

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting
October 14, 2008

A regular meeting was called to order by Mayor Lee Honecker at 7:00 p.m. on October 14. Present were Denis J. Dooley II, Charlotte J. Foster, Edward McDowell, Joseph Rossi and Kevin Sooy. John McCrossan arrived at 7:05 p.m. Also present were Borough Attorney John R. Pidgeon, Esquire, Ralph Maresca, Administrator/C.M.F.O. and Sandra G. Jones, Borough Clerk/Assistant Administrator.

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.

OPEN SESSION

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

ITEMS OF BUSINESS

Ordinances

Mayor Honecker opened the public hearing on #08-1496, **AN 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.** There were no comments or questions from the public and the Mayor closed the public hearing. Mr. Rossi moved to pass on final reading and adopt as published. Mr. Sooy seconded. Mr. Rossi asked if engineering work on Mine Mount, Crest, Post and Ballantine roads could be added to this ordinance? Mayor Honecker said a future amendment or another ordinance could be explored, but that work on roads designated in this ordinance must proceed now. Roll call vote followed:

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

Mr. McCrossan moved that **#08-1497, AUTHORIZING AN APPROPRIATION OF \$8,500 FROM THE RECREATION CAPITAL IMPROVEMENT FUND FOR PURCHASE AND INSTALLATION OF A SWIM POOL DIVING STAND,** 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., November 10, 2008. Mr. McDowell seconded. The motion was approved with six yes votes.

Mrs. Foster asked who recommended this ordinance? Mr. Pidgeon responded that the request came from Capt. Perez to address a site line problem at the location. Mrs. Foster moved that #08-1498, **AN ORDINANCE CONCERNING PARKING RESTRICTIONS ON CLAREMONT ROAD 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., November 10, 2008. Mr. Dooley seconded and the motion was approved with six yes votes.

Resolutions

#08-168 AUTHORIZING DESTRUCTION OF EQUIPMENT

#08-169 AMENDING RECREATION FEES

**#08-170 AUTHORIZING CHANGE ORDERS #2 AND #3 TO THE CONTRACT FOR
OLCOTT AVENUE ROAD AND DRAINAGE IMPROVEMENTS**

#08-171 AUTHORIZING PAYMENT OF BILLS

**#08-174 PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN
THE 2008 BUDGET (Chapter 159, P.L.1948)**

Mr. Sooy moved approval of Resolutions #08-168 through #08-171 and #08-174. Mr. Rossi seconded and roll call followed:

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

#08-165, RENEWAL OF MEMBERSHIP IN THE SUBURBAN MUNICIPAL JOINT INSURANCE FUND, was discussed. Mr. McCrossan asked about costs for membership? The Borough Clerk said there is no application fee and that information from the JIF on cost allocation has been requested and will be shared as soon as it arrives.

#08-166, APPROVING MEMBERSHIP IN THE FIRE COMPANY, was discussed. Mayor Honecker commended fire and first aiders for all they do for the community.

#08-167, AUTHORIZING THE SALE OF PROPERTY NOT NEEDED FOR PUBLIC USE, was discussed. Mrs. Foster asked if the minimum bids fixed in the resolution were too low? Blue Book values and condition of these particular vehicles was discussed. Mr. Rossi said the state of the economy and condition of these vehicles must be considered, and he asked if the Street Sweeper and attachment is salvageable? Mr. Macdowall will be consulted, and it was decided to table the resolution to the next meeting.

#08-172, regarding the **Somerset County Multi-Hazard Mitigation Plan,** was discussed.

#08-173, COMMITTING TO PETITION WITH A THIRD ROUND AFFORDABLE HOUSING PLAN AND TO EXPEND AFFORDABLE HOUSING TRUST FUND MONIES ON THE DEVELOPMENT OF A HOUSING ELEMENT AND FAIRSHARE PLAN FOR THE BOROUGH OF BERNARDSVILLE, SOMERSET COUNTY, was discussed. Mr. McCrossan asked that a financial impact statement be prepared so that the taxpayer can see what this state mandate will cost.

Mr. McDowell moved approval of **Resolutions #08-165, 166, 172, and 173.** Mr. Rossi seconded and the motion was approved as follows:

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

Ammerman parking lot

A letter from Harvey Goldberg dated September 25, was discussed, regarding the following:

- Use/purchase of permits for the Ammerman lot by employees in the condominium association buildings (8 storefronts, Sussman’s to Seraphina), and the need for better lighting in the lot.
- What he believes is an unfair practice to charge businesses for parking decals while allowing residential overnight parking free of charge.
- What he believes is an error in calculating projected assessments to owners of property in the downtown streetscape project area.

Mrs. Foster agreed to discuss parking with the Planning Board. Mr. McCrossan suggested an analysis of the lot to determine if users are covering costs, upgrades which may be needed (including lighting) and if some spaces could be used for shopper parking. Mr. Rossi said landlords should always be responsible for purchasing parking decals for use by businesses, and for residents if that

practice is instituted. Mr. Pidgeon said assessments were determined on linear feet, and he agreed to write to Mr. Goldberg to clarify that issue. Chief Valentine suggested a general parking plan be explored for all borough lots.

Tree protection ordinance

Mr. Pidgeon discussed the draft shade tree ordinance presented at this meeting. Ann Wazeter, Shade Tree Committee, spoke in favor of this draft. Mr. Pidgeon was asked to prepare the ordinance for introduction at the next meeting.

Housing ordinance

Mr. Pidgeon discussed the proposed changes to the ordinance as requested by the Housing Advisory Committee, and commented concerning the recommendations as discussed in his memo of October 2. Mr. Pidgeon was directed to prepare a final draft for review at the November work meeting.

Garibaldi property

Mrs. Foster discussed this small piece of borough property at the end of Garibaldi, now used to "congregate, imbibe and litter", and she suggested selling it to an adjacent property owner. Chief Valentine said the police monitor the property. Mr. Rossi suggested clearing underbrush to make it easier to do so. Property value will be researched, and the possibility of disposing of the parcel will be discussed again at the next meeting.

Donation of services

Castle Ridge Construction Co. of Bedminster donated general contracting services to construct the kitchen wing at the Jacobus Vanderveer House in Bedminster, "utilizing time to obtain pricing from multiple contractors in each trade, coordination and supervision of all work, inspections, deliveries, and meetings to discuss developing engineering and plans." Mayor Honecker advised that Castle Ridge has offered to volunteer services to Bernardsville and asked if the Belcher property might be a candidate? It was agreed that the Mayor would advise Castle Ridge that their offer will be welcome when a project is identified, and that same can be accepted at a public meeting providing Castle Ridge is willing to comply with JIF requirements.

Highlands Plan

Representatives of the Highlands Council attended a meeting of the Planning Board held October 9. Many members of the governing body were also present. A resolution entitled NOTICE OF INTENT TO PETITION THE HIGHLANDS COUNCIL FOR PLAN CONFORMANCE, was provided for consideration. Mr. Pidgeon suggested taking no action at this time, pending COAH

review at their meeting on October 29. Mrs. Foster said action at this time does not obligate the Borough, and it would allow filing of application for grants to study the matter. Sherry Frawley, Environmental Commission, said the time to pursue this is now. It was decided to table further consideration.

Sign at the Pub and Grub

Mr. Dooley reported seeing a temporary sign at this location, and asked Mr. Maresca if it is an approved sign?

Far Hills Races -- Police Reimbursement

Mr. Dooley asked if the Race Committee has committed to reimbursing the Borough for race related expenses? Chief Valentine gave some history and said no commitment has been received for 2008 for overtime incurred on race day. Chief Valentine said Bedminster and Far Hills are reimbursed. The Race Committee will pay for two transit officers on the Bernardsville train platform even though five were requested. Mr. McDowell asked what recourse the borough has? Mr. McCrossan asked if a reduction in parking areas would reduce impact on the police department? It was agreed that overtime bills should be sent to the Race Committee. A DWI stop in Bernardsville is being considered in order to protect the people of our streets.

Open Space Question on the November ballot

Mr. McCrossan asked if anything further should be done to explain the referendum? Mr. Pidgeon said that the Bernardsville News is working on a story, and that the sample ballots, which will be mailed to all registered voters will contain the question and the interpretive statement.

CLOSED SESSION

Council Member Rossi moved to adjourn to an executive session to consider **PBA contract negotiations, the health services agreement with Bernards Township, a personnel matter**, 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 by Mr. Rossi, seconded by Mr. McCrossan, and unanimously decided to reopen the meeting to the public. It was moved by Mrs. Foster, seconded by Mr. McDowell and unanimously decided to adjourn at 10:00 p.m.

BOROUGH CLERK

BOROUGH COUNCIL MINUTES

OCTOBER 14, 2008

keywords: crest-old-fort-mullens-round-top-swim-pool-recreation-claremont-olcott-drainage-finance-insurance-fire-mitigation-plan-coah-housing-ammerman-parking-lot-tree-garibaldi-belcher-highlands-signs-far-hills-races-police-open-space-referendum