

BOROUGH OF FAR HILLS
Borough Council Regular Meeting
MINUTES
June 8, 2020
VIA CONFERENCE CALL ONLY

CALL TO ORDER

Mayor Vallone called the conference call meeting to order at 7:05 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.

Mayor Vallone inquired about the maintenance of the baseball field and requested that the area be cleared of weeds and prepared for the summer league season. Councilman Hand responded that he would reach out to Bedminster DPW Director, Mr. John Mantz.

Council President Karner stated that he was contacted by Mr. Dan McCollum, who collects the recycling at the fairgrounds, who indicated that people were disposing the dog waste bags incorrectly into the recycling bins. Councilman Hand indicated that he would look into this situation and make arrangements to have different recycling bins installed to more clearly differentiate from the trash bins.

Councilwoman Tweedie – Health/Sanitation

No report.

Councilman McLean – Roads

Councilman McLean commented that there were sections of Lake Road in need of repair and expressed concerns for the safety for bicyclists and pedestrians. He inquired as to the status of the road improvement project.

A brief discussion ensued regarding improvements to the roadway resulting in further review by the Borough Engineer and Bedminster DPW Director, John Mantz.

Councilman Carty – Finance/Insurance

No report.

Councilwoman Chimenti – Laws, Ordinances, & Elections

No report.

Council President Karner – Police

Council President Karner provided a brief overview of the request for the purchase of a new police SUV and the reallocation of capital ordinance funds.

He also reported that the Far Hills Police Department had been contacted to offer support to neighboring municipalities in light of the increase in demonstrations due to the death of George Floyd. He reaffirmed that the Far Hills Police Department remains consistent in their dedication and professionalism in serving the residents of Far Hills.

Chief DeCarolis

Chief DeCarolis indicated that Lake Road remained closed due to the installation of new gas line by PSE&G and anticipated that the work would be completed by tomorrow.

He expressed his appreciation to the Borough Council for their support regarding the purchase of a police vehicle and explained that budgeting and replacement schedule for the police vehicles. He also noted that the installation of the Watchguard Evidence Management System was underway with cameras in the police vehicles, headquarters and interview rooms.

He commented that the Far Hills Police Department was on call for mutual aid assistance with neighboring municipalities and expressed his appreciation to the Borough Council for their support of the department during these challenging times in law enforcement.

Mayor Vallone

Mayor Vallone echoed the comments made by Council President Karner with regard to the professionalism exhibited by our Police Department. He also acknowledged the leadership of Chief DeCarolis and conveyed the Borough Council's support of our officers in these difficult times.

Mayor Vallone reported that he received a call from Mr. Dan Powell, CEO VNA/Atlantic Health regarding preparations for the Rummage Sale in October 2020, and would keep the Council apprised upon review of the VNA's plans for safety and social distancing protocols for this event.

He also stated that the Essex Horse Trials scheduled for July 18-19, 2020 had been cancelled due to health and safety concerns from its sponsors; however, the Far Hills Race Meeting was currently planned to proceed on October 17, 2020.

Mayor Vallone reported that he asked Ms. Hicks to inquire into the status of the NJDOT Route 202 Bridge over the North Branch of the Raritan River project and it was determined that the construction was not expected to begin until Spring 2024. He noted that requests have also been made of the NJDOT for a public presentation regarding this project.

REGULAR AGENDA

APPROVAL OF MINUTES

5/26/20 – Regular Meeting Minutes

Motion by Councilwoman Chimenti, seconded by Councilwoman Tweedie was unanimously carried that these minutes be approved for content and release.

5/26/20 – Executive Session Minutes

Motion by Councilman Hand, seconded by Councilwoman Tweedie was unanimously carried that these minutes be approved for content only.

UNFINISHED BUSINESS

ORDINANCES – PUBLIC HEARING AND ADOPTION

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 the Ordinance.

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 Councilman Hand, seconded by Councilman Carty that Ordinance 2020-06 be adopted.

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 an overview of the Ordinance.

Motion by Councilman McLean, 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 Councilman Hand, seconded by Councilwoman Chimenti and unanimously carried to close the public hearing.

Motion by Councilman Hand, seconded by Councilwoman Chimenti that Ordinance 2020-07 be adopted.

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 an overview of the Ordinance pertaining to the development fees and the Affordable Housing Trust Fund.

Motion by Councilman McLean, 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 2020-08 be adopted.

Roll Call:

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

Nay:

Abstain:

Recused:

Motion Carried.

ORDINANCE 2020-09 – AN ORDINANCE APPROPRIATING \$155,000.00 FOR ROAD IMPROVEMENT PROJECTS

Motion by Council President Karner, seconded by Councilman McLean 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 Councilwoman Tweedie, seconded by Councilman McLean that Ordinance 2020-09 be adopted.

Roll Call:

Aye: Carty, Chimenti, Hand, McLean, Tweedie

Nay:

Abstain:

Recused: Karner

Motion Carried.

NEW BUSINESS

ORDINANCES – INTRODUCTION

ORDINANCE 2020-10 – AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH OF FAR HILLS, COUNTY OF SOMERSET, NEW JERSEY.

Mr. Sordillo provided an overview of the cable franchise renewal process with the Board of Public Utilities. He indicated that the contract negotiations provided additional services at no cost to the Borough including a public access channel, cable television service outlet(s) and a one-time technology grant of \$5,000.00.

Mayor Vallone commended Mr. Sordillo for his efforts in these negotiations.

Council President Karner inquired as to the length of the agreement. Mr. Sordillo responded that the franchise was for ten (10) years and commented that the contract lengths were now shorter due to the ever-changing technology.

Motion by Council President Karner, seconded by Councilman Hand that Ordinance 2020-10 be introduced.

Roll Call:

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

Nay:

Abstain:

Recused:

Motion Carried.

ORDINANCE 2020-11 – AN ORDINANCE AMENDING ORDINANCE NO. 2013-03, REVISING AND UPDATING THE BOROUGH’S PERMITTING REQUIREMENTS AND REGULATIONS GOVERNING CANVASSING, PEDDLING AND SOLICITATION THROUGHOUT THE BOROUGH OF FAR HILLS.

Mr. Sordillo provided an overview of the changes in the Ordinance which, per a directive from the County Prosecutor, include new regulations pertaining to applicant background checks as well as notification of disqualifying events and procedures for appeals to any denials of a permit.

Motion by Council President Karner, seconded by Councilman Hand that Ordinance 2020-11 be introduced.

Roll Call:

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

Nay:

Abstain:

Recused:

Motion Carried.

ORDINANCE 2020-12 - AN ORDINANCE ESTABLISHING A GENERAL LAND USE PROHIBITION ON ALL RECREATIONAL AND MEDICAL MARIJUANA BUSINESSES AND ESTABLISHMENTS WITHIN THE BOROUGH OF FAR HILLS.

Mr. Sordillo provided a brief summary of the Ordinance which prohibits all medical and recreational marijuana businesses in the Borough.

Councilman McLean commented that cannabis oil was currently available in many pharmacies and inquired if this product was also specifically prohibited in the Ordinance.

A brief discussion ensued regarding the specificity of the products and regulations prohibited in the Ordinance resulting in a recommendation for further review prior to the public hearing and adoption.

Motion by Council President Karner, seconded by Councilwoman Tweedie that Ordinance 2020-12 be introduced.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, Tweedie

Nay: McLean

Abstain:

Recused:

Motion Carried.

ORDINANCE 2020-13 – AN ORDINANCE APPROPRIATING \$37,463.27 FOR POLICE SUV

Motion by Council President Karner, seconded by Councilman Carty that Ordinance 2020-13 be introduced.

Roll Call:

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

Nay:
Abstain:
Recused:
Motion Carried.

RESOLUTIONS

Resolution 20-081 – Award of Bid – ADG Contracting Corporation - Dumont Road Drainage & Ludlow Avenue Road Improvement Project

Motion by Councilwoman Tweedie, seconded by Councilman McLean that Resolution 20-081 be approved.

Roll Call:
Aye: Carty, Chimenti, Hand, McLean, Tweedie
Nay:
Abstain:
Recused: Karner
Motion Carried.

Resolution 20-082 – Authorizing Temporary Rental Relief – Butler's Pantry Trackside

Motion by Council President Karner, seconded by Councilman Hand that Resolution 20-082 be approved.

Roll Call:
Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie
Nay:
Abstain:
Recused:
Motion Carried.

Resolution 20-083 – Authorizing Agreements and Documents - NJDOT Route 202 Bridge over the North Branch of the Raritan River Project

Mr. Sordillo provided a brief overview of the Resolution and indicated that the documents have been reviewed by the Borough Engineer and Environmental Engineer and confirmed that the Borough would not incur any additional costs. Mr. Sordillo also apprised the Borough Council that he drafted the resolution in general terms in order to authorize any future agreements upon review by the Borough professionals.

Motion by Councilman Hand, seconded by Councilwoman Tweedie that Resolution 20-083 be approved.

Roll Call:
Aye: Carty, Chimenti, Hand, Karner, McLean, Tweedie
Nay:
Abstain:
Recused:
Motion Carried.

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 20-084 – Authorizing the Cancellation of Capital Ordinances
2. Resolution 20-085 – Authorizing Submission – NJDOT FY2021 Grant Application
3. Resolution 20-086 – Authorizing Waiver for Sign Permit – Bedminster Farmer's Market
4. Resolution 20-087 – Authorizing Submission of Recycling Tonnage Grant
5. Resolution 20-088 – Payment of Bill List

Motion by Council President Karner, seconded by Councilman Carty that Resolutions 20-084 through 20-088 be approved.

Roll Call:

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

Nay:

Abstain:

Recused:

Motion Carried.

DISCUSSION

Outdoor Dining

Mr. Sordillo informed the Borough Council that as a result of Governor Murphy's Executive Order 150 permitting outdoor dining beginning June 15, 2020, Somerset County's Health Officer had inquired as to the Borough's zoning regulations. Mr. Sordillo advised that the Borough had previously adopted Ordinance 2019-05 governing the issuance of special temporary use permits and which would be applicable to outdoor dining.

A brief discussion ensued resulting in a general consensus to permit outdoor dining should a business owner submit an application with approvals from the Borough's Health, Fire and Zoning officials.

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 Councilwoman Tweedie and unanimously carried to close the meeting to public comment.

EXECUTIVE SESSION

Resolution 20-089

- Attorney Client Privilege – Potential Litigation - Bernardsville Quarry

Motion by Council President Karner, seconded by Councilman Carty and unanimously carried to approve Resolution 20-089.

RETURN TO OPEN SESSION AND ADJOURNMENT

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

Respectfully submitted,



Dorothy S. Hicks
Borough Clerk

APPROVED – 6/22/2020