

BOROUGH OF BERNARDSVILLE
BOROUGH COUNCIL MEETING MINUTES

June 23, 2003

A meeting of the Borough Council was called to order by Council President Lee C. Honecker at 7:30 p.m. on June 23, 2003, in the Borough Hall. Present were Marie Flynn, Joseph Rossi, and Helen Walton. Also present were John R. Pidgeon, Attorney, Ralph A. Maresca, Jr., Borough Administrator, and Anthony Suriano, Deputy Clerk. Mayor Williams, Vivian McMillen, and Mikael Salovaara were absent.

STATEMENT OF PRESIDING OFFICER

Mr. Honecker announced that 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, 2003.

OPENING MESSAGE AND PLEDGE OF ALLEGIANCE

Mr. Honecker read the following quote, *"If you don't stand for something, you stand for nothing"*, and the Pledge of Allegiance was recited.

PRESENTATIONS - None

APPROVAL OF MINUTES

Mrs. Walton moved to accept the minutes of June 9. Mr. Rossi seconded and the motion was approved with three yes votes. Mrs. Flynn abstained (absent June 9).

OPEN SESSION

Mr. Honecker opened the public session. Andrea Kostelak, 6 Childs Road, reported that the garbage problems on the high school property have been addressed and that property is now in good condition. She is concerned about garbage at the Volkswagen Dealership and Linders Cleaners, which lead to debris washing into the woods and onto her property. Mr. Rossi said Jim Alexander, Zoning Enforcement Officer, has filmed the property at Linders Cleaners and met with the owner, who agreed to clean up the property. Mr. Alexander also plans to film the property of the Volkswagen Dealership and meet with the owner.

William Foster, 20 Childs Road, said the sidewalk from the Aamco gas station to the pump station is impassable because of overgrown brush. He also asked about the design of the pumping station gate. Mr. Honecker agreed to ask John Macdowall regarding the gate design.

Fraser Bowie, 6 Bernards Avenue, gave an update on his research regarding speed reduction methods. He discovered that speed tables are more useful than speed humps because they effectively reduce speeds but do not slow traffic down as much as speed humps do. Mr. Bowie handed out some literature regarding speed tables to be copied for Mr. Macdowall, Chief Valentine, and the Public Safety Committee. Regarding placement of speed tables, it was agreed to discuss this with Chief Valentine, the Public Safety Committee, and NJDOT.

A group of residents voiced their concerns regarding the widening of Hardscrabble Road. Alice Steinbacher, 272 Hardscrabble Road, said there could be a problem with runoff if changes are made to the road. Diana Lemberg, 56 Mine Mount Road, said that runoff and erosion are concerns if Hardscrabble Road is widened. Gerry Jo Cranmer, 320

Hardscrabble Road, mentioned various concerns regarding storm sewers and the possibility of lots of truck using the roadway. Mr. Pidgeon replied that a weight limit could be established to cut back the amount of trucks on the road. Peter Miller, Hardscrabble Road, had concerns regarding speed and volume of traffic on Hardscrabble Road. Clotilda Devlin, 220 Hardscrabble Road, stated that there is a spring under the road and this should be taken into consideration when considering widening the road. Council agreed to setup a meeting with the Public Works Committee, the borough engineering firm (Ferriero Engineering), and any interested residents to discuss these concerns. Mr. Honecker said Mrs. Steinbacher will be contacted when a meeting date is set, and she can inform other residents of the meeting.

Peter Brown, 72 Seney Drive, asked if the topic of closing Old Fort Road would be discussed at tonight’s meeting. Mrs. Flynn said it will not be discussed tonight and that the Public Safety Committee is looking into it.

Mr. Honecker closed the public session.

ORDINANCES

Mr. Honecker opened the public hearing on Ordinance #03-1315. Without comments or questions from the audience, the public hearing was closed.

Mrs. Walton moved that **#03-1315, AN ORDINANCE CONCERNING FIRE PREVENTION AND SUPPLEMENTING AND AMENDING CHAPTER XV OF THE BOROUGH CODE ENTITLED “FIRE PREVENTION**, be passed on final reading and adopted as published. Mr. Rossi seconded. Mr. Pidgeon said the Fire Prevention Bureau had recommended rejection of this ordinance. The ordinance was defeated upon the following roll call vote:

Mrs. Flynn	Yes	Mr. Rossi	No
Mr. Honecker	No	Mr. Salovaara	Absent
Mrs. McMillen	Absent	Mrs. Walton	No

Mr. Honecker opened the public hearing on Ordinance #03-1316. Without comments or questions from the audience, the public hearing was closed.

Mrs. Flynn moved that **#03-1316, AN ORDINANCE CONCERNING PARKING RESTRICTIONS ON ANDERSON HILL ROAD AND AMENDING CHAPTER VII OF THE BOROUGH CODE ENTITLED “TRAFFIC”**, be passed on final reading and adopted as published. Mr. Rossi seconded the motion which was approved upon the following roll call vote:

Mrs. Flynn	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent
Mrs. McMillen	Absent	Mrs. Walton	Yes

Mr. Honecker opened the public hearing on Ordinance #03-1317. Without comments or questions from the audience, the public hearing was closed.

Mrs. Flynn moved that **ORDINANCE #03-1317, AUTHORIZING AN APPROPRIATION OF \$15,000 FROM THE CAPITAL IMPROVEMENT FUND FOR PURCHASE OF A PHOTOCOPIER**, be passed on final reading and adopted as published. Mrs. Walton seconded the motion which was approved upon the following roll call vote:

Mrs. Flynn	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent
Mrs. McMillen	Absent	Mrs. Walton	Yes

Mr. Honecker opened the public hearing on Ordinance #03-1318. Without comments or questions from the audience, the public hearing was closed. Mrs. Walton moved that **ORDINANCE #03-1318, AUTHORIZING AN APPROPRIATION OF \$30,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE BERNARDSVILLE FIRE COMPANY**, be passed on final reading and adopted as published. Mrs. Flynn seconded the motion which was approved upon the following roll call vote:

Mrs. Flynn	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent
Mrs. McMillen	Absent	Mrs. Walton	Yes

Mr. Honecker opened the public hearing on Ordinance #03-1319. Without comments or questions from the audience, the public hearing was closed. Mrs. Flynn moved that **ORDINANCE #03-1319, AUTHORIZING AN APPROPRIATION OF \$51,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE POLICE DEPARTMENT AND OFFICE OF EMERGENCY MANAGEMENT** be passed on final reading and adopted as published. Mr. Rossi seconded the motion which was approved upon the following roll call vote:

Mrs. Flynn	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent
Mrs. McMillen	Absent	Mrs. Walton	Yes

Mr. Honecker opened the public hearing on Ordinance #03-1320. Without comments or questions from the audience, the public hearing was closed. Mr. Rossi moved that **ORDINANCE #03-1320, AUTHORIZING AN APPROPRIATION OF \$270,000 FROM THE CAPITAL IMPROVEMENT FUND FOR ROAD IMPROVEMENTS** be passed on final reading and adopted as published. Mrs. Walton seconded the motion which was approved upon the following roll call vote:

Mrs. Flynn	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent
Mrs. McMillen	Absent	Mrs. Walton	Yes

Mrs. Flynn moved that **ORDINANCE #03-1321, AN ORDINANCE FIXING BASE SALARY RANGES FOR OFFICERS AND EMPLOYEES OF THE BOROUGH OF BERNARDSVILLE AFTER JULY 14, 2003**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:30 p.m., Monday, July 14, 2003. Mrs. Walton seconded and the motion was approved upon the following roll call vote:

Mrs. Flynn	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent
Mrs. McMillen	Absent	Mrs. Walton	Yes

Mrs. Walton moved that **ORDINANCE #03-1322, CONCERNING SIDEWALK SALES AND AMENDING ARTICLE 12 OF THE BOROUGH LAND DEVELOPMENT REGULATIONS ENTITLED "ZONING"**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:30 p.m., Monday, July 14, 2003. The motion was seconded and approved with four yes votes.

RESOLUTIONS

Discussion of Consent Resolutions:

Mr. Pidgeon recommended tabling **Resolution #03-128, Authorizing an In Rem Tax Foreclosure Against Block 116, Lot 41**, until the details are completed by the Tax Collector. **Resolution #03-130, Authorizing a Refund for Cops-in-Shops Project**, was discussed and it was decided that more clarification on the refund was necessary. Council

decided to table Resolutions #03-128 and #03-130.

#03-126 AUTHORIZING RENEWAL OF A.B.C. LICENSES

#03-127 AUTHORIZING REFUND OF TAX OVERPAYMENTS

#03-129 AUTHORIZING PAYMENT OF BILLS

#03-131 ACCEPTING MONTHLY REPORTS

#03-132 AUTHORIZING THE MAYOR TO SIGN A TREATMENT WORKS APPROVAL APPLICATION FOR KIMBER PETROLEUM

Mrs. Walton moved that resolutions #03-126, 127, 129, 131, and 132, listed herein by title, be hereby adopted. Mr. Rossi seconded and the motion was approved upon the following roll call vote:

Mrs. Flynn	Yes	Mr. Rossi	Yes
Mr. Honecker	Yes	Mr. Salovaara	Absent
Mrs. McMillen	Absent	Mrs. Walton	Yes

Other resolutions

Mr. Honecker opened the public hearing on Resolution #03-133. Without comments or questions from the audience, the public hearing was closed. Mrs. Walton moved that **RESOLUTION #03-133, AWARDING ASPHALT ROLLER CONTRACT**, listed herein by title, be hereby adopted. Mr. Rossi seconded and the motion was approved with four yes votes.

REPORT OF THE MUNICIPAL ATTORNEY

The Municipal Attorney’s report was reviewed and accepted with no comments.

COUNCIL COMMITTEE REPORTS

Public Safety Committee - Mrs. Flynn reported the committee is discussing the possibility of closing Old Fort Road and it is possible that discussion on this topic could continue into August.

Finance Committee - Mr. Salovaara was absent and no report was given.

Personnel Committee – Mrs. McMillen was absent and no report was given.

Engineering, Technology & Public Works Committee – Mr. Honecker said the committee had discussed Hardscrabble Road and the Chestnut Avenue field construction at their prior meeting.

ITEMS OF BUSINESS

Zoning Ordinance Amendments - Mr. Pidgeon said this topic is before the Planning Board and Council is awaiting the Board’s comments.

Use of the Pool by Fire Company on September 6 - The issue of Fire Company having beer at this function was discussed. Council agreed to give the Fire Company permission to use the pool on September 6th, but for now, without having beer. It was decided to look at what had been done in the past regarding beer and make a decision at a future meeting.

Mayor's Appointment of Maureen Sciaretta to the Recreation Committee - Mr. Honecker moved to give Council consent of the Mayor's appointment of Maureen Sciaretta to the Recreation Committee. The motion was seconded and approved with four yes votes.

Mrs. Flynn said that the Fire Prevention Bureau had mentioned that she and John Macdowall had not attended any of the Bureau's meetings. She wanted to clarify and said that she asked for meeting dates but was never advised.

OPEN SESSION

Mr. Honecker opened the public session.

Mrs. Walton asked when signs are to be put on Ambar Place. Mr. Maresca said there would be a staff meeting the following morning and he would make that inquiry at that time.

Mr. Honecker closed the public session.

CLOSED SESSION - None

ADJOURNMENT

Mr. Rossi moved to adjourn the meeting at 8:50 p.m., Mrs. Flynn seconded and the motion was approved by all present.

Anthony Suriano, Deputy Borough Clerk