

**BOROUGH OF FAR HILLS**  
Borough Council Regular Meeting  
**MINUTES**  
May 13, 2019

**CALL TO ORDER**

Mayor Vallone called the meeting to order at 7:04 p.m. at the Far Hills Municipal Building and read the open public meetings statement in accordance with the law.

**PLEDGE OF ALLEGIANCE**

Mayor Vallone led the Pledge of Allegiance.

**ROLL CALL**

Present: Chimenti, Hand, Karner, Surks, Vallone  
Absent, as Excused: Carty, Tweedie  
Absent:  
Also Present: Clerk Hicks, Attorney Sordillo, Chief DeCarolis, members of the Far Hills Police Department, CFO Debra Stern, Borough Auditors, Kathryn Mantell and Taylor Meytrott.

**OATH OF OFFICE**

Clerk Hicks administered the Oath of Office to Daryl Zavala.

Members of the Far Hills Police Department and guests left the meeting at this time.

**REPORTS**

**Councilman Hand – Fire, Water, Light, Buildings & Grounds**

Councilman Hand stated he would be meeting with VNA Representative, Marie Sperber on May 15, 2019 to review the condition of the J. Malcolm Belcher Fairgrounds for any damage sustained during the VNA Sale.

**Councilman Surks – Roads**

Councilman Surks reported that per the NJDOT, the milling and paving of Route 202 is anticipated to commence this summer. He also noted that the rut adjacent to the bus stop along Route 202 has been remediated by the NJDOT. Councilman Surks stated the Bedminster DPW installed stone to remediate the rut adjacent to the bridge along Lake Road.

**Councilwoman Chimenti – Laws, Ordinances & Elections**

Councilwoman Chimenti stated after meeting with the Borough of Far Hills Court Administrator, Marjorie Freeman, there has been a steady increase in the volume of cases and length of court sessions. Councilwoman Chimenti reported deposits for the month of April 2019 were \$6,913.00.

**Council President Karner – Police**

Council President Karner presented the April 2019 police report. He also indicated that PBA contract negotiations were progressing and a meeting was to be scheduled within the next two weeks.

**Chief DeCarolis – Police**

Chief DeCarolis stated the VNA Sale had to be cancelled on May 5, 2019 due to the adverse weather conditions.

## **Mayor Vallone**

Mayor Vallone reported that he met with representatives of the VNA on May 7, 2019 and despite the emergency closure on May 5, the sale was very successful enabling the VNA to continue to provide their services. Mayor Vallone expressed his appreciation to Councilman Hand as well as the Far Hills Police Department for their efforts in conjunction with this event.

Mayor Vallone encouraged residents to attend the Memorial Day Parade on May 27, 2019 at 10:00 a.m. with refreshments to follow at the J. Malcolm Belcher Fairgrounds. He also noted several events that were scheduled to take place in the Borough including the Revolutionary Ramble on June 8, 2019. This event will utilize the Fairgrounds as a rest stop between 8:30 a.m. – 3:00 p.m. and approximately 1000 bicyclists will be traversing roadways in the Borough and surrounding municipalities.

He noted the Miles for Matheny Event on June 9, 2019 at the J. Malcolm Belcher Fairgrounds between 11:00 a.m. to 3:00 p.m. Chief DeCarolis advised that Peapack Road would be closed between 12:00 p.m. – 2:00 p.m. for the 5K race.

Lastly, the Essex Horse Trials on June 21-23, 2019 at Moorland Farm which consists of several equestrian events, an antique car show, and many food and merchandise vendors.

## **REGULAR AGENDA**

### **APPROVAL OF MINUTES**

4/8/19 – Regular Meeting

Motion by Council President Karner, seconded by Councilman Surks, was unanimously carried that these minutes be approved, as amended for content and release.

4/22/19 – Regular Meeting

Motion by Councilman Surks, seconded by Council President Karner, was unanimously carried that these minutes be approved for content and release.

4/22/19 – Executive Minutes

Motion by Council President Karner, seconded by Councilman Surks, was unanimously carried that these minutes be approved for content only.

## **NEW BUSINESS**

### **REGULAR AGENDA**

### **RESOLUTIONS**

#### **Resolution 19-073 – Certification of Compliance with EEOC Enforcement Guidance**

Motion by Council President Karner, seconded by Councilman Hand, was unanimously carried to approve Resolution 19-073.

Roll Call:

Aye: Chimenti, Hand, Karner, Surks

Nay:

Abstain:

Motion Carried

#### **Resolution 19-074 – Budget by Title**

Mayor Vallone introduced Borough Auditor, Ms. Mantell and CFO Debra Stern and commended them for their efforts in the preparation of the 2019 Budget. He noted that due to a delay in the State review,

the budget could not be adopted this evening as originally planned. Ms. Mantell introduced Mr. Meytrott who recently completed the Borough's audit. She stated that the Borough's finances were strong and financially sound. She advised that the public hearing would occur tonight but the adoption of the budget is pending receipt of the State review.

Motion by Councilman Hand, seconded by Council President Karner, was unanimously carried to approve Resolution 19-074.

Roll Call:

Aye: Chimenti, Hand, Karner, Surks

Nay:

Abstain:

Motion Carried

### **PUBLIC HEARING – 2019 Budget**

Motion by Council President Karner, seconded by Councilman Hand, was unanimously carried to open the public hearing.

Dr. George Mellendick, 260 Lake Road, Far Hills inquired as to the scope of the review of the 2019 Budget by the State of New Jersey.

There were no further comments from the public.

Motion by Council President Karner, seconded by Councilman Hand, was unanimously carried to close the public hearing.

### **RESOLUTIONS**

#### **CONSENT AGENDA**

The items listed within the consent agenda portion of the meeting have been referred to the Borough Council for reading and study and are considered routine and will be enacted with one motion of the Borough Council with no separate discussion. If separate discussion is required, the item may be removed from the agenda by Borough Council action and placed on the regular agenda under new business.

### **RESOLUTIONS**

1. Resolution 19-075 – Professional Services Contract, Human Resource Consultant  
Nancy Somelofske, Executive Rewards Advisors, LLC
2. Resolution 19-076 – Appointment - Acting Construction Sub Code Official
3. Resolution 19-077 – Payment of Bill List

Motion by Council President Karner, seconded by Councilman Surks that Resolutions 19-075 through 19-077 be approved.

Roll Call:

Aye: Chimenti, Hand, Karner, Surks

Nay:

Abstain:

Motion Carried.

CFO Stern, Ms. Mantell and Mr. Meytrott left the meeting at this time.

Mayor Vallone read into the minutes the statement made at the Planning Board meeting on May 6, 2019.

This evening, I want to address two COAH related issues. One being very good news relating to the Borough's Court plan.

But before that I want to address the Preserve Far Hills.org group and website run by Amy Pressler, George Mellendick and Frank Semcer and the great amount of misinformation, fabrication of fact and inaccuracies that have been disseminated to the residents of Far Hills.

The attorney representing Preserve Far Hills filed a complaint and summons with the Superior Court of New Jersey on April 29, 2019 and as such the Borough is now in litigation with this group which may result in protracted and costly expense to our residents.

While some of the residents associated with the Preserve Far Hills Facebook page profess to want to work together, a posting which has called for the recall of myself as Mayor and the entire Borough Council; which by the way is the best group of Council members any municipality could ask for, is hardly a harmonious moment in Far Hills.

The Preserve Far Hills Facebook page has many postings which are misrepresented much information pertaining to affordable housing in the Borough of Far Hills.

A post dated April 22 at 3:22 p.m. indicated that Mr. Joe Petrilli (actually Portelli), President of RPM (actually Vice President of Development for the RPM Development Corporation) stated that RPM has "a plan that calls for 50 affordable housing units which they will build, manage, own and maintain on land that the town already owns... and has reviewed the approximately 4 acres of land owned by the town adjacent to the Far Hills Fairgrounds...RPM believes this land is very suitable for the 50 unit development, BUT the town is not cooperating or discussing these options with RPM.". This is blatantly false.

We have also heard from Mr. Charles Schwester, 410 Lake Road, Far Hills who stated that he knew Mr. Portelli or "Joseph" as he has said on the record and purportedly never said that he represented Far Hills when asking RPM Development to offer their services to Far Hills.

During a recent phone conversation with Mr. Portelli to discuss the statements posted on the Preserve Far Hills Facebook page and various statements made by residents at Borough Council and Planning Board meetings, he categorically denied ever saying the quote attributed to him on the April 22, 2019 Facebook post. He also denied knowing Mr. Schwester and only took his call because "he called me incessantly" and gave the impression that he (Mr. Schwester) was authorized to speak on behalf of Far Hills. As requested by residents, our Borough Attorney, Mr. Joseph Sordillo and Planner, Mr. David Banisch met with Mr. Portelli of RPM Development on April 11, 2019 and during that meeting Mr. Portelli also related this sentiment.

During my conversation with Mr. Portelli, I also expressed that he should be prepared to discuss these issues should the Borough need to depose him regarding the gross misstatements made on the Preserve Far Hills Facebook page. This misinformation will become even more evident and immediately relayed to the public and if necessary, to the appropriate authorities.

I would also like to address the flyer sent to residents over the May 4, 2019 weekend and also posted on the Preserve Far Hills Facebook page illustrating a cost estimate comparison between the Borough's Court approved plan on the Route 202 site and RPM Development Group 50 apartment unit plan.

To date, RPM Development has not provided our Borough professionals the final projected costs

following the April 11, 2019 meeting. So, I ask you, where did Preserve Far Hills obtain the grossly understated numbers as detailed in the mailer, which appear to be understated by many millions of dollars based on what we know so far from RPM Development? Again, another misrepresentation of the facts.

The flyer also misrepresents the cost estimate for the Borough's plan. The cost estimate to the Borough of 2.5 million dollars for land acquisition is totally inaccurate and false. The Borough of Far Hills is not purchasing this property; it is being purchased by a third party and there will be NO cost to Borough for this land acquisition. The numbers projecting tax revenues are again misrepresented and are dramatically underestimated and self-serving to the "Did You Know" group, who apparently, do NOT know!

But now for some very good news. After much discussion with Pulte Homes that has taken place over the past several months, they have agreed to market the entire market rate development as AGE RESTRICTED. This makes a very good Borough plan an excellent one. This essentially reduces the child count to less than 10 and based upon the actual cost estimates, not the inaccurate estimates posted by Preserve Far Hills. The projected tax revenue to the Borough for this project is a positive 45+% and the Borough will not incur any additional debt for this development all while maintaining one of the lowest municipal tax rates in the state. The Pulte Home development addresses the Borough's affordable housing obligation via an elegant well-constructed town home development similar in nature and size to the Polo Club. The Polo Club, which has been, and continues to be a wonderful addition to our community, and is in keeping with the image of Far Hills.

Let me remind you that the massive development referred to by Preserve Far Hills, is an approximate 2500 total unit development in the Hills and was a direct result of a builder's remedy lawsuit which the Township of Bedminster lost.

Later this week, I will be addressing all of the misinformation and inaccurate statements posted on the Preserve Far Hills Facebook page and if determined necessary by the Borough Council, this misinformation will be forwarded to our attorneys, the courts and appropriate third parties. Through the Borough newsletter and website our residents will be provided with the most accurate and factual information as possible.

In short, the proposal submitted by Pulte Homes and their agreement to market the units as AGE RESTRICTED addresses the concerns with cost, education and traffic and makes an already great plan an excellent one for Far Hills.

In addition, reference was made to an article in the May 9, 2019 issue of the Bernardsville News titled "Game Changer" highlighting that the Borough's Court approved COAH plan for the Pulte Development on Errico Acres will be deeded Age Restricted for the Market Rate Units.

Borough Attorney Joseph Sordillo commented that the Planning Board meeting was held on May 6, 2019. He also stated that the \$800,000.00 donation would be used for the benefit of all residents through enhancements to the Fairgrounds and the Borough Village area. He added that the donation was included in the Memorandum of Understanding with the developer which had been accepted by the Court.

Council President Karner, on behalf of the members of the Borough Council, expressed appreciation to Mayor Vallone for his presentation this evening. The sentiment was also expressed by each Council member.

**PUBLIC COMMENT** – *The Mayor and Council welcome comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers shall limit their comments to 5 minutes.*

Ed Coury, 100 Lake Road, Far Hills reiterated that requests for financial information regarding self-funding 29 affordable housing units have not been provided. A general discussion ensued including school aged children and sewer connection fees.

John Sobel, 44 Spring Hollow Road, Far Hills provided copies of the letter dated May 13, 2019 requesting an extension to the settlement agreement and made reference to several inquiries for information regarding the affordable housing developments. Mr. Sobel stated he was not suing the Borough and again emphasized working together.

Richard Rinzler, 11 Hurlingham Road, Far Hills commended the Borough Council for their transparency through the affordable housing process.

Charles Schwester, 410 Lake Road, Far Hills requested clarification on whether the age restricted classification of the Errico Acres affordable housing project was a deed restriction. Mr. Schwester inquired as to status of the discussion between the Borough Council and RPM Development and commented that only property available was located adjacent to the Fairgrounds. He also stated that the Preserve Far Hills group helped to progress the changes in the Errico Acres affordable housing project.

Cindy Edwards, 200 Post Kennel Road, Bernardsville impressed that the Borough Council and residents of Far Hills need to find common ground and suggested that an information sheet on the affordable housing projects be provided to residents.

Dr. George Mellendick, 260 Lake Road, Far Hills inquired as to the upcoming deadlines imposed on the Borough and if an extension with the Court was possible.

Janine Silberberg, 90 Hidden Valley Road, Far Hills commented upon the number of changes and timeliness of the posting of the Planning Board Agenda for the May 6, 2019 meeting on the website.

Anita Williams, 19 Lake Road, Far Hills inquired as to the impact upon emergency services and Borough infrastructure with regard to the anticipated increase in residents related to the proposed development.

Janine Silberberg, 90 Hidden Valley Road, Far Hills inquired if the Borough has contacted other developers, in addition to RPM Development for a self-funded project.

Charles Schwester, 410 Lake Road, Far Hills inquired what other developers the Borough had met with comparable to RPM Development. He also inquired as to the availability of land for a self-funded project and acknowledged that the addition of the age restriction at the Errico Acres site was a positive development.

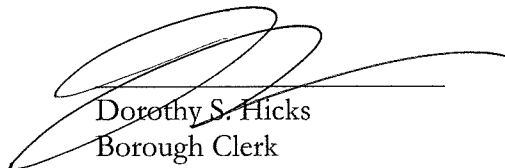
There were no further comments from the public.

## **ADJOURNMENT**

Motion by Council President Karner, seconded by Councilman Hand and unanimously carried to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

APPROVED – 5/28/19



Dorothy S. Hicks  
Borough Clerk