERCHANDISE RAFFLE APPLICATION FROM FRIENDS OF THE AMERICAN CANCER SOCIETY OF NJ
- #06-110** AUTHORIZING PAYMENT OF BILLS
- #06-111** AUTHORIZING PAYMENT FOR OFF-DUTY TRAFFIC CONTROL (BARSAN)

Mr. Salovaara moved that RESOLUTIONS **#06-106 through #06-111** be approved. Mr. Rossi seconded and the motion was approved with a five yes votes. Mr. Honecker voted yes on #106 to #109 and #111, but abstained from voting on #110, a VNA bill, because he is a member of the VNA board.

Unity Day Proposal

Ken Neff, Chamber of Commerce, was present to discuss the request to use municipal grounds around the pond for Unity Day on Saturday, October 7, 2006 (Raindate Sunday, October 8). Mr. Neff spoke about various events which may be offered, including but not limited to pony rides, petting zoo, moon bounce, fire truck slide, games of chance, food concessions, and music. The Borough Clerk stated that applications for this Special Event have not yet been received. The written request for consent included a banner to hang across Route 202 near the Firehouse and sandwich boards “throughout town”. Mr. Neff said parking is proposed at the “upper parking lot and the municipal parking lot”. Mayor Parsons asked for clarification of the use of proceeds from the event. The Borough Clerk stated that she would prepare the resolution of approval when more details are available. The Borough Council gave general consent, and stated they would expect to view favorably any future applications that come to them for this event.

Fire Co./First Aid Squad Family Picnic

Following review of the written request from the Fire Company, the Borough Clerk was directed to prepare a resolution for consideration on May 22, to approve the Fire Company request to use the municipal pool and grounds for their Annual Family Picnic on September 9, 2006 from 12:00 noon to 8:00 p.m.

90th Anniversary celebration/O.L.P.H.

Mary Hughes, Saint Elizabeth’s Public Relations Coordinator, was present to discuss a written request to hold a “Mission Fair” on Saturday, October 14 or Saturday, October 21 from 7:30 p.m. to about 4:30 p.m. The event would include crafters, food vendors, entertainers, and activities like an inflatable moonwalk, and would involve closing Seney Drive between Claremont Road and Anderson Hill Road. Parking is proposed in church lots, but the use of the Borough Pool Parking Lot is requested. The Borough Clerk was authorized to prepare a resolution of consent for consideration on May 22.

Interest Arbitration Law

A sample resolution from the New Jersey League of Municipalities was discussed and it was decided to support the NJLM's position requesting that the NJ State Legislature amend the Police and Fire Interest Arbitration Act to limit binding arbitration awards for all economic issues combined to an amount on a department basis that does not exceed the annual CAP Law limitation. Mr. Landau moved resolution #06-112, **AMENDMENT TO BINDING ARBITRATION STATUTE.** Mr. Dooley seconded the motion which was adopted with six yes votes.

Project Graduation 2007

A letter was discussed from Co-Chairs of Project Graduation 2007, Daria Hepper and Carolyn Geilich, in which they outline details of an event they propose to hold on the municipal pool grounds on September 7, 2006. The Borough Clerk was directed to prepare a resolution for the May 22 meeting.

Housing Ordinance

Council members discussed the proposed revised draft of the new housing ordinance prepared by the borough attorney, and suggested changes which Mr. Pidgeon was directed to make prior to introduction at the May 22 meeting.

Resignation of Shayna Alterman

Mayor Parsons announced the resignation of Mrs. Alterman from the Shade Tree Committee and invited Borough Council Members to suggest candidates for replacement.

Post Office property

Mr. Pidgeon discussed an offer from the Heller Group to purchase the land under the post office from the Borough. Following discussion, Mr. Pidgeon was asked to advise the attorney for the Heller Group that the Borough does not wish to sell the property.

OPEN SESSION

Cathy Pierce of Holly Ridge Court asked when bids for the new cell tower would be received? The Borough Clerk responded bids are due on May 18. Mrs. Pierce commented that the Board of Adjustment was not aware of the schedule, and Mr. Pidgeon agreed to follow-up with the Board of Adjustment.

Mr. Rossi spoke on a matter not on the agenda; the possibility of NJ Transit paving the gravel portion of the train station lot. Mr. Dooley objected to Mr. Rossi raising this matter before the public works committee reviews it. Mr. Honecker spoke about Chief Valentine's suggestions for the lot.

CLOSED SESSION

Mr. Salovaara moved that the meeting be adjourned to Executive Session to consider property acquisition, personnel, and contract negotiations and that the time when and circumstances under which the above can be disclosed to the public is when the matter is finally resolved. Mrs. Foster seconded and the motion was approved with five yes votes. Mr. Rossi voted no.

ADJOURNMENT

It was moved, seconded and approved by six yes votes to reopen the meeting to the public and adjourn.

Sandra G. Jones, Borough Clerk

keywords:

pocket-park-tax-assessments-budget-cap-bank-construction-code-fees-housing-building-shade-tree-grant-municipal-alliance-fireworks-raffle-bills-police-off-duty-barsa
n-unity-day-fire-company-picnic-pool-our-lady-perpetual-help-church-mission-fair-event-seney-interest-arbitration-law-project-graduation-alterman-post-office-pro
perty-cell-tower-new-jersey-transit-pave-lot

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