

BOROUGH OF BERNARDSVILLE
Mayor and Borough Council Meeting Minutes

June 26, 2006

The meeting was called to order by Mayor Jay Parsons at 7:00 p.m. on Monday, June 26, 2006, in the Borough Hall. Present were Denis Dooley, II, Charlotte Foster, Lee C. Honecker, Michael Landau and Joseph Rossi. 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. Mikael Salovaara 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 December 14, 2005.

PLEDGE OF ALLEGIANCE

PRESENTATIONS (None)

APPROVAL OF MINUTES

Mr. Honecker moved to accept the minutes of May 22, May 29 and June 12, 2006. Mr. Dooley seconded and the motion was approved by five yes votes.

Mr. Dooley	Yes	Mr. Landau	Yes
Mrs. Foster	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent

OPEN SESSION

Mayor Parsons opened the public session. There were no comments or questions. Mayor Parsons closed the public session.

ORDINANCES

Public Hearing

Mayor Parsons opened the public hearing on **#06-1435, AN ORDINANCE CONCERNING INSPECTION OF RESIDENTIAL RENTAL PROPERTIES AND SUPPLEMENTING AND AMENDING CHAPTER XI OF THE BOROUGH CODE ENTITLED "PROPERTY MAINTENANCE CODE"**. Mr. Pidgeon explained that zoning enforcement personnel suggested a change in Section 3 (Subsection 11-2.4) from 6:00 p.m. to midnight to remove garbage or recyclable containers from curbside on the day of collection. Mr. Honecker moved to amend the ordinance to incorporate that change. Mr. Landau seconded and the motion was approved with five yes votes. Without further comment or questions, Mayor Parsons closed the public hearing. Mr. Landau moved to approve Ordinance #06-1435 as amended, upon final reading and adopt as published by title. Mr. Honecker seconded and the motion was approved upon a roll call vote:

Mr. Dooley	Yes	Mr. Landau	Yes
Mrs. Foster	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent

Mayor Parsons acknowledged two members of the housing committee who were present at this meeting, Mr. Schetelick and Mrs. Sciarretta, and thanked all members of that committee for their efforts.

Introduction

Mrs. Foster moved that **#06-1436, AN ORDINANCE CONCERNING AFFORDABLE HOUSING DEVELOPMENT FEES AND AMENDING ARTICLE 13 OF THE BOROUGH LAND DEVELOPMENT REGULATIONS ENTITLED "AFFORDABLE HOUSING"**, 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., Monday, July 10, 2006. Mr. Honecker seconded and the motion was approved with five yes votes.

Mr. Landau moved that **#06-1437, AN ORDINANCE LOWERING THE SPEED LIMIT ON WESLEY AVENUE FROM 25 MILES PER HOUR TO 15 MILES PER HOUR 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., Monday, July 10, 2006. Mr. Dooley seconded and the motion was approved with five yes votes.

Mr. Dooley moved that **#06-1438, AN ORDINANCE APPROPRIATING \$50,000 FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND**, 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., Monday, July 10, 2006. Mrs. Foster seconded and the motion was approved with five yes votes.

Mr. Honecker moved that **#06-1439, AN ORDINANCE CONCERNING SPECIAL EVENT LICENSES AND AMENDING SECTION 4-12 OF THE BOROUGH CODE (AS PREVIOUSLY AMENDED BY ORDINANCE #06-1430)**, 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., Monday, July 10, 2006. Mr. Rossi seconded and the motion was approved with five yes votes.

CONSENT RESOLUTIONS

- #06-134 AUTHORIZING SUBMISSION OF A 2007 MUNICIPAL AID GRANT APPLICATION**
- #06-135 AWARDING CELLULAR TOWER LEASE BIDS**
- #06-136 RELEASING PERFORMANCE GUARANTEE RELATIVE TO SITE PLAN APPLICATION #196, LOT 2, BLOCK 41 (PARAGANO)**
- #06-137 RELEASING PERFORMANCE GUARANTEE RELATIVE TO LOT 17.01, BLOCK 27 (SCOTT)**
- #06-138 ACCEPTING MONTHLY REPORTS**
- #06-139 AUTHORIZING PURCHASES**
- #06-140 AUTHORIZING PAYMENT OF BILLS**
- #06-141 2006 SOMERSET COUNTY YOUTH ATHLETIC AND RECREATION FACILITY GRANT AGREEMENT**

Mrs. Foster moved to adopt consent resolutions #06-134 through #06-141. Mr. Honecker seconded and the motion was approved with five yes votes. Mr. Salovaara was absent.

Mr. Rossi asked about the limits of the project on Church and Wesley, and the width of the pavement on Pill Hill, and expressed objections. Mr. Dooley responded. Mr. Landau said the Public Works Committee, with the advice of the

Borough Engineer, decided on the scope of these projects, which is believed to be appropriate, all aspects considered. Regarding sidewalks for Pill Hill, Mr. Honecker asked Mr. Rossi to remember that they could be added later.

Mr. Landau moved approval of resolutions #06-132 and #06-133, listed herein by title:

#06-132 AWARDING A CONTRACT FOR IMPROVEMENTS TO CHURCH STREET AND WESLEY AVENUE

#06-133 AWARDING A CONTRACT FOR IMPROVEMENTS TO PILL HILL ROAD

Mr. Dooley seconded Mr. Landau's motion which was approved with four yes votes. Mr. Rossi voted no. Mr. Salovaara was absent.

REPORT OF THE MUNICIPAL ATTORNEY

Mr. Pidgeon's written report was reviewed and accepted.

COUNCIL COMMITTEE REPORTS

There was no report from **Public Safety, Finance** or **Personnel**.

Mr. Dooley, Chair of the **Engineering, Technology & Public Works** Committee, distributed minutes of their June 19th meeting. Mr. Honecker spoke about grant funds for sidewalks which may be available and asked if the committee had anything to report on the subject? Mayor Parsons asked Mr. Maresca to explore grant options with Mr. Macdowall, Director of Public Works, and to report at the July 10th meeting.

Quarterly Reports

Cable TV: Mr. Rossi discussed enhancements to the INET system which Patriot Media has agreed to make and he reported that by the end of the month the INET system will be finished. The next step will be for the Borough to purchase switches, etc. to hook up.

Town and School: Mr. Honecker reported that a Federal grant and a five year county grant may be available and the committee is hoping to use same for work on sidewalks on Olcott, Old Fort and Anderson Hill. The committee also discussed location signs for the new bathrooms at the Polo Grounds and the water connection for the new fields.

There was no report regarding **Board of Health, Environmental Commission, Open Space, or Shade Tree**.

Information Systems: Mrs. Jones said a software and hardware specifications inventory has now been completed using student assistance.

Planning Board: No report. Mrs. Foster asked when the Master Plan must be updated? Mr. Pidgeon said that it must be reviewed every six years. Mrs. Thompson, a Planning Board Member who was present at this meeting said review is due this year.

Recreation Committee: Mr. Honecker reported that the pool is open and utilizing thirty lifeguards. To accommodate their vacation schedules even more need to be hired. Non-resident memberships are down this year.

Historic Preservation Advisory Committee: Mrs. Foster reported that the committee is working on completing the inventory of borough historic sites using the county's criteria for required data collection. Additionally proper photos of the

borough hall are being compiled to accompany a request to the Historic Preservation Office, NJ Department of Environmental Protection, to determine possible eligibility for historic designation of the borough hall.

Insurance: Mr. Landau spoke about the JIF's feasibility study into the possibility of a joint health insurance fund. The Borough has already agreed to participate, and has ordered a claims history from State Health Benefits.

Housing Committee: Mayor Parsons mentioned this committees' successful public meeting at St. Elizabeth's school some time ago. He recommended the new ordinance (#06-1435) should be translated into Spanish and made available to residents who need it, and an explanation of the ordinance, and it's provisions, should be included in the tax bills. Mr. Schetelick asked if current staff will be able to handle the extra field work, and he was advised that only experience will answer that question.

ITEMS OF BUSINESS

Draft Resolution of Support for NJDOT Drainage Improvements

Mr. Macdowall, Public Works Manager, in a memo dated June 20, 2006, discussed Route 202 Drainage Improvements. Mr. Rossi spoke about items which were eliminated from the original plan, including a breakdown lane, a double catch basin, additional drainage pipes, and utility trenches, and recommended the Borough explore with the DOT the possibility of adding these items. It was agreed that Mr. Rossi would contact Mr. Macdowall to ask about amending the project accordingly.

Library's Plan of Improving Circulation Area

In a letter to the Mayor and Council, dated June 2, 2006, Stephanie Wallace, Bernardsville Library Association, requested the approval of the Borough Council for a change they wish to make to the library building circulation desk. The project would not require Borough funds; it would be paid for from the Blumenshine bequest. It was agreed that plans and more details were needed. Mr. Dooley recommended another, general dialogue with representatives regarding their financial responsibilities for the building. Mayor Parsons suggested the Library Association be told that the council agrees in principle, and to request plans showing the building alterations.

Passaic River Coalition

Mayor Parsons said the Passaic River Coalition has requested a letter of support for a grant application for a Watershed Restoration and Protection Plan. Mrs. Thompson, Environmental Commission member, agreed to provide a contact who can provide more information on the subject.

OPEN SESSION

Mayor Parsons opened the public session. **Mark Salisbury**, Mt. Harmony Road, spoke about the fiscal problems of the State of New Jersey, property tax reform, and what is going on in Trenton with the budget. Mayor Parsons closed the public session.

CLOSED SESSION

Mr. Dooley moved that the meeting be adjourned to an executive session to consider **property acquisition, contract negotiations and matters of personnel**, and that the time when and circumstances under which the above can be disclosed to the public is when the matters are finally resolved. Mr. Honecker seconded and the motion was approved with five ayes votes.

REOPEN AND ADJOURNMENT

It was moved to reopen, then adjourn, by Mr. Landau, seconded by Mr. Dooley, and the motion was approved with four yes votes.

Borough Clerk

keyword:

residential-rental-housing-fees-speed-limit-wesley-sewer-special-event-grant-cell-tower-performance-guarantee-purchases-bills-youth-athletic-recreation-church-pill-hill-sidewalks-cable-olcott-old-fort-anderson-software-hardware-master-plan-pool-historic-sites-health-insurance-drainage-library-circulation-passaic-river-coalition