

BOROUGH OF FAR HILLS
Borough Council Regular Meeting
MINUTES
September 11, 2023

CALL TO ORDER

Mayor Welsh called the meeting to order at 7:03 p.m. at the Far Hills Municipal Building and read the open public meetings statement in accordance with the law.

PLEDGE OF ALLEGIANCE

Mayor Welsh led the Pledge of Allegiance.

ROLL CALL

Present: Councilman Joseph Carty, Council President Mary Chimenti, Councilman Peter J. Coccoziello, Jr., Councilman David P. Karner, Councilman Rick Rinzler, Mayor Kevin P. Welsh

Absent, as Excused: Councilwoman Sheila Tweedie

Absent:

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

Mayor Welsh asked that a moment of silence be observed in remembrance of the events of September 11, 2001.

REPORTS

Councilman Coccoziello – Roads

Councilman Coccoziello provided a status update on the Pennbrook Road Improvements project which was expected to be completed within the next two weeks. He also reported on the utility work completed by PSE&G and noted that plans were underway to address the second section of Pennbrook Road.

He provided an overview of the Lake Road Improvements project which was divided into two sections and submitted for grant funding from the NJDOT for each section.

With regard to the DeMun Place and Dumont Road project, the bid opening was planned for September 13, 2023.

Councilman Coccoziello stated that the Borough was considering joining additional cooperative pricing organizations to achieve cost efficiencies for mill and pave road improvement projects.

Councilman Carty – Finance & Insurance

No report.

Council President Chimenti – Laws & Ordinances

Council President Chimenti reported the Municipal Court receipts for August 2023 totaled \$8,829.48 of which the Municipal Treasurer portion was \$2,950.00.

Councilman Karner – Fire, Water, Light, Buildings & Grounds

Councilman Karner reported a quotation was received for the sealcoating of the municipal parking lot and the project would require a minimum of 48 hours to cure, noting that alternate parking arrangements for staff and the public would be required.

He stated that a review of the fairgrounds and buildings was completed by himself and Fire Prevention Official, Steve Dill prior to the commencement of donations for the AVN Rummage Sale.

Councilman Karner continued that proposals for upgrades to the HVAC systems at the municipal building were requested from several contractors.

Lastly, he reminded residents of the movie night featuring the film “E.T” was planned for Saturday, September 16, 2023 at 7:30 p.m. and especially noted the efforts of Mr. Jack Koury in helping to organize this event.

Councilman Rinzler – Police

Councilman Rinzler presented the August 2023 Police Report.

He reported the Police Committee was continuing the review of the PBA contract as well as the Memorandum of Understanding agreements for the Police Chief and Lieutenant.

Mayor Welsh

No reports.

REGULAR AGENDA

APPROVAL OF MINUTES

8/28/2023 – Regular Meeting Minutes

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

8/28/2023 – Executive Session Minutes

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

UNFINISHED BUSINESS

ORDINANCE – PUBLIC HEARING AND ADOPTION

ORDINANCE 2023-14 - AN ORDINANCE ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCEMENT AGENCY AND ADOPTING A CONSTRUCTION FEE SCHEDULE

Mayor Welsh provided a brief overview of the changes in the construction fee schedule.

Mayor Welsh opened the public hearing for Ordinance 2023-14.

There were no comments from the public.

Mayor Welsh closed the public hearing for Ordinance 2023-14.

Motion by Council President Chimenti, seconded by Councilman Rinzler that Ordinance 2023-14 be adopted.

Roll Call:

Aye: Carty, Chimenti, Coccoziello, Karner, Rinzler

Nay:

Abstain:

Motion Carried.

NEW BUSINESS

ORDINANCE - INTRODUCTION

ORDINANCE 2023-15 - AN ORDINANCE AUTHORIZING THE BOROUGH OF FAR HILLS' ACCEPTANCE OF TWO (2) RIGHT-OF-WAY EASEMENTS (DEMUN PLACE) IN CONNECTION WITH THE PLANNING BOARD'S GRANT OF SUBDIVISION APPROVAL FOR THE PROPERTY LOCATED AT 11 DEMUN PLACE

Mr. Sordillo provided an overview of the ordinance and the routine acceptance of right-of-way easements upon approval by the Planning Board of a land use application. He also explained the difference between a roadway dedication and an easement.

Motion by Councilman Karner, seconded by Council President Chimenti that Ordinance 2023-15 be introduced.

Roll Call:

Aye: Carty, Chimenti, Coccoziello, Karner, Rinzler

Nay:

Abstain:

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; 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 23-154 – Authorizing Special Item of Revenue – Chapter 159
Lead Grant Assistance Program
2. Resolution 23-155 – Dedication by Rider - Fairgrounds & Village Improvements Trust Fund
3. Resolution 23-156 – Payment of Bill List

Motion by Councilman Karner, seconded by Council President Chimenti that Resolutions 23-154 through 23-156 be approved.

Roll Call:

Aye: Carty, Chimenti, Coccoziello, Karner, Rinzler

Nay:

Abstain:

Motion Carried.

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.*

Mayor Welsh opened the meeting to public comment.

George Mellendick, 260 Lake Road, Far Hills inquired as to who was performing the inspections of the construction of the Kimbolton (Errico Acres) development. He also expressed concern regarding having the DPW take extra care when trimming and cleaning up of the brush along Lake Road as well as whose responsibility it was for the removal of the decaying Ash trees.

Mayor Welsh responded that the construction inspections were being conducted by the Borough Engineer, Ferriero Engineering as well as the Somerset Union Soil Conservation District. A brief discussion ensued regarding the necessity for trimming of brush along Lake Road to ensure the health and life safety of the public utilizing the roadway. Council President Chimenti indicated she would contact the Bedminster DPW to ensure the areas were cleaned appropriately after trimmings.. With regard to the removal of decaying trees, Mr. Sordillo responded it was the responsibility of the property owner.

Charles Schwester, 410 Lake Road, Far Hills inquired as to the solvency and responsibility of the Homeowner's Association (HOA) for the Kimbolton development should there be a failure of the onsite wastewater treatment facility. He also questioned the thoroughness of the onsite inspections currently being conducted by Ferriero Engineering.

Mr. Sordillo responded that the Developer's Agreement provided for the responsibility of the Homeowner's Association. A brief discussion ensued regarding the prior negotiations of the Developer's Agreement in relation to the HOA responsibilities and it was noted that the Borough has no legal authority to mandate requirements of the HOA.

Bobby Schwester, 410 Lake Road, Far Hills also inquired about the HOA's responsibility for any failure to the treatment facility and if the Borough would be liable for the cost in excess of the HOA's funding.

Mayor Welsh indicated that the Borough followed the guidance of the Department of Community Affairs with regard to the HOA.

A brief discussion ensued regarding the HOA agreement, with Mr. Sordillo clarifying that there is a line item in the HOA's capital budget reserves for the maintenance of the onsite wastewater treatment facility at the development.

There were no further comments from the public.

Mayor Welsh closed the meeting to public comment.

Councilman Rinzler inquired as to the calculation of the assessed value in relation to the advertised pricing of the units, inclusive of the available options, at the Kimbolton development. Mr. Sordillo responded that there was case law prohibiting the use of a sale price as the assessed value. He also

explained it was the Tax Assessor's responsibility to review all pertinent information of the property in determining the assessed value. He further clarified that the governing body was prohibited from any involvement with the calculation of assessed valuations.

EXECUTIVE SESSION

Resolution 23-157

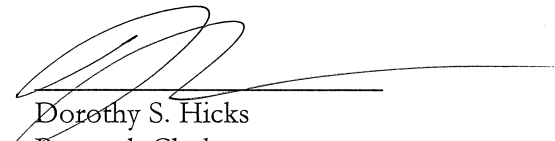
- Attorney Client Privilege – Litigation – Far Hills in Crisis, Inc.
- Attorney Client Privilege – Litigation – Peace and Quiet Farm, LLC
- Contract Negotiations – PBA Contract

Motion by Councilman Karner, seconded by Council President Chimenti and unanimously carried to approve Resolution 23-157.

RETURN TO OPEN SESSION AND ADJOURNMENT

Motion by Councilman Karner, seconded by Councilman Rinzler and unanimously carried to adjourn the meeting at 8:01p.m.

Respectfully submitted,



Dorothy S. Hicks
Borough Clerk

APPROVED – 9-25-2023