

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Minutes
June 14, 2010

This meeting was called to order by Mayor Honecker at 7:00 P.M. on Monday, June 14. Present were Joseph DeMarco, Charlotte Foster, John McCrossan, Edward McDowell, Joseph Rossi, and Kevin Sooy. Also present were Borough Attorney John R. Pidgeon, Esquire and Deputy Clerk Anthony Suriano.

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

Mayor's Proclamations

Mayor Honecker read proclamations regarding the National Honor Society and the Bernardsville Middle School Earth Science Team.

Resolutions

- #10-108 PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2010 BUDGET (Chapter 159, P.L. 1948)**
- #10-109 AUTHORIZING PAYMENT OF BILLS**
- #10-110 GRANTING TAX DEDUCTIONS TO QUALIFIED VETERANS**
- #10-111 ESTABLISHING A FIRE PREVENTION TRUST FUND II ACCOUNT, DEDICATION BY RIDER**
- #10-112 AUTHORIZING AN APPLICATION FOR 2009 BUSINESS STIMULUS FUND GRANT FUNDS**
- #10-113 RELEASING PERFORMANCE GUARANTEE RELATIVE TO SUBDIVISION APPLICATION #524 FOR 9 BRUSHWOOD DRIVE**

- #10-115 TO AFFIRM THE BOROUGH OF BERNARDSVILLE’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**
- #10-116 APPROVAL TO SUBMIT A GRANT APPLICATION TO THE DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICING SERVICES PROGRAM FOR 2010 SECURE OUR SCHOOLS GRANT PROGRAM**
- #10-117 AUTHORIZING RENEWAL OF A.B.C. LICENSES**
- #10-118 APPOINTING REBECCA M. ROTH AS TAX COLLECTOR**
- #10-120 A RESOLUTION MEMORIALIZING THE ACTION OF THE GOVERNING BODY CONCERNING DISCIPLINARY CHARGES BROUGHT AGAINST BOROUGH EMPLOYEE ELAINE BROYLES**
- #10-121 REGARDING INSTALLATION OF IN-STREET PEDESTRIAN SIGNS**

Mr. Sooy moved that Resolutions #10-108 through #10-113, #10-115 through #10-118, and #10-121 listed herein by title, be adopted. Mr. Rossi seconded and the motion was approved upon a call of the roll:

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

Mr. DeMarco mentioned that in Resolution **#10-114, AWARDING A CONTRACT FOR RECLAMATION OF VARIOUS ROADS**, Eastern Avenue and Overleigh Road were included. Regarding Resolution **#10-119, APPOINTING MICHAEL PARADISO AS A PROBATIONARY POLICE OFFICER UPON SATISFACTION OF CONDITIONS**, Mr. McCrossan asked if this was a replacement position and it was answered yes. Mr. Rossi moved that Resolutions #10-114 and #10-119 be adopted. Mrs. Foster seconded and the motion was approved with six yes votes.

Resolution #10-120 was held to executive session.

ORDINANCES

Mayor Honecker opened the public hearing on **#10-1550, SALARY ORDINANCE FOR BOROUGH EMPLOYEES WHO ARE MEMBERS OF THE I.B.E.W., LOCAL 1158.** Without comments or questions from the public, the hearing was closed. Mr. Rossi moved that this ordinance be passed on final reading and adopted as published. Mrs. Foster seconded and the motion was approved upon a call of the roll:

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

Mayor Honecker opened the public hearing on **#10-551, AN ORDINANCE INCREASING SALARIES/HOURLY RATES OF NON-CONTRACTUAL EMPLOYEES AND AMENDING ORDINANCE #08-1495.** Without comments or questions from the public, the hearing was closed. Mr. Sooy moved that the ordinance be passed on final reading and adopted as published. Mrs. Foster seconded and the motion was approved upon a call of the roll:

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

Mrs. Foster moved that **#10-1554, AN ORDINANCE CONCERNING FEES FOR COPIES OF BOROUGH RECORDS AND AMENDING CHAPTER II OF THE BOROUGH CODE ENTITLED, "ADMINISTRATION",** be passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 P.M., June 28, 2010. Mr. Pidgeon explained that this ordinance is in response to the Government Records Council’s decision that only the cost of paper and toner can be used to reflect the actual cost of copies to the borough as required by OPRA. Mr. McCrossan seconded and the motion was approved with six yes votes.

Mr. Rossi moved that **#10-1552, AN ORDINANCE AUTHORIZING AN APPROPRIATION OF \$15,000 FROM THE RECREATION CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A GAZEBO/SHELTER,** be passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 P.M., June 28, 2010. Mr. Sooy seconded and the motion was approved with six yes votes.

Mr. DeMarco moved that **#10-1553, AN ORDINANCE REVISING HOUSING INSPECTION FEES AND AMENDING CHAPTER XI OF THE BOROUGH CODE ENTITLED**

"PROPERTY MAINTENANCE" be passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 P.M., June 28, 2010. Mr. Sooy seconded and the motion was approved with six yes votes.

Citizen Public Safety Advisory Committee

This topic was carried to June 28, 2010 meeting to allow for the Public Safety Committee to comment.

Requests For Open Space Funds

HPAC Request for Dunster Squibb House - There was no opposition from council for the HPAC's request that the borough provide \$20,000 for this request. Mr. Pidgeon will draft an ordinance to be introduced at the meeting on June 28, 2010.

Bridge at Claremont Field - Discussion about why and how this bridge needs to be fixed was discussed. Mr. McCrossan suggested a study or analysis from possibly an engineering firm to see if replacement is necessary. Mr. Rossi stated that base maps are important. Mayor Honecker asked council to further think about this request and discussion will be carried to the June 28, 2010 meeting.

Chamber of Commerce Link on Website

Further discussion was carried to a future meeting. Mr. Suriano will find out about the current usage and capacity of our website.

Schlott Cistern

The topic was carried into Executive Session.

SOS Grant

This matter was approved by Resolution #10-116.

Correspondence

Mayor Honecker mentioned a request he received for "Turn The Towns Teal". Teal ribbons would be tied to trees for cancer, from September 1st through September 30th. Mayor Honecker will respond with a letter that council consent was given but also addressing concerns that in the past the ribbons were not removed timely and thoroughly.

OPEN SESSION

Neil Schetelick, Mine Avenue, thanked Council for hiring a housing inspection contractor and read a statement about past practices in the zoning office and methods to improve those practices. Mr. Schetelick said a plan is needed to address the "stacking" issue in Bernardsville and asked a general question regarding on how Northeast would handle the housing problem. Mayor Honecker said a lot of Mr. Schetelick's comments were handled in executive session and we cannot respond in public to his comments. Mr. Pidgeon confirmed. Mr. Schetelick asked who is overseeing Northeast. Mr. Sooy said Mr. Maresca. Mr. Schetelick said he does not think we have the people to oversee this and we need someone who knows and has an understanding of the Mitchell Humphrey system or we would have to take the word of the outside contractor. Mayor Honecker said Mitchell Humphrey will come in and update their program and we can follow up with Mr. Maresca to make sure he knows the system. Mr. Schetelick suggested more than one inspector. Discussion regarding the cost of housing operations took place. Mayor Honecker said it is a new ballgame and should be more efficient.

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. Motion carried. It was moved and seconded to approve **Resolution #10-120, A RESOLUTION MEMORIALIZING THE ACTION OF THE GOVERNING BODY CONCERNING DISCIPLINARY CHARGES BROUGHT AGAINST BOROUGH EMPLOYEE ELAINE BROYLES.** The motion was approved with four yes votes.

The meeting was adjourned at 8:20 P.M.

Borough Clerk

keywords: national-honor-society-middle-school-earth-science-budget-tax-fire-stimulus-guarantee-reclamation-civil-rights-grant-police-school-abc-liquor-signs-pedestrian-salary-copies-recreation-gazebo-housing-open-space-dunster-claremont-bridge-cistern-website-chamber-turn-towns-teal