

**BOROUGH OF FAR HILLS**  
Borough Council Regular Meeting  
**MINUTES**  
July 25, 2022  
Via Remote Meeting Access Only

**CALL TO ORDER**

Council President Karner called the remote meeting to order at 7:03 p.m. and read the open public meetings statement in accordance with the law.

**PLEDGE OF ALLEGIANCE**

Council President Karner led the Pledge of Allegiance.

**ROLL CALL**

Present: Councilman Joseph Carty, Councilwoman Mary Chimenti, Council President David Karner, Councilman Ted McLean, Councilwoman Sheila Tweedie, Councilman Kevin Welsh

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

**REPORTS**

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

Councilman Welsh advised the Advisory Recreation Committee had scheduled a meeting to be held on August 3, 2022 to discuss plans moving forward as well as the appointment of a new Chairperson.

Councilman Welsh commended Ms. Hicks for her diligence in procuring a new boiler and energy efficient lighting fixtures through the PSE&G Direct Install Program. Through her efforts, the Borough would achieve an initial cost savings of approximately \$50,000.00 as well as establishing long-term energy efficiencies.

He continued by reporting there was unauthorized use of the cricket pitch at the J. Malcolm Belcher fairgrounds as well as large groups gathering and parking their vehicles on the grass adjacent to the Raritan River. He noted groups larger than eight people must obtain a permit as required by Borough ordinance and asked Chief DeCarolis to monitor the situation.

Council President Karner added that he also spoke with Chief DeCarolis about these unauthorized uses occurring at the fairgrounds. He especially noted that there have been incidences of individuals creating artificial dams in order to create a swimming hole along the banks of the Raritan River.

Councilwoman Chimenti inquired if the Advisory Recreation Committee planned for August 3, 2022 would be held via Zoom and if it was open to the public. Councilman Welsh responded that the meeting would be held in person at the fairgrounds.

**Councilwoman Tweedie – Health/Sanitation**

No report.

**Councilman McLean – Roads**

No report.

**Councilman Carty – Finance/Insurance**

No report.

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

No report.

## **Council President Karner – Police**

Council President Karner stated, in response to the July 16, 2022 article in the Bernardsville News regarding comments made about the deteriorating condition of Douglas Road, he contacted Bernards Township Mayor James Baldassare, Jr. explaining that the comments in the article were taken out of context and the Borough of Far Hills looked forward to continuing to work collaboratively with Bernards Township.

Council President Karner reported the new police SUV vehicle was recently delivered and was currently being detailed with the necessary equipment and Far Hills insignias. He also noted the signage that was damaged on Lake Road was reinstalled by the Bedminster DPW.

He indicated that due to the retirement of Mayor Vallone, he has also undertaken the role of Acting Mayor as of July 16, 2022 and held a meeting on July 18, 2022 to review the Borough's affordable housing obligations. As a result of that meeting, a recommendation would be made to the Borough Council to retain an independent firm to conduct a financial impact study for the affordable housing developments. On July 20, 2022, he held a meeting with Councilmen Carty and Welsh, Chief Financial Officer, Debra Stern and Borough Clerk, Dorothy Hicks to review the Borough's finances and was pleased to report they were in excellent condition and in accordance with the 2022 Budget.

Lastly, Council President Karner stated, in accordance with the Municipal Vacancy Law, the Republican County Committee Chairperson, Mr. Jack McNamara provided three candidates for the Council's consideration to fill the vacancy in the position of Mayor.

## **Chief DeCarolis**

Chief DeCarolis reported Far Hills officers would be assisting with the security detail during the LIV Golf Tournament to be held July 28 - 31, 2022 at the Trump National Golf Club in Bedminster. A brief discussion ensued regarding traffic and potential protests as a result of the current controversy associated with the LIV tournament.

## **REGULAR AGENDA**

### **APPROVAL OF MINUTES**

#### **7/11/22 – Regular Meeting Minutes**

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

#### **7/11/22 – Executive Meeting Minutes**

Motion by Councilman McLean, seconded by Councilman Welsh, was unanimously carried that these minutes be approved for content only.

## **RESOLUTIONS**

### **Resolution 22-097 – Appointment of Successor Due to Vacancy – Mayor**

Mr. Sordillo provided a brief overview of the New Jersey Municipal Vacancy Law and noted that the term of this appointment would be for the remainder of the four-year term, expiring December 31, 2022.

Motion by Councilwoman Chimenti, seconded by Councilwoman Tweedie that Resolution 22-097 be approved.

Roll Call:

Aye: Carty, Chimenti, McLean, Tweedie, Welsh

Nay:

Abstain: Karner

Motion Carried.

## **OATH OF OFFICE**

Ms. Hicks administered the Oath of Office to David Karner as Mayor of the Borough of Far Hills for the unexpired term, expiring December 31, 2022.

Mayor Karner expressed his appreciation to the Borough Council for the nomination and would continue to do his best to serve the residents of Far Hills.

Mr. Sordillo again provided a brief overview of the NJ Municipal Vacancy Law regarding the Borough Council seat now vacated by Council President Karner for the unexpired three-year term, expiring December 31, 2022.

## **CONSENT AGENDA**

The items listed within the Consent Agenda portion of the meeting have been referred to the Borough Council for reading and study; a copy placed on the table in the meeting room and is considered routine and will be enacted with one motion 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 22-098 – Confirming Resignation/Appointment – Board of Health
2. Resolution 22-099 – Confirming Resignation/Appointment – Planning Board
3. Resolution 22-100 – Confirming Resignation/Appointment – Clarence Dillon  
Library Board
4. Resolution 22-101 – Confirming Resignation/Appointment – Municipal Alliance
5. Resolution 22-102 – Confirming Resignation – Recreation Committee
6. Resolution 22-103 – Authorizing Amendment to Refund for Settlement Agreement  
Tax Appeal – B19 L6.02 – 141 Liberty Corner Road
7. Resolution 22-104 – Authorizing Tax Adjustment – Tax Appeal – Various Properties
8. Resolution 22-105 – Authorizing Refund of Escrow – Board of Health
9. Resolution 22-106 – Authorizing Payment of Bill List

Motion by Councilman Welsh, seconded by Councilwoman Chimenti that Resolutions 22-098 through 22-106 be approved.

Roll Call:

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

Nay:

Abstain:

Motion Carried.

Councilman Carty commending Ms. Hicks for her tenacity in researching available programs to provide financial assistance for the replacement of the boiler at the municipal building, resulting in an estimated \$50,000.00 cost savings to the Borough. Councilman Carty also expressed appreciation to the Borough staff for their professionalism and commitment in serving the residents of Far Hills.

Mayor Karner echoed Councilman Carty's comments.

Councilwoman Chimenti added as the Court Administrator, Marjorie Freeman was out on temporary leave, the staff have worked collaboratively to maintain the full functionality of the Far Hills Municipal Court.

**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 Councilwoman Tweedie, seconded by Councilman Carty to open the meeting to public comment.

Charles Schwester, 410 Lake Road, Far Hills congratulated Mayor Karner and inquired as to the names of the other two candidates recommended to fill the vacancy for Mayor.

Mayor Karner responded the other candidates recommended by the Republican County Committee were Messrs. Richard Rinzler and Robert Lewis.

Dr. George Mellendick, 260 Lake Road, Far Hills inquired as to the tax appeal process as well as the tax refunds authorized by resolution this evening.

Mr. Sordillo briefly reviewed both the county tax board and state tax court appeal processes. Ms. Hicks provided the amount of the tax appeal refunds authorized via Resolution 22-104.

Dr. Mellendick also inquired if the affordable housing litigation, which had been listed under Executive Session for the prior Borough Council meetings, pertained to the Errico Acres/Residences at Overleigh development.

Mr. Sordillo responded he requested the affordable housing litigation to be included on the agenda for discussion during Executive Session on an ongoing basis in order to provide the Borough Council with continual updates regarding the Borough's current compliance with the Court Order under the third-round obligation as well as preparing for the fourth-round obligation which begins in 2025. He also noted that there was proposed action to request the Governor to reinstate the Council on Affordable Housing or another administrative body to govern affordable housing compliance and to remove the process from the Courts.

Dr. Mellendick also expressed concern regarding the architectural aesthetics of the Route 202 Bridge over the North Branch of the Raritan River planned to be replaced by the NJDOT.

Mayor Karner responded that the Borough Council shared his concerns regarding the final architectural treatment of the bridge and would maintain open communications with the NJDOT. Mr. Sordillo added that the Borough has made and will continue to make recommendations for the Borough's preference for the aesthetics of the final product; however, noted that the ultimate authority remained with the NJDOT.

Lastly, Dr. Mellendick requested clarification as to the selection of the members of the Republican County Committee.

Mayor Karner responded that the two members of the Republican County Committee are Mr. Jack McNamara and Dr. James Chimenti who were recently elected to these positions at the 2022 Primary election.

Charles Schwester, 410 Lake Road, Far Hills commented that the elected officials, professionals, and Borough employees should have their full name and picture displayed during the Zoom meetings. He also questioned Mr. McNamara's ability to select the candidates for the recent Borough Council vacancies due to Mr. McNamara not attending the Borough Council meetings.

Mayor Karner thanked Mr. Schwester for his comments and opined he has full confidence in Mr. McNamara's ability to serve on the Republican County Committee representing the Borough of Far Hills.

Richard Rinzler, 11 Hurlingham Road, Far Hills offered his congratulations to Mayor Karner on his nomination.

There were no further comments from the public.

Motion by Councilwoman Tweedie, seconded by Councilman Carty to close the meeting to public comment.

## **EXECUTIVE SESSION**

### **Resolution 22-107**

- Attorney Client Privilege – Affordable Housing Litigation
- Attorney Client Privilege – Route 202 Bridge over the North Branch of the Raritan River

Motion by Councilman Carty, seconded by Councilman Welsh was unanimously carried to approve Resolution 22-107.

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

Mayor Karner inquired when the Borough Council should consider returning to in-person meetings. A brief discussion ensued regarding masking, social distancing, infection rates and parameters to determine when appropriate to resume remote meetings resulting in a consensus to return to in-person at the September 12, 2022 meeting and to alternate between in-person and remote meetings while continuing to monitor Covid cases.

Mayor Karner stated he would reach out to Republican County Committee Chairperson, Mr. Jack McNamara to request he attend an upcoming Borough Council meeting. Mr. Sordillo advised that the members of the Republican County Committee and the Democratic County Committee are elected positions and are independent committees under the jurisdiction of Somerset County and the Borough Council had no authority over them.

Motion by Councilman Carty, seconded by Councilwoman Tweedie was unanimously carried to adjourn the meeting at 8:34 p.m.

Respectfully submitted,



Dorothy S. Hicks  
Borough Clerk

APPROVED – 8/8/2022