

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting
September 22, 2008

A regular meeting of the Governing Body was called to order by Mayor Lee Honecker at 7:00 p.m. on Monday, September 22, 2008. Present were Denis J. Dooley II, Charlotte J. Foster, Joseph Rossi and Kevin Sooy. Also present were Borough Attorney John R. Pidgeon, Esquire, Sandra G. Jones, Borough Clerk and Assistant Administrator, and Ralph Maresca, Administrator and C.M.F.O. John McCrossan and Edward McDowell were 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 18, 2007.

PLEDGE OF ALLEGIANCE

PRESENTATIONS (There were none)

APPROVAL OF MINUTES

Mrs. Foster moved to accept the minutes of August 11, August 29 and September 8. Mr. Sooy seconded and the motion was approved with four yes votes.

OPEN SESSION

Mayor Honecker opened the meeting to the public. Hearing no questions or comments, the Mayor closed the open session.

ORDINANCES

Mayor Honecker opened the public hearing on **#08-1493, AN ORDINANCE DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM.** Hearing no comments or questions, the Mayor closed the public hearing. Mr. Sooy moved that Ordinance #08-1493, listed herein by title, be passed on final reading and adopted as published. Mr. Dooley seconded and the motion was approved as follows:

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

Mayor Honecker opened the public hearing on **#08-1494, AUTHORIZING AN APPROPRIATION OF \$15,000 FROM THE RECREATION CAPITAL IMPROVEMENT FUND FOR PURCHASE AND INSTALLATION OF BACKSTOP AT KIWANIS FIELD.** Hearing no comments or questions, the Mayor closed the public hearing. Mr. Rossi moved that

Ordinance #08-1494, listed herein by title, be passed on final reading and adopted as published. Mr. Dooley seconded. Mr. Rossi asked Mr. Maresca to check with the manufacturer to see if the wire can go on the inside of the batting cage, for safety reasons. The motion was approved as follows:

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

Mayor Honecker opened the public hearing on **#08-1495, AN ORDINANCE INCREASING BASE SALARIES OF NON-CONTRACTUAL EMPLOYEES.** Hearing no comments or questions, the Mayor closed the public hearing. Mr. Dooley moved that Ordinance #08-1495, listed herein by title, be passed on final reading and adopted as published. Mr. Rossi seconded and the motion was approved as follows:

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

Ordinance #08-1496, was added to the agenda at this point. Mr. Rossi moved that **#08-1496, ORDINANCE PROVIDING FOR THE IMPROVEMENT OF CREST DRIVE, OLD FORT ROAD, MULLENS LANE AND ROUND TOP ROAD IN AND BY THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, AND APPROPRIATING \$105,300 THEREFOR, CONSTITUTING PROCEEDS OF BONDS OF THE BOROUGH HERETOFORE ISSUED AND FUNDS AVAILABLE UNDER ORDINANCES OF THE BOROUGH HERETOFORE ADOPTED,** 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., October 14, 2008. Rossi asked that the record show that drainage work is also necessary on Crest. Mrs. Foster seconded and the motion was approved with four yes votes.

RESOLUTIONS

#08-156 PROVIDING FOR THE INSERTION OF \$7,944.09 AS A SPECIAL ITEM OF REVENUE IN THE 2008 BUDGET (CHAPTER 159)

#08-157 AUTHORIZING 2008 TAX REFUNDS

#08-158 APPOINTING NEIL SCHETELICK AND RICHARD BOARDMAN AS HOUSING INSPECTORS

#08-159 AUTHORIZING PAYMENT OF BILLS

#08-160 AUTHORIZING REFUNDS OF POLICE OFF-DUTY ESCROW FUND BALANCES

#08-162 ACCEPTING MONTHLY REPORTS

#08-163 AUTHORIZING REDEMPTION OF LIEN #260

#08-164 DESTRUCTION OF OBSOLETE EQUIPMENT

Mrs. Foster moved to accept resolutions #08-156 through #08-160 and #08-162 through #08-164, listed herein by title. Mr. Rossi seconded and the motion was approved as follows:

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

Regarding Resolution #08-161, **ESTABLISHING DECAL FEES AND OTHER REGULATIONS FOR MUNICIPAL PARKING LOTS DURING 2009**, Mr. Rossi asked if spaces in the Library parking lot and some of the spaces in the Ammerman Lot could be designated for public shopper parking? Mr. Pidgeon responded that the library lot is not officially designated for shoppers because the number of spaces in the lot don't exceed the requirements of ordinance. The suggestion relative to the Ammerman lot will be taken under consideration. Mr. Rossi moved that **RESOLUTION #08-161**, listed herein by title, be hereby adopted. Mr. Sooy seconded and the motion was approved with four yes votes.

REPORT OF THE MUNICIPAL ATTORNEY

Mr. Pidgeon's confidential report as of September 16, 2008, was received.

COUNCIL STANDING COMMITTEE REPORTS

Public Safety

Mrs. Foster reported that the Chief will request approval to hire part-time clerical help. The committee would like more information before discussing the proposal for a bike race next Spring in Bernardsville. The Mayor agreed to request more information from the organizer. Mrs. Foster reported hearing complaints/safety concerns about the increased use of bicycles in town, especially at night. A sample ordinance regulating bicycle use in Raritan Borough will be reviewed. Off street parking will be discussed at a future meeting. Chief Valentine reports that the Far Hills Race Association will pay about \$2000 for 2007 expenses incurred by Bernardsville on race day. The

Association willingly compensates Bedminster and Far Hills, but has not recognized the hardships on the Bernardsville Police Department on race day.

Finance

Mr. Rossi said the committee is looking closely at 2008 spending, and beginning to think about the 2009 budget.

Personnel

Mrs. Foster advised that Consultants Carol Panzer and Ed Schneider are done with their overview, and their findings and recommendations will be reported at the next meeting.

Engineering, Technology & Public Works

Mayor Honecker said work on punch list items for the downtown project has begun. New streetlights and the flagpole will be installed soon. Milling and paving will start September 30. Arborists have reviewed tree choices to be planted around town. All trees were chosen for their suitability to each spot. Drainage work, and milling and paving for various streets is scheduled. Mayor Honecker said we have been advised that the price of rock salt has gone up 28.5%.

Quarterly Reports

Cable TV. Mr. Rossi discussed the possibility of acquiring cameras for the meeting rooms in order to record and broadcast meetings on the cable channel assigned for municipal use. Mrs. Foster asked how residents who use Verizon FIOS can access school and borough channels? Mr. Rossi agreed to research that question.

Town and School. Mr. Rossi said the committee discussed how road projects in progress in the Borough will impact the school, their plans for a separate student parking entrance, and playing field utilization.

Board of Health. Mayor Honecker announced the resignation of Don Spencer from the Board of Health, who served since 1992. A letter of thanks will be sent to Mr. Spencer, and a replacement will be considered.

Environmental Commission. Mr. Dooley said they are working with Amy Green Environmental Consultants, a highly regarded professional group in environmental circles, to update the borough's environmental resource inventory. Johanna Wissinger fulfilled the state mandated education component of the stormwater regulations with an information filled and kid friendly Environmental Commission booth at the Unity Day Fair.

Mayor Honecker asked Mr. Rossi for a report on Unity Day, and he responded that it was a beautiful day, everyone had a good time and revenues are believed to be higher than in previous years. Thirty-five tents were erected for use by the merchants and other groups. Pony rides, a petting zoo, face painting, pumpkin painting, and several others fun things were arranged for children. Food was available as well. Mr. Rossi thanked those responsible for all the grounds cleaning, lawn mowing, tree pruning, and all preparations in general which made such a fine event possible.

Information Systems. Mr. Rossi said the next meeting is scheduled for next Friday.

Open Space Committee. Mrs. Foster said the committee will meet on October 15.

Planning Board. Mrs. Foster reported that the application for Regan Timchula was denied 4-1. The COAH plan update is being prepared. Green Mt. Builders received approval on two applications. A new restaurant, Sette, has been approved for downtown. The FAR ordinance amendment has been tabled until additional information and diagrams can be provided. Mr. Rossi discussed his concerns with the R-5 district. Mrs. Foster commented that Mr. Zimmerman did comparisons with other towns and the results show we are in line with regulations. Mayor Honecker suggested the planner be present when this subject is discussed at a later meeting.

Recreation Committee. No report

Shade Tree Advisory Committee. Mr. Sooy reported that the committee has been working on a revised tree ordinance, and a proposed amendment will be presented very soon for consideration by the Borough Council.

HPAC. Mrs. Foster said the group will begin to address fund raising for the Belcher property.

Insurance. No report

Housing Committee. Mr. Sooy said the committee is pleased with the appointment of two new field inspectors. Neighboring communities will be researched to see how things they have done can be incorporated for use in Bernardsville.

Library Board of Trustees. Karen Brodsky, Library Director, reported that patronage use is up. She suggested quarterly, rather than monthly reports, and noted that minutes are on line for review at any time. It was agreed that Ms. Brodsky would provide a sample quarterly report for consideration. Ms. Brodsky asked Council's permission to serve champagne at a Volunteer Recognition Program at the library. Mrs. Foster moved to grant Ms. Brodsky's request to hold the Volunteer Recognition Program at the library, with one champagne toast per person. Mr. Sooy seconded and the motion was approved by four yes votes. Mr. Rossi reported that the tenant on the

lower level of the library has run a cable on the outside of the building, without Borough permission, and he asked the Borough Administrator to have it checked out. Mr. Dooley invited all members to attend the Chapter II meeting at the library at 10:00 a.m. on Saturday morning, when the ABC's of Power of Attorney will be discussed by a representative from the Office on Aging and Mr. Rosenburg, Attorney.

ITEMS OF BUSINESS

Green Initiative Committee. Mayor Honecker spoke about local and county efforts in this area.

Use of parking spaces for The Kitchen Tour. There was consent for a request from the HSA to use parking spaces at the pool and tennis courts for this fundraiser to be held November 20. The Recreation Director advised in a memo that the Recreation Committee has approved the request. The Borough Clerk will contact Cheryl Maddaluna to ask for the usual protection for the Borough, a certificate of insurance naming the Borough as "additional insured" and hold harmless agreement.

Borough phone system and web site. Approximately \$40,000 funding has been provided in the 2008 budget for a phone system, based upon a state contract quote. Mr. Rossi suggested getting an update on the quote. Others present doubted that an update was necessary, but directed Mr. Maresca to inquire. Mr. Maresca was given consent to cut a purchase order if no changes to the quote are required. The web site will be discussed by the IS committee.

OPEN SESSION

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

CLOSED SESSION

Mr. Rossi moved to adjourn to an Executive Session to consider PBA Collective Bargaining negotiations, and that the time when and circumstances under which the matters can be disclosed to the public is when they are finally resolved. Mrs. Foster seconded and the motion was approved with four yes votes.

REOPEN AND ADJOURNMENT

Moved by Mr. Dooley, seconded by Mrs. Foster, and approved with four yes votes.

BOROUGH CLERK

keywords: recreation-fields-kiwanis-employee-salaries-crest-old-fort-mullens-round-top-budget-tax-refunds-housing-police-parking-decal-fees-bike-race-consultants-milling-paving-cameras-road-projects-environmental-floor-area-ratio-downtown-zoning-unity-day-tree-ordinance-belcher-property-fund-raising-volunteer-recognition-program-library-kitchen-tour-phone-website-contract-negotiations