

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting
October 27, 2008

A regular meeting of the Governing Body was called to order by Mayor Lee Honecker at 6:05 p.m. on Monday, October 27, 2008. Present were Denis J. Dooley II, Charlotte J. Foster, John McCrossan, Edward McDowell, Joseph Rossi (arrived at 6:10 p.m.) and Kevin Sooy. Also present were Borough Attorney John R. Pidgeon, Labor Counsel Robert Clarke, Sandra G. Jones, Borough Clerk & Assistant Administrator and Ralph Maresca, Administrator and CMFO.

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.

CLOSED SESSION

Mrs. Foster moved to adjourn to an executive session to consider PBA collective bargaining negotiations, and that the time when and circumstances under which the above can be disclosed to the public is when the matter is finally resolved. Mr. McCrossan seconded and the motion was approved by five yes votes. Mr. Rossi arrived during the closed session.

PLEDGE OF ALLEGIANCE

PRESENTATIONS (There were none)

APPROVAL OF MINUTES

Mr. Sooy moved approval of minutes of meetings held September 22, October 9 and October 14. Mr. McDowell seconded and the motion was approved with six yes votes.

OPEN SESSION

Mayor Honecker opened the public session. Rosalie Baker, Olcott Avenue resident, requested extra police presence on Olcott Avenue for Halloween, which happens to coincide with a highschool football game. Mr. Rossi said he believes Chief Valentine has already considered the potential traffic issues on October 31. Mayor Honecker closed the public session.

ORDINANCES

Mr. Rossi moved that **#08-1499, AN ORDINANCE INCREASING SALARIES/HOURLY RATES OF NON-CONTRACTUAL EMPLOYEES AND AMENDING ORDINANCE #08-1495**, 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. Mrs. Foster seconded and without comments or questions, the motion was approved with six yes votes.

Mr. Sooy moved that **#08-1500, AN ORDINANCE AMENDING THE TREE PROTECTION ORDINANCE AND SUPPLEMENTING AND AMENDING CHAPTER XIII OF THE BOROUGH CODE ENTITLED "PROTECTION OF TREES" AND CHAPTER II ENTITLED "PROTECTION OF TREES" AND CHAPTER II ENTITLED "ADMINISTRATION"**, 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. Rossi seconded and the motion was approved with six yes votes.

RESOLUTIONS

- #08-167 AUTHORIZING SALE OF PROPERTY NOT NEEDED FOR PUBLIC USE**
- #08-175 ACCEPTING MONTHLY REPORTS**
- #08-176 AUTHORIZING DESTRUCTION OR RECYCLING OF EQUIPMENT**
- #08-177 AUTHORIZING PAYMENT OF BILLS**
- #08-178 AUTHORIZING CANCELLATION OF OUTSTANDING CHECKS**

Mr. McDowell moved approval of Resolutions #08-167, and #08-175 through #08-178. Mrs. Foster seconded and the motion was approved upon a roll call vote:

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

REPORT OF THE MUNICIPAL ATTORNEY

Mr. Pidgeon’s report as of October 21, 2008 was accepted.

COUNCIL STANDING COMMITTEE REPORTS

Public Safety Committee. Mrs. Foster referenced a memorandum from Chief Valentine reporting on police overtime expenses incurred on Far Hills Race Day, and it was unanimously agreed to send a bill to the Far Hills Race Committee requesting reimbursement. Potential routes were discussed for the Spring bicycle race which has been proposed, and Mrs. Foster asked if members of Borough Council have a preference? Disadvantages of choosing a route which would involve closing Route 202 were considered, and it was agreed to discuss it further with the Chief before arriving at a decision. Mayor Honecker opened the meeting to the public, for comments from Jean Oliver, a Borough resident (whose comments were not audible). The Mayor closed the meeting to the public.

Mrs. Foster said at the last meeting it was suggested that town-wide parking be addressed and asked who should do this? Mayor Honecker said he will appoint an ad-hoc committee to study parking concerns and make recommendations.

Finance Committee. Mr. McCrossan reported that the committee is reviewing actual spending versus the budget, and that a final analysis will be forthcoming in December.

Personnel Committee. (No report)

Engineering, Technology & Public Works Committee. Mayor Honecker reported on the downtown project; flagpole and crosswalks have been installed and punch list items have to be completed. The Bernards Inn requested permission to continue curbing and sidewalks around the side of their building at their expense. Mr. McCrossan moved to approve the Bernards Inn request. Mr. Rossi seconded the motion, which was approved unanimously. Mayor Honecker said the Olcott Avenue project is nearly complete. New trees will be planted in the spring. Reclamation or milling and paving work will be done on Post Lane, Ballantine Road, Crest Drive in the future. Leaf pick-up will begin next week and notice will be in the newspaper as well as on our website. Suggestions and plans for curbing and sidewalks on Old Fort Road, Mine Mount Road, and Mullens Lane will be submitted from engineering. Mr. McCrossan asked if Public Works gives engineering a "wish list" for location and requirements such as consideration of Safe Routes to School guidelines? Jean Oliver, member of the public, suggested they work in conjunction with the schools. Mrs. Foster asked if the exterior cable on the outside of the library has been addressed? Mr. Pidgeon said a letter was sent today.

ITEMS OF BUSINESS

Garibaldi property. Further discussion on the possibility of selling this parcel was carried to the November work meeting, pending information on its value.

Liquid waste hauling contract. Mr. Pidgeon advised that our present contractor, Applied Water Management, Inc., has advised that their assets are being sold to Accurate Waste Removal Systems, and they have requested assignment of AWM's sludge-hauling contract to AWRS. Messrs. Raymond and Macdowall have no objections to this assignment since the same contract pricing will apply. Mayor Honecker asked for a motion to approve the assignment of the sludge-hauling contract to AWRS, as discussed. Mr. McDowell so moved, Mr. Rossi seconded and the motion was approved by six yes votes.

Lions Club Holiday Displays. A request from the Lions Club was discussed, to "place two Christmas Trees in Olcott Square on November 29, and the Nativity Scene at the Borough Pond." Approval, pending receipt of certificates of insurance, was moved by Mr. Rossi, seconded by Mr. Sooy and approved by six yes votes.

Sign at The Station Pub and Grub. Mr. Dooley asked about the legality of a sign at this location? Mr. Maresca said he would check the status with zoning representatives.

OPEN SESSION

Mayor Honecker opened the public session. David Van Grouw, representing Mr. and Mrs. Brucker, spoke about the continuing nuisance with water run-off on the Brucker property on Clark Road. He said that a year ago the Borough agreed to remove silt and brush at the edge of the roadway and he asked why that had not been done? Mr. Dooley reported speaking with an adjacent neighbor, Mrs. Schneider, regarding an easement across her property in connection with is matter, but no consent was given. Mayor Honecker agreed to ask Public Works why the work was delayed, and report back to Mr. VanGrouw. Mayor Honecker closed the public session.

CLOSED SESSION

Mr. Sooy moved to adjourn to an executive session to consider potential property acquisition in connection with COAH obligations, and that the time when and circumstances under which the above can be disclosed to the public is when the matter is finally resolved. Mrs. Foster seconded and the motion was approved by six yes votes.

REOPEN

Mr. McDowell moved to authorize the Administrator to retain appraisers in connection with the possible purchase of property for the development of affordable housing, said appraisals not to exceed \$1500 each, to be prioritized by the Borough Planner, David Zimmerman. Mr. Dooley seconded, and the motion was approved with six yes votes.

ADJOURNMENT

Moved by Mr. Dooley, seconded by Mr. McDowell and approved with six yes votes.

Sandra G. Jones, Borough Clerk

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keywords: police-olcott-salaries-tree-shade-protection-finance-checks-cancellation-far-hills-races-bicycle-route-budget-downtown-project-garibaldi-liquid-waste-hauling-contract-holiday-displays-sign-clark-water-run-off-coah