

**BOROUGH OF BERNARDSVILLE**  
**Mayor & Borough Council Meeting Minutes**  
**December 14, 2009**

This meeting was called to order by Mayor Honecker at 7:00 p.m. on Monday, December 14, 2009. Present were Joseph DeMarco, Charlotte J. Foster, John McCrossan, Edward McDowell, Joseph Rossi and Kevin Sooy. Also present were Borough Attorney John R. Pidgeon, Esquire, Sandra G. Jones, Borough Clerk, and Ralph Maresca, 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 January 6, 2009.

**OPEN SESSION**

Mayor Honecker opened the public session. Phil Bolton, Oak Place resident, complained about "dangerous road conditions on Spruce Place, Locust Drive, and Oak Ridge Road." On behalf of 39 homes in his neighborhood he "requested priority in getting roads replaced, hoped to gain an understanding on how the town plans/prioritizes road projects, and to attain a commitment for a time frame to address dangerous problems." Mr. DeMarco spoke about work in progress on Oak Ridge Road, and said that a survey of our 55 miles of roads has been authorized with a target completion date in February 2010, in order to prioritize future road work. While no promises can be made today for these roads, he said, the study will show where they are on the priority list. Oak Place residents expressing road concerns included Valerie and Scott Harrington, Jack Rodriguez, Mary Kleinstein, Peter Fritze and Patricia Sena. When asked what portion of the municipal budget is spent on roads, Mr. McCrossan spoke about debt, the budget and he agreed to provide an answer to that question at a later date. The residents were assured that the Public Safety Committee will review their safety concerns, and Mayor Honecker closed the public session.

**Kiwanis Field lighting**

The Little League proposal, item 4C, was discussed at this point in the meeting. Bob Ball, Dayton Crescent resident, representing the Somerset Hills Little League, spoke about their proposal which, in their view would extend the use of existing fields for practice and end-of-season games and provide some relief to the field shortage problem in Bernardsville. He said the Little League will pay all lighting project costs, and future electric usage bills. Scott Parente, 99 Liberty, asked where is the evidence of field shortage, if planning or lighting studies were done and he complained that public notice given for this matter was not adequate. Mr. Pidgeon explained that we are here tonight for an informal hearing, that notice was a courtesy, not a requirement for this matter at this time. Musco Lighting representative Brandon Albers spoke about the proposal, and mentioned other similar installations in Green Brook and Bridgewater which could be viewed as examples.

Residents expressed concerns about "ugly poles", impact on quality of life, narrow streets unable to bear more traffic, and safety concerns which increase when cars are parked for games. They stressed

they do not favor an intensification of field use. John Ronco, 59 Liberty, said he is on the Little League board, that 33 teams use Kiwanis, the town has 10 fields, the Rose Bowl field is not utilized properly and that registration is down, not up. He complained that six of the 22 members on Little League board are not residents. Steve Omlor, 57 Liberty, discussed a neighborhood canvass of residents and presented a color coded map to illustrate those who are opposed to lights (125 out of 131 homes). He said the 60' poles would extend above the tree line and expressed concerns about impact on property values. Mike Mossa, 65 Liberty, said speeders consistently exceed the 25 mph limit, and extending field use after dark will add to traffic concerns. (Comments were heard from residents on Liberty, Maple and Pine Streets, including Phil Mahlik, Sue Rankin, Michelle Robertson, Mike Mossa, Jennifer Lombardi, Mary Williams, Bryan Mathews, Steve Schwab, and Nancy Ronco, Kim Lanza and JoAnn Pravata.)

There was a ten minute recess at this point. Mayor Honecker called the meeting to order.

Gary Tantleff, Mount Harmony Road, said the lights help players see, and provide safer conditions for games that finish up in evening hours.

Mr. Rossi suggested the issue be tabled for now. Mr. DeMarco said he recognizes the need but wants more information. Mr. McDowell said he doesn't feel there is enough information to make a decision now. Mr. McCrossan said he served on the Little League board and worked as scheduler. He said both sides must be considered and that he needs more information. Mrs. Foster agreed. Mr. Sooy thanked the residents and said Council will work on this matter. Mayor Honecker said the topic is tabled for now. Notice will be given if it is resurrected, but for now there will be no lights! Mr. McCrossan said Council recognizes there is a shortage of fields and spoke about grant options now pending. Mr. DeMarco moved to reject the application for lights based on insufficient information. Mrs. Foster seconded and the motion was approved with five yes votes. Mr. McCrossan voted no.

## **ITEMS OF BUSINESS**

### **Ordinance**

A draft ordinance entitled AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 OF THE BOROUGH CODE ENTITLED "POLICE REGULATIONS" BY ADDING PROVISIONS REGULATING DUMPSTERS AND PORTABLE STORAGE DEVICES, was tabled, and it was agreed to consider it as an item of business at the January work meeting.

### **Resolutions**

**#09-194      AUTHORIZING 2009 TAX REFUNDS**

- #09-195      **AUTHORIZING 2008/09 SEWER USER FEE REFUNDS**
- #09-196      **AUTHORIZATION TO CANCEL TO SURPLUS PENNY OVER/UNDER PAYMENTS FOR PROPERTY TAXES AND SEWER USER FEES**
- #09-197      **APPOINTING A PART-TIME, SUBSTITUTE SCHOOL CROSSING GUARD**
- #09-198      **AUTHORIZING THE CANCELLATION OF ACCOUNTS PAYABLE**
- #09-199      **AUTHORIZING TRANSFER OF FUNDS**
- #09-200      **AUTHORIZING PAYMENT OF BILLS**
- #09-201      **APPOINTING A PART-TIME/SUBSTITUTE DISPATCHER**

Mrs. Foster moved that Resolutions #09-194 through #09-201, listed herein by title, be hereby adopted. Mr. Sooy 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

**Chilton/Laurel Lane/Essex Stop Signs**

Mr. Rossi said the Public Safety Committee will comment soon. In the meantime, Public Works will cut back bushes which inhibit line of site at the intersection.

**Fees (parking, administrative review, etc.)**

Parking fees were discussed and it was decided to reduce commuter decal fees from \$375 per year to \$300 per year, and metered parking fees from \$.50 per hour to \$.25 per hour. Mr. McCrossan moved adoption of **RESOLUTION #09-202, ESTABLISHING DECAL FEES (as amended) AND OTHER REGULATIONS FOR MUNICIPAL PARKING LOTS DURING 2010**, listed herein by title. Mr. DeMarco seconded and the motion was approved by six yes votes.

The possibility of requiring decals to park on municipal property along Claremont Road will be discussed at the January work meeting. In the meantime, the Public Safety Committee will review Claremont Road parking. Mr. DeMarco suggested the possibility of using Crossing Guards as parking enforcement officers, especially in the summer, when they are not at their posts.

**Board of Adjustment Vacancies**

Candidates will be discussed in closed session.

**District 3 Polling Location**

This topic was tabled to the January work meeting.

**Proposed Building, Electrical and Plumbing permit fee increases**

This topic was tabled to the January work meeting. In the meantime, Mr. Maresca was directed to ask the Construction Official to provide additional background information to justify increases.

**Request for waiver of Recreation fees**

Discussion on these requests was held for Executive Session.

**2010 Reorganization**

The Borough Clerk was advised that the 2010 Public Works Committee will consist of Messrs. DeMarco, Sooy and McCrossan. Public Safety will consist of Messrs. McDowell, Rossi and Mrs. Foster. Personnel and Finance Committees will remain the same. It was agreed that Mr. McDowell will serve as liaison to Open Space instead of Mr. DeMarco and Mr. Sooy asked to be removed from the Alliance. The Mayor advised that the Energy Team and Community Relations ad hoc committees shall be disbanded. These changes will be reflected on the Reorganization Agenda of January 4. In all other cases, the make up of the Borough Council will remain the same as 2009.

**Finance items**

Mr. McCrossan advised that the Finance Committee supports a request from Chief Valentine to lease a fully equipped police vehicle with 20,000 miles. New list price was \$39,000. Mr. McCrossan moved approval of the lease, as discussed. Mr. Rossi seconded and the motion was approved with six yes votes.

Mr. McCrossan discussed the status of 2009 budget expenditures and an opportunity to cancel. A straw vote was taken and Mr. Maresca was directed to cancel \$90,000.

**CLOSED SESSION**

It was moved to adjourn to executive session, and that the time when and circumstances under which the matters can be disclosed to the public is when they are finally resolved. Motion was duly seconded and unanimously approved.

**REOPEN AND ADJOURNMENT**

It was moved, seconded and unanimously approved to reopen the meeting to the public. Mr. McCrossan moved to approve two Recreation fee waivers (for Dobash and McDonald families). Mr. Rossi seconded, and the motion was approved by six yes votes.

It was moved, seconded, and unanimously agreed to adjourn the meeting at 12:15 a.m.

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BOROUGH CLERK

keywords: lights-kiwanis-roads-dumpster-tax-finance-fees-stop-signs-election-construction-fees-recreation-reorganization