

**BOROUGH OF FAR HILLS**  
Borough Council Regular Meeting  
**MINUTES**  
May 11, 2020  
VIA CONFERENCE CALL ONLY

**CALL TO ORDER**

Mayor Vallone called the conference call meeting to order at 7:01 p.m. 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: Councilman Joseph Carty, Councilwoman Mary Chimenti, Councilman Richard Hand, Council President David Karner, Councilman Ted McLean, Councilwoman Sheila Tweedie, Mayor Paul J. Vallone, MD

Absent, as Excused:

Absent:

Also Present: Borough Clerk Dorothy S. Hicks, Chief Michael DeCarolis, Borough Attorney Joseph Sordillo

**REPORTS**

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

No report.

**Councilwoman Tweedie – Health/Sanitation**

No report.

**Councilman McLean – Roads**

No report.

**Councilman Carty – Finance/Insurance**

No report.

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

Councilwoman Chimenti reported that Municipal Court deposits for April 2020 were \$1195.08. She also informed the Borough Council that the municipal court session for May 12, 2020 would take place via a Zoom meeting.

**Council President Karner - Police**

Council President Karner presented the April 2020 Police Report. He informed the Borough Council that Monsignor Puleo sent a letter expressing his appreciation for the assistance provided for the drive-by church service held last month.

**Chief DeCarolis**

Chief DeCarolis reported that there was a recent vehicle theft in the Polo Club and noted that the vehicle was unlocked and the keys were left inside and reminded everyone to lock their vehicles. He also noted that he would be in the municipal building for the May 12, 2020 virtual court session.

**Mayor Vallone**

Members of the Borough Council, neighbors and friends:

I hope that this finds you and your loved ones well and that all enjoyed Mother's Day this weekend.

As we continue to navigate these difficult times we are beginning to see a light at the end of the tunnel. In New York, Governor Cuomo announced a gradual lifting of the stay-in-place order commencing May 15, 2020 with Phase One openings of some commercial venues. Here in New Jersey, we will hopefully follow suit.

I am happy to say that in Far Hills, there have been no new Covid-19 cases reported since my last update.

In communication with Mr. Tony Cava, President of Robert Wood Johnson University Hospital, care was provided to 937 patients who tested positive for COVID-19 and over 500 patients have already been discharged. Emergency room services and other urgent services remain available at Robert Wood Johnson and Morristown Memorial Hospital and those with critical illnesses should not hesitate to seek medical care.

The testing site at Raritan Valley Community College has been up and running. An appointment is necessary and can be arranged by calling 908.237.7150. Additionally, a prescription from your physician is also required prior to going to the testing site.

The Memorial Day Parade will not take place this year; however, in accordance with the Executive Order limiting gatherings to ten or less, a small wreath laying ceremony, speeches from the respective Mayors and similar tribute may occur. I am working with our Borough Council and representatives from the Far Hills Bedminster Fire Department and will provide additional details to ensure we remember our fallen heroes.

I would like to address Executive Order 130, which Governor Murphy signed last week and a recent article in the Bernardsville News regarding an extension of the current tax payment due date from May 1, 2020 to June 1, 2020. However, there was no similar extension afforded to the municipalities who had to comply with their financial obligations to the county, schools, libraries and state under the existing deadlines. While some municipalities extended the due date, after discussion with our CFO, Ms. Stern and Finance Committee, it was determined that the Borough would not be doing so. While it was politically a good-will gesture, it was short sighted and unduly burdened the municipality and achieved little to nothing for the residents. In fact, it even subjected taxpayers to an 8% rate of interest for tax payments, not received by the due date, retroactively to May 1, 2020.

A request for a Farmer's Market to take place at the Fairgrounds was considered but ultimately denied due to the limitation on gatherings and a potential risk to our residents.

As you may know, Governor Murphy has extended the stay-in-place order until June 6, 2020 and through discussions with his office, this may be further extended. This continues to place a burden on our small businesses.

Due to the stay-in-place order, the next Council meeting in May and the first meeting in June will be conducted in a virtual format. As State guidelines continue to be presented, the Borough may revise the meeting format.

The municipal building will continue to be closed to the public for the safety of our residents and employees. I have had conversation with our Borough Clerk, Dorothy Hicks and have authorized the procurement of additional personal protective equipment for the safety of our employees.

Finally, with regard to future events in the Borough, specifically the Essex Horse Trials, which is currently scheduled for July 18, and 19, 2020, it is highly unlikely that this event would take place if the stay-in-place order is extended beyond June.

I will continue to keep you informed as we receive updates from the Governor's office.

**REGULAR AGENDA**  
**APPROVAL OF MINUTES**  
**4/27/20 Regular Meeting**

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

**UNFINISHED BUSINESS**  
**ORDINANCES – PUBLIC HEARING & ADOPTION**

**ORDINANCE 2020-03 – AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND MANAGEMENT ORDINANCE OF THE BOROUGH OF FAR HILLS TO ESTABLISH A NEIGHBORHOOD OFFICE MIXED-USE AFFORDABLE HOUSING OVERLAY (NO-AHO) ZONE DISTRICT FOR THE PROPERTIES IDENTIFIED AS BLOCK 13, LOTS 2 & 3 IN THE BOROUGH OF FAR HILLS AND TO ESTABLISH USE, BULK AND DEVELOPMENT STANDARDS FOR MUNICIPALLY-SPONSORED AFFORDABLE RENTAL APARTMENT DEVELOPMENT ADDRESSING A PORTION OF FAR HILLS BOROUGH'S THIRD ROUND AFFORDABLE HOUSING OBLIGATION**

*(The Public Hearing for Ordinance 2020-03 is carried to the May 26, 2020 Borough Council meeting)*

Mr. Sordillo recommended that the public hearing and adoption of Ordinance 2020-03 be carried until the next Borough Council meeting on May 26, 2020 as the Affordable Housing Agreement with the Hotz Development was to be discussed in Executive Session this evening.

**ORDINANCE 2020-05 - AN ORDINANCE ESTABLISHING PARKING REGULATIONS FOR THE PARKING LOT AT THE BOROUGH MUNICIPAL BUILDING.**

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

There were no comments from the public.

Ms. Hicks advised that the notice of the public hearing was published in the newspaper of record, and that no communication, either written or verbal was received regarding the Ordinance.

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

Motion by Council President Karner, seconded by Councilman Hand that Ordinance 2020-05 be adopted.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie

Nay:

Abstain:

Recused:

Motion Carried.

## **NEW BUSINESS**

### **ORDINANCES – INTRODUCTION**

**ORDINANCE 2020-06** – AN ORDINANCE AMENDING SECTION 1005 OF CHAPTER X OF “THE LAND MANAGEMENT ORDINANCE OF THE BOROUGH OF FAR HILLS” ADOPTED DECEMBER 28, 1989, AS AMENDED, TO UPDATE THE BOROUGH’S ACCESSORY APARTMENTS PROGRAM.

Mr. Sordillo provided a brief overview of Ordinance 2020-06.

Motion by Councilman Hand, seconded by Councilwoman Chimenti that Ordinance 2020-06 be introduced.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie

Nay:

Abstain:

Recused:

Motion Carried.

**ORDINANCE 2020-07** - AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2010-11 ENTITLED “AN ORDINANCE OF THE BOROUGH OF FAR HILLS TO ADDRESS THE REQUIREMENTS OF THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING (“COAH”) REGARDING COMPLIANCE WITH THE BOROUGH’S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS” TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE BOROUGH’S AFFORDABLE HOUSING OBLIGATIONS APPROVED BY THE SUPERIOR COURT.

Mr. Sordillo provided a brief overview of Ordinance 2020-07.

Councilman McLean inquired as to the salability of the affordable units. Mr. Sordillo explained the process to market and purchase an affordable housing unit. A brief discussion ensued regarding the marketability of the for-sale and rental affordable units.

Motion by Councilman McLean, seconded by Council President Karner that Ordinance 2020-07 be introduced.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie

Nay:

Abstain:

Recused:

Motion Carried.

**ORDINANCE 2020-08 - AN ORDINANCE AMENDING SECTION 504 OF "THE LAND MANAGEMENT ORDINANCE OF THE BOROUGH OF FAR HILLS" ADOPTED DECEMBER 28, 1989, AS AMENDED, TO UPDATE THE BOROUGH'S AFFORDABLE HOUSING DEVELOPMENT FEES.**

Mr. Sordillo provided a brief overview of Ordinance 2020-08.

Motion by Council President Karner, seconded by Councilman Hand that Ordinance 2020-08 be introduced.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie

Nay:

Abstain:

Recused:

Motion Carried.

### **BUDGET 2020 – Mayor's Statement**

Before we adopt our 2020 Budget, I would like to express my appreciation to the members of our Borough Council, our Borough Clerk Dorothy Hicks, our Chief of Police Michael DeCarolis and our CFO Debra Stern who have all worked over the last few months formulating, analyzing and putting together a budget that serves our residents, deals with unforeseen challenges and is fiscally responsible.

I want to also welcome our Borough Auditor, Kathryn Mantell of Nisivoccia, LLC who contributes to the final result and offers her expertise along the way and who is attending this virtual meeting and will comment later on.

Following are some of the achievements this year's budget allows for in the Borough of Far Hills. This year saw the implementation of a new five-year police contract providing our residents with the security of knowing the officers who serve them and the municipality's ability to hire and retain the very best in law enforcement headed by Chief Michael DeCarolis.

It is a budget that sees Far Hills making its last debt payment, making the Borough one of the very few municipal entities, not only in the State of New Jersey, but anywhere in the country that is totally debt-free. This accomplishment is something that I and the Council are extremely proud.

This year's budget effective tax rate ranks amongst the lowest 3-4% of all 565 municipalities providing comparable services, throughout the State of New Jersey.

A substantial challenge this year is that assessments of real property in the Borough have declined by \$13.8 million. This is a statewide trend, especially with residences priced over \$1 million, of which Far Hills has many. Remember, unlike other municipalities, we do not have industry, manufacturing or other large retail developments to offset this assessment decrease. Despite this major challenge, our 2020 Budget will increase only slightly, from \$.508 to \$.517 per \$100.00 of assessed value, or an increase of 1.77%. The amount to be raised by taxation for municipal purposes is \$2,169,392.08, a 1.5% decrease from last year. The total budget appropriations is \$3,182,625.36, a 1.04% increase from last year.

This budget allows us to continue to support our Fire Department and Emergency Medical Services, our Police Department, our Administration, our professionals and most importantly, our residents. I am proud to submit this budget for your consideration and the consideration of our Council.

Ms. Mantell provided an overview of the budget process and commended the ongoing collaboration with CFO, Debra Stern. She indicated that the Borough would be utilizing \$600,000.00 from surplus in this year's budget and noted that this was a fiscally responsible action. She indicated that the Borough has historically taken a conservative approach to anticipated revenue and noted a storm recovery trust fund, in the amount of \$76,000.00, could be utilized for COVID-19 related expenses.

## **RESOLUTIONS**

### **Resolution 20-070 – Budget by Title**

Motion by Councilman Carty, seconded by Council President Karner that Resolution 20-070 be approved.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie

Nay:

Abstain:

Recused:

Motion Carried.

### **Resolution 20-071 – Public Hearing and Adoption of 2020 Budget**

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

Richard Rinzler, 11 Hurlingham Club Road, Far Hills expressed his appreciation for the fiscal update presentation.

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

Motion by Councilman Carty, seconded by Council President Karner that Resolution 20-071 be approved.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie

Nay:

Abstain:

Recused:

Motion Carried.

**Resolution 20-072 – Refund of Planning Board Escrow – B13, L8 – 19 Demun Place**

Motion by Council President Karner, seconded by Councilman Carty that Resolution 20-072 be approved.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie

Nay:

Abstain:

Recused:

Motion Carried.

**Resolution 20-073 – Payment of Bill List**

Motion by Council President Karner, seconded by Councilman Carty that Resolution 20-073 be approved.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie

Nay:

Abstain:

Recused:

Motion Carried.

**DISCUSSION**

**Temporary Signage – Length of Display Time**

Mayor Vallone indicated that the Borough's Zoning Officer, Ms. Kim Coward inquired about allowing business owners extended display times or a fee waiver in order to advertise their businesses due to the COVID-19 closures. A brief discussion ensued, resulting in Mr. Sordillo being asked to coordinate with Ms. Coward and Councilwoman Tweedie to review the current ordinance and develop additional provisions to assist local business owners.

**MEL/JIF - Cyber Insurance Program**

Ms. Hicks informed the Borough Council of the recent approval from the MEL/JIF Cyber Insurance Program for both Tier I and Tier II benefit levels. She explained that this affords the Borough the ability to apply for a reimbursement of up to \$22,500.00 of the \$25,000.00 deductible in the event of a claim made due to a cyber related incident. She noted that additional training was also being implemented in order to maintain compliance with program requirements.

Mayor Vallone expressed his appreciation to Ms. Hicks for her efforts in achieving this approval. Chief DeCarolis echoed those sentiments. Ms. Hicks indicated that it was a truly collaborative effort

working with Chief DeCarolis and CFO Debra Stern and the Borough's IT Consultant, Aton Computing.

**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.*

Motion by Council President Karner, seconded by Councilwoman Tweedie and unanimously carried to open the meeting to public comment.

There were no comments from the public.

Motion by Council President Karner, seconded by Councilman Hand and unanimously carried to close the meeting to public comment.

### **EXECUTIVE SESSION**

#### **Resolution 20-074**

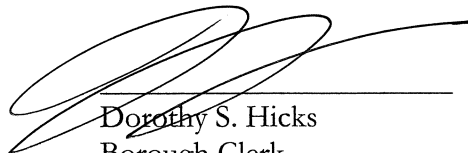
- Attorney Client Privilege – Litigation - Affordable Housing – Hotz Development
- Contract Negotiations – Dumont Road Drainage Project and Ludlow Avenue Road Improvements Project
- Contract Negotiations – NJDOT FY2021 Local Aid Grant Application

Motion by Council President Karner, seconded by Councilman Hand, was unanimously carried that Resolution 20-074 be approved.

### **RETURN TO OPEN SESSION AND ADJOURNMENT**

Motion by Council President Karner, seconded by Councilman McLean and unanimously carried to adjourn the meeting at 9:12 p.m.

Respectfully submitted,



Dorothy S. Hicks  
Borough Clerk

APPROVED – 5/26/2020