

**BOROUGH OF BERNARDSVILLE**  
**Mayor & Borough Council Meeting**  
**May 14, 2007**

A meeting of the Governing Body was called to order by Mayor Lee Honecker at 7:00 p.m. on Monday, May 14, 2007. Present were Denis J. Dooley II, Michael Landau, Joseph Rossi, and Mikael Salovaara. Council Members Charlotte J. Foster and John McCrossan were absent. Also present were Borough Attorney John R. Pidgeon, Esquire, Ralph Maresca, Administrator and C.M.F.O., and Sandra G. Jones, 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 December 12, 2006.

**OPEN SESSION**

Mayor Honecker opened the public session. Stephanie Wallace said she and others from the Library and Library Board were present to discuss library capital requests. Mayor Honecker advised Mrs. Wallace that because the subject is on the agenda, it would be discussed in order, and he closed the public session.

**ITEMS OF BUSINESS**

**Ordinance Public Hearing (Continued from April 23)**

Council Member Landau moved to table **#07-1460, AN ORDINANCE VACATING A PORTION OF TYSLEY STREET**, until the meeting on May 29<sup>th</sup>, pending receipt of the relative Planning Board resolution. Mr. Rossi seconded and the motion was approved with four yes votes.

**Ordinance Introduction**

Council Member Salovaara moved that **#07-1462, CONCERNING PARKING REGULATIONS AT THE RAILROAD PLAZA PARKING LOT AND AMENDING CHAPTER XIII OF THE BOROUGH CODE ENTITLED "PARKING LOTS AND OFF-STREET TRAFFIC REGULATIONS"**, be tabled until the meeting on May 29<sup>th</sup>. Mr. Rossi seconded, and the motion was approved with four yes votes. The Borough Council directed the Administrator and/or Borough Clerk to obtain a map to illustrate the new parking layout proposed in the ordinance.

Council Member Salovaara moved that **#07-1463, AUTHORIZING AN APPROPRIATION OF #30,000 FROM THE CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A PARKING PAY STATION** be tabled. There was no second to his motion. Mr. Landau recommended an amendment to Section 2, to read "When sufficient funds accumulate in the Railroad Trust Fund the Borough Capital Improvement Fund will be reimbursed for the cost of this purchase," and he moved to introduce and pass this ordinance on first reading, as amended, to publish according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Tuesday, May 29, 2007. Mr. Rossi seconded, and the motion was approved with four yes votes.

**Resolutions**

**#07-90      AUTHORIZING REFUND OF FEES COLLECTED IN ERROR BY CONSTRUCTION OFFICE**

**#07-91      AUTHORIZING GRANT APPLICATION FOR RECREATION OPPORTUNITIES FOR  
INDIVIDUALS WITH DISABILITIES**

- #07-92      **PROVIDING FOR THE INSERTION OF \$1,099.46 AS A SPECIAL ITEM OF REVENUE IN THE 2007 BUDGET (CHAPTER 159, P.L. 1948–Clean Communities Grant)**
- #07-93      **AUTHORIZING A CONTRACT WITH THE COUNTY OF SOMERSET TO PROVIDE PARTICIPATION IN A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM ACTIVITIES**
- #07-94      **SUPPLEMENTING RESOLUTION #07-8 ENTITLED “DESIGNATION OF DEPOSITORIES AND SIGNATORIES”**
- #07-95      **AUTHORIZING PAYMENT OF BILLS**

Mr. Landau moved approval of Resolutions #07-90 through #07-95. Mr. Rossi seconded and a roll call vote followed:

|             |        |               |        |
|-------------|--------|---------------|--------|
| Mr. Dooley  | Yes    | Mr. McCrossan | Absent |
| Mrs. Foster | Absent | Mr. Rossi     | Yes    |
| Mr. Landau  | Yes    | Mr. Salovaara | Yes    |

Mr. Landau discussed Resolution #07-89, **AMENDING RESOLUTION #07-35, SETTING FEES FOR RECREATION/POOL PROGRAMS**, questioned the discount in fees (about 17%) given for early pool membership registration? Is it necessary at all or is the discount too large? How does it affect revenues? Mayor Honecker suggested review of that policy with Recreation Committee representatives. Mr. Salovaara asked that certain fees be clarified, and moved that consideration of the resolution be tabled until May 29. The motion was duly seconded and approved with four yes votes.

#### **Farmers Market**

In a letter to the Borough Council dated April 23, 2007, Christa O’Connor, BBDC Member, asked permission to sponsor the 14<sup>th</sup> annual Farmers Market to be held June 9 thru November 17, from 9:00 a.m. to 2:00 p.m., excluding the day of the Far Hills Race Meeting. Mr. Dooley moved approval. Mr. Rossi seconded and the motion was approved with four yes votes.

#### **Unity Day**

Kenneth Neff, President of the Bernardsville Chamber of Commerce, and Caesar Mistretta, Jr., were present to discuss their written request to hold the 4<sup>th</sup> annual Unity Day from 11:00 a.m. to 5:00 p.m. on Saturday, October 6, in and around Nervine Park and the pond. He said the event raised \$12,000 last year which was donated to the Fire Company/First Aid Squad and the Senior Citizen Center. Mr. Dooley spoke about the fund raising efforts to purchase a new Senior Citizen Van, and he asked if that charity could be considered? As usual, the Chamber will provide insurance and assume all risk. The Borough would prepare the area and provide electricity. Mr. Pidgeon advised that a resolution would be prepared when Special Event and Concessionaire licenses are filed.

#### **Public bidding for Railroad Station subleases**

Mr. Pidgeon advised that he is preparing to go to bid for the space at the Railroad Station and anticipating a June 27 bid opening.

#### **Mr. Pidgeon’s report on Historic Property Reinvestment Act**

Mr. Pidgeon distributed information. Mayor Honecker suggested the material be reviewed prior to the next meeting and it was

agreed by all to discuss the subject on May 29.

### Summer hours program

A written proposal from Mr. Maresca for the program, dated May 17, was discussed. It was decided to reduce the schedule by two weeks, and with that change Mr. Salovaara moved to approve the summer hours program, beginning the week of May 28<sup>th</sup> and ending with the week of August 27<sup>th</sup>. Mr. Rossi seconded the motion and it was approved with four yes votes.

### Capital program

Finance Committee recommendations for capital project funding, including those for the library, were discussed. Mr. Rossi moved to approve an expenditure of \$11,805 for the air conditioning compressor at the library. Mr. Salovaara seconded the motion and a call of the roll followed:

|             |        |               |        |
|-------------|--------|---------------|--------|
| Mr. Dooley  | Yes    | Mr. McCrossan | Absent |
| Mrs. Foster | Absent | Mr. Rossi     | Yes    |
| Mr. Landau  | No     | Mr. Salovaara | No     |

Mayor Honecker voted “yes”, breaking the tie. It was agreed that it would be appropriate to consider a resolution to approve the capital program, and Mr. Pidgeon was directed to prepare same for a future meeting. Mrs. Wallace, Library Board, was advised that further discussion was to be continued to the June 11 meeting. Mr. Landau said he was prepared to comment tonight, to recommend conditional funding of certain projects and an ordinance that clearly spells out the obligations and responsibilities of the library. It was agreed to carry the matter to June 11.

### Gazebo at Polo Ground fields

The Recreation Director and Recreation Committee forwarded a letter from Pete Miller, Superintendent of Schools, regarding donation of a gazebo for the tennis courts and an Eagle Scout project to install a pathway and landscaping to said gazebo. A note received from Recreation states that they favor the request and they recommend the structure be grounded for lightning. Mr. Rossi moved to approve this request, subject to the Board of Education accepting responsibility for maintenance of the structure “in perpetuity”, and in accordance with terms of the lease agreement for the area. Mr. Dooley seconded and the motion was approved with four yes votes.

### Ordinance amendment for Childs Road pipe repairs

Emergency repairs necessary on Childs Road and the possibility of using an old ordinance to fund said repairs, was discussed. Mr. Rossi moved that **#07-1464, AN ORDINANCE AMENDING ORDINANCE #05-1399 APPROPRIATING \$65,000 FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND FOR VARIOUS EQUIPMENT**, 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. , Tuesday, May 29, 2007. Mr. Dooley seconded and the motion was approved with four yes votes.

### Ordinance Revising Police Department Positions

It was agreed to consider this ordinance for introduction and approval on May 29.

### Vacancies

Mayor Honecker announced the appointment of Francine Dello Russo to the Board of Health. Mr. Landau moved consent. Mr. Rossi seconded and the motion was approved with four yes votes.

## **CLOSED SESSION**

It was moved to adjourn to executive session to consider threatened litigation 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 duly seconded and approved with four yes votes.

## **REOPEN AND ADJOURNMENT**

Mr. Landau moved to reopen and adjourn at 8:25 p.m. Mr. Salovaara seconded and the motion was approved by four yes votes.

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Sandra G. Jones, Borough Clerk

keywords:

tysley-vacating-parking-railroad-pay-station-finance-grant-recreation-block-development-farmers-market-unity-day-sublease-history-property-reinvestment-act-su  
mmer-hours-capital-gazebo-polo-grounds-field-childs-pipe-repairs-police-positions-vacancies

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