

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
May 10, 2010

This meeting was called to order by Mayor Honecker at 7:00 p.m. on Monday, May 10. Present were John McCrossan, Edward McDowell, Joseph Rossi, and Kevin Sooy. Also present were Ralph Maresca, Administrator & CMFO, Sandra Jones, Borough Clerk & Assistant Administrator, and Borough Attorney John R. Pidgeon, Esquire. Joseph DeMarco arrived at 7:45 p.m. and Charlotte J. Foster 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 January 5, 2010.

OPEN SESSION

Mayor Honecker opened the meeting to the public. Hearing no comments, the session was closed.

ITEMS OF BUSINESS

Resolutions

- #10-84 AUTHORIZING PAYMENT OF BILLS**
- #10-85 APPROVING MEMBERSHIP IN THE FIRE COMPANY**
- #10-86 AUTHORIZING REFUND OF ESCROW FEES**

Mr. Rossi moved that Resolutions #10-84 through #10-86 listed herein by title, be adopted. Mr. Sooy seconded and the motion was approved upon a call of the roll:

Mr. DeMarco	Absent	Mr. McDowell	Yes
Mrs. Foster	Absent	Mr. Rossi	Yes
Mr. McCrossan	Yes	Mr. Sooy	Yes

ORDINANCES

Mayor Honecker opened the public hearing on this ordinance. Without comments or questions from the public, the hearing was closed. Council Member McCrossan moved that **#10-1539, AN ORDINANCE PROVIDING FOR IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, AND MAKING AN APPROPRIATION OF \$450,000 THEREFOR**

CONSTITUTING PROCEEDS OF GRANTS, be passed on final reading and adopted as published. Mr. McDowell seconded and the motion was approved upon a call of the roll:

Mr. DeMarco	Absent	Mr. McDowell	Yes
Mrs. Foster	Absent	Mr. Rossi	Yes
Mr. McCrossan	Yes	Mr. Sooy	Yes

Mayor Honecker opened the public hearing on this ordinance. Without comments or questions from the public, the hearing was closed. Mr. McDowell moved that **#10-1540, AN ORDINANCE REPEALING SECTION 8-14 OF THE BOROUGH CODE ENTITLED "FIRE LANES - NO PARKING"**, be passed on final reading and adopted as published. Mr. Sooy seconded and the motion was approved upon a call of the roll:

Mr. DeMarco	Absent	Mr. McDowell	Yes
Mrs. Foster	Absent	Mr. Rossi	Yes
Mr. McCrossan	Yes	Mr. Sooy	Yes

Mayor Honecker opened the public hearing on this ordinance. Without comments or questions from the public, the hearing was closed. Mr. McDowell moved that **#10-1541, AN ORDINANCE REPEALING SECTION 3-8 OF THE BOROUGH CODE ENTITLED "LOITERING"**, be passed on final reading and adopted as published. Mr. Rossi seconded and the motion was approved upon a call of the roll:

Mr. DeMarco	Absent	Mr. McDowell	Yes
Mrs. Foster	Absent	Mr. Rossi	Yes
Mr. McCrossan	Yes	Mr. Sooy	Yes

Mayor Honecker opened the public hearing on this ordinance. Without comments or questions from the public, the hearing was closed. Mr. Sooy moved that **#10-1542, AN ORDINANCE CONCERNING YARD WASTE COLLECTION AND AMENDING CHAPTER III OF THE BOROUGH CODE ENTITLED "POLICE REGULATIONS"**, be passed on final reading and adopted as published. Mr. McDowell seconded. Mr. McCrossan requested clarification; Mr. Pidgeon was directed to prepare an amendment for the next meeting. Mr. Rossi moved to carry this ordinance to May 24. Mr. McCrossan seconded and the motion was approved with four yes votes.

Mayor Honecker opened the public hearing on this ordinance. Without comments or questions from the public, the hearing was closed. Mr. Rossi moved that **#10-1543, AN ORDINANCE AMENDING ORDINANCE #10-1536 WHICH ADDED SIX 3-HOUR PARKING SPACES TO THE MOUNT AIRY PARKING LOT AND SUPPLEMENTING AND AMENDING CHAPTER VIII OF THE BOROUGH CODE ENTITLED PARKING LOTS AND OFF-**

STREET PARKING, be passed on final reading and adopted as published. Mr. Sooy seconded and the motion was approved upon a call of the roll:

Mr. DeMarco	Absent	Mr. McDowell	Yes
Mrs. Foster	Absent	Mr. Rossi	Yes
Mr. McCrossan	Yes	Mr. Sooy	Yes

Mayor Honecker opened the public hearing on this ordinance. Without comments or questions from the public, the hearing was closed. Mr. McCrossan moved that **#10-1544, AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**, be passed on final reading and adopted as published. Mr. McDowell seconded and the motion was approved upon a call of the roll:

Mr. DeMarco	Absent	Mr. McDowell	Yes
Mrs. Foster	Absent	Mr. Rossi	Yes
Mr. McCrossan	Yes	Mr. Sooy	Yes

Mayor Honecker opened the public hearing on this ordinance. Without comments or questions from the public, the hearing was closed. Mr. Sooy moved that **#10-1545, AN ORDINANCE AUTHORIZING AN APPROPRIATION OF \$15,000 FROM THE RECREATION CAPITAL IMPROVEMENT FUND FOR AN EQUIPMENT STORAGE SHED**, be passed on final reading and adopted as published. Mr. McDowell seconded. Mr. McCrossan asked if this purchase will be reimbursed from the Youth Athletic and Recreation Grant Program since the program is being discontinued? Mr. Maresca reported on the status of open grants from previous years from the program and advised that the shed will qualify as long as the purchase is made right away. He discussed the status of previous year projects/funding, and assured Council that all projects will be completed and funding collected as soon as possible. A roll call vote on the ordinance followed:

Mr. DeMarco	Absent	Mr. McDowell	Yes
Mrs. Foster	Absent	Mr. Rossi	Yes
Mr. McCrossan	Yes	Mr. Sooy	Yes

Mayor Honecker opened the public hearing on this ordinance. Without comments or questions from the public, the hearing was closed. Mr. McDowell moved that **#10-1546, AN ORDINANCE APPROPRIATING \$37,000 FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND**, be passed on final reading and adopted as published. Mr. McCrossan seconded. Mr. Rossi commented that we should move ahead to find leakage causing infiltration and fix pipes. The motion was approved upon a roll call vote:

Mr. DeMarco	Absent	Mr. McDowell	Yes
Mrs. Foster	Absent	Mr. Rossi	Yes
Mr. McCrossan	Yes	Mr. Sooy	Yes

Citizen Public Safety Advisory Committee

Mayor Honecker recommended review of Community Safety Leadership program information on the Municipal Excess Liability Joint Insurance Fund website at njmel.org. Further discussion was carried to the June work meeting.

Commercial vehicles

Mayor Honecker advised he was contacted by a resident in the vicinity of Sunset who complained that he was told many years ago that he could not park his commercial vehicle on his residential lot, yet now he sees that being done "all over". It was decided to ask the Planning Board to review and comment on the ordinance which addresses commercial vehicle and trailer parking. Mayor Honecker agreed to contact the Planning Board Chairman with this request.

Sign regulations (not for profits)

The Borough Clerk advised that these regulations are not manageable. Those who request permission to place a sign pursuant to 12-23.5, are referred to regulations, but when told a permit cannot be granted by the Borough for placement in the Route 202 ROW, they proceed without said permit. It was agreed that Mr. Pidgeon would review this matter with the Department of Transportation and that the Clerk would consult Highland Park and Hackettstown to ask how they manage this problem.

Open Space Funds

A draft resolution establishing a procedure for spending open space trust funds was reviewed. Mr. DeMarco arrived at 7:45 p.m. Amendments were suggested and it was agreed Mr. Pidgeon would present another version for consideration at a future meeting.

A request was discussed for base maps for Claremont, Rose Bowl, Polo Grounds and Kiwanis fields. Various concerns were expressed, and it was agreed that more information was needed from the Recreation Committee. Mayor Honecker directed Mr. Rossi, Council liaison to Recreation, to relay a request for a detailed description of what exactly is needed and/or requested, for review at a future meeting.

A request from HPAC for funding for a "nomination application" for the Dunster Squibb House was carried to the May 24th meeting, at the request of HPAC members.

Draft ordinance regarding in kind services

Mr. Pidgeon will amend this draft and present it for introduction at the May 24th meeting. The ordinance will provide for Borough oversight of in kind services; necessary because some projects have cost the borough money.

Summer flex hours

Borough Council agreed that the summer flex hour program could proceed for 2010, Memorial Day to Labor Day.

Corpus Christi Procession

Mr. Rossi reported that the Police Department will work with Father Antonio Alvarez, Associate Pastor at Our Lady of Perpetual Help Church, to select a safe route for the Corpus Christi Procession on June 6th.

Draft ordinance/financial reporting requirements for special events

It was agreed this ordinance will be introduced at the May 24th meeting.

Deadline for submission of business/agenda items

Mayor Honecker offered a reminder that the deadline for submission of agenda items is 2:00 p.m. on Wednesdays preceding meetings. The deadline is firm, because after finishing an agenda, the Borough Clerk must obtain approval from the Mayor and Council President before it can be copied/assembled/sent out on Friday.

Correspondence

A letter from Denise A. Katula, Grants Coordinator for Somerset County, was discussed during the hearing on ordinance #10-1545. Said letter notified the Borough of the cancellation of the Youth Athletic and Recreation Grant Program, and inquired into the status of open recreation grants for 2005, 2006, 2008 and 2009.

A statement for annual dues in the amount of \$1400 from the Somerset County Business Partnership was received. Current relevance was discussed and members decided to take no action at this time.

CLOSED SESSION

Council Member McCrossan moved to adjourn to an executive session to consider contract and personnel matters, and that the time when and circumstances under which the matters can be disclosed to the public is when they are finally resolved. Mr. Sooy seconded and the motion was approved by six yes votes.

REOPEN AND ADJOURNMENT

It was moved and seconded to reopen the meeting and adjourn at 9:50 p.m. Motion carried.

Borough Clerk

keywords: fire-escrow--parking-grants-loitering-yard-waste-budget-cap-bank-shed-sewer-safety-commercial-vehicles-signs-open-space-summer-huors-church-procession-agenda-special-events-youth-athletic-county-business-partnership