

**BOROUGH OF FAR HILLS**  
Borough Council Regular Meeting  
**MINUTES**  
February 12, 2024

**CALL TO ORDER**

Mayor Welsh 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.

**ROLL CALL**

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

Absent, as Excused:

Absent:

Also Present: Borough Clerk Dorothy S. Hicks, Borough Attorney William Robertson, Borough Planner David Banisch, Lieutenant Christopher Kocur

**REPORTS**

**Councilman Carty – Police**

Councilman Carty reported all things were running smoothly in the Borough and provided a brief update on the watermain installation project on Route 202.

**Councilwoman Chimenti – Health & Sanitation**

Councilwoman Chimenti reported she, Council President Karner and Ms. Hicks met today with the Borough's Environmental Engineer, Mr. Jens Reidel of Natural Systems Utilities to review the status of the Borough's sanitary sewer system. She presented an overview of the monthly reports which detailed the percentage of purchased capacity as related to the inflow and infiltration of the system. Councilwoman Chimenti stated the system was routinely reviewed through smoke testing, visual inspection of the approximate forty (40) sewer manholes and calibration of the two (2) flow meters. Lastly, she reported that the Borough's sewer system was overall in good shape.

**Councilman Cocoziello - Fire, Water, Light, Buildings & Grounds**

Councilman Cocoziello stated that a presentation on the Borough's Infrastructure and Capital Improvements Plan was made at the February 12, 2024 Borough Council meeting and several residents suggested improvements to the fairgrounds, additional sidewalks, pedestrian safety measures including crosswalk signage and a reduction of the speed limit on Peapack Road. He added that repairs to the fairgrounds as a result of the storm damage were underway and initiatives were being reviewed to potentially abate future flooding and erosion. Councilman Cocoziello apprised the Borough Council that representatives from the Far Hills Bedminster Fire Department and Far Hills Bedminster First Aid Squad would be presenting a review of 2023 as well as their 2024 capital requests at the February 26, 2024 Borough Council meeting.

Mayor Welsh added that expenditures for the Far Hills Bedminster Fire Department are shared with Bedminster Township on an 80/20 split, with Far Hills contributing the 20% of the total cost. He also encouraged residents to continue to provide their suggestions and feedback to the Borough Council and noted that several residents have begun circulating a petition to support reducing the speed limit on Peapack Road.

### **Council President Karner – Laws & Ordinances**

Council President Karner reported he and Ms. Hicks attended a meeting on January 31, 2024 at the Somerset County Emergency Services Training Academy in Hillsborough regarding the upcoming changes in the radio frequency band currently being utilized by fire and emergency services throughout Somerset County. The county was investing approximately \$3,500,000.00 in the system upgrades, however, the municipalities would be responsible for the replacement of the current portable and mobile radios. The cost for radios for the Far Hills Bedminster Fire Department was estimated at \$674,000.00 of which Far Hills portion would be 20% or \$134,800.00.

Council President Karner reported the Municipal Court receipts for January 2024 totaled \$4,777.78 with the municipal portion being \$2,181.04. He informed the Council that due to the anticipated snowstorm, the Court session scheduled for February 13, 2024 had been cancelled.

### **Councilman Rinzler – Finance & Insurance**

Councilman Rinzler reported he attended the monthly meeting of the Suburban Joint Insurance Fund on February 8, 2024 and reviewed the Loss Time Accident report in which Far Hills maintained a zero incident status. He also apprised the Borough Council of the increase in worker's compensation insurance premiums due to the expansion of the timeframe for coverage for first responders.

### **Councilman Schwester – Roads**

Councilman Schwester reported in order to ensure roadways are safe for travel, the amount of salt utilized is based upon the weather predictions for an upcoming snowstorm. He continued by reporting that the Bedminster DPW had been notified of a few minor pothole repairs which would be addressed after the storm. Councilman Schwester stated that he continues to monitor the condition of the roadways during the installation of the watermain for the Kimbolton development and noted that any remaining tree branches or stumps are expected to be removed at the conclusion of the project. He stated that the contractor appeared to be appropriately cordoning off the staging area for the equipment and supplies along the roadway.

Councilman Rinzler added that he noticed a few street signs had been damaged as well as an increase in litter along Route 202 during this watermain installation project. Mayor Welsh responded that at the conclusion of the project, the Borough would review all affected areas to ensure each are returned to their pre-construction condition. He also indicated that he has been in contact with the project foreman regarding the dirt and debris that had previously remained on Route 202, and has specifically requested that the lights, utilized during the evening working hours, be directed away from resident's properties whenever possible.

Councilman Schwester commented the curbing at the entrance to the Kimbolton development site appeared larger than necessary and opined that there was an error in the grading at the time of installation. Mayor Welsh concurred and asked that an email be sent to the Borough Engineer, Boswell Engineering to ensure the construction was in compliance with the plans.

### **Lieutenant Kocur**

Lieutenant Kocur reported a community outreach program "Coffee with a Cop" was planned for February 22, 2024 at 10:00 a.m. at the Clarence Dillon Library. He also apprised the Borough Council of preparations for a National Night Out event to be held on August 6, 2024. The event would be in collaboration with Bedminster Township and the Borough of Peapack & Gladstone Police

Departments. Lastly, he reported Chief DeCarolis had issued a directive to the officers to ensure the permitted hours of operation for the watermain installation project were being adhered to.

### **Mayor Welsh**

Mayor Welsh stated that due to a recently identified conflict of interest, the contract with Carroll Engineering, LLC had to be terminated. The firm was originally hired to provide additional oversight and review of the Kimbolton development project, but unbeknownst to the Borough, Carroll Engineering through their survey department, had simultaneously contracted with Pulte Homes of NJ. The Borough was currently evaluating additional engineering firms for a suitable replacement.

Mayor Welsh stated he attended a meeting of the Somerset County Safety Committee with mayors from several surrounding municipalities in order to address the increase in burglaries and vehicle thefts in our area. The committee will also be collaborating police chiefs and detectives in an effort to improve safety for all residents. Potential improvements included the installation of additional cameras at fixed locations, license plate readers as well as increased patrol near the major highway entrances/exit ramps. Another meeting was scheduled for February 14, 2024.

## **REGULAR AGENDA**

### **APPROVAL OF MINUTES**

1/22/2024 – Regular Meeting Minutes

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

1/22/2024 – Executive Session Minutes

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

## **UNFINISHED BUSINESS**

### **ORDINANCES – PUBLIC HEARING AND ADOPTION**

**ORDINANCE 2024-01 – AN ORDINANCE OF THE BOROUGH OF FAR HILLS APPROPRIATING \$150,000.00 FROM THE CAPITAL IMPROVEMENT FUND TO THE BOROUGH'S AFFORDABLE HOUSING TRUST FUND FOR THE DEVELOPMENT OF AFFORDABLE HOUSING UNITS**

Mayor Welsh opened the meeting for public comment on Ordinance 2024-01.

There were no comments from the public.

Mayor Welsh closed the meeting for public comment on Ordinance 2024-01.

Motion by Council President Karner, seconded by Councilman Rinzler that Ordinance 2024-01 be adopted.

Roll Call:

Aye: Carty, Chimenti, Coccoziello, Karner, Rinzler, Schwester

Nay:

Abstain:

Motion Carried.

## **NEW BUSINESS**

### **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 24-056 – Authorizing Cancellation of Professional Services Contract  
Engineering Services - Carroll Engineering of NJ, LLC
2. Resolution 24-057 – Authorizing Cancellation of Professional Services Contract and  
Reappointment - Board of Health Attorney - DiFrancesco, Bateman,  
Kunzman, Davis, Lehrer & Flaum, PC
3. Resolution 24-058 – Appointment Board of Health – Alternate #1
4. Resolution 24-059 – Authorizing Payment to Raritan Valley Development Corporation
5. Resolution 24-060 – Authorizing Contribution to Raritan Headwaters Association  
via the Clean Communities Grant
6. Resolution 24-061 – Authorizing Waiver for Temporary Sign Permit - AVN Spring Sale
7. Resolution 24-062 – Authorizing Serving of Beer and Wine at Fairgrounds - AVN Volunteer  
Luncheon – Spring Sale
8. Resolution 24-063 – Authorizing Release of Performance Bond and Acceptance of  
Maintenance Bond – Crossroads Paving
9. Resolution 24-064 – Authorizing Refund Planning Board Escrows – Various Accounts
10. Resolution 24-065 – Authorizing SHMAYSC's 2024-2025 Grant Application
11. Resolution 24-066 – Ratifying Contract for Road Resurfacing Project - MCCPC
12. Resolution 24-067 – Payment of Bill List

Councilman Rinzler inquired as to the term and not to exceed amount for the Board of Health Attorney contract.

Ms. Hicks clarified that as the Borough Attorney, Mr. Cruz will now also be serving as the Board of Health Attorney, the not to exceed amount was represented in the existing Borough Attorney contract which was approved for a term through December 31, 2024.

Motion by Council President Karner, seconded by Councilman Rinzler that Resolutions 24-056 through 24-067 be approved.

Roll Call:

Aye: Carty, Chimenti, Coccoziello, Karner, Rinzler, Schwester

Nay:

Abstain:

Motion Carried.

### **DISCUSSION**

#### **Affordable Housing Legislation – NJ Assembly Bill No. 4 & NJ Senate Bill No. 50**

Mr. Robertson provided a brief overview of the amendments made to the NJ Assembly Bill No. 4 and indicated that the legislation passed by a vote of 51-28 today. The companion bill was expected to be

presented at the Senate Budget Appropriations Hearing on February 22, 2024 and a Senate vote was anticipated to be held on March 21, 2024.

Mr. Banisch provided a brief background and explained the Borough's Judgment of Repose and Declaratory Judgment was in effect until July 2025. He explained the methodology utilized under the proposed new legislation to determine the Borough's fair share housing obligation which was estimated at 60-70 affordable units for the fourth-round. He continued by presenting the timeline for the submission of various documents including a resolution acknowledging the affordable housing obligation by January 31, 2025 and the development of the Borough's Housing Element and Fair Share Plan and posting on the state website by June 30, 2025. Mr. Banisch also reviewed the process for any challenges to the affordable housing obligation numbers as well as the validity of the Housing Element and Fair Share Plan. It was noted that this was an aggressive schedule and any noncompliance may result in the Borough losing its immunity from builder's remedy lawsuits. Mr. Banisch also presented an overview of the redevelopment process as well as the changes in the bonus credit allocations for various types of affordable housing developments.

A general discussion ensued amongst the Borough Council regarding an inclusionary development in comparison to a 100% affordable housing development with each highlighting the financial and physical impact upon the Borough in order to meet this fourth-round obligation.

Councilman Schwester commented the calculation of the school tax was based upon the property valuation and cautioned against an inclusionary development project.

Councilwoman Chimenti inquired as to the Borough's ability to reduce the affordable housing obligation number based upon inherent constraints in the Borough. Mr. Banisch responded that both the vacant land and sewer capacity constraints have been previously reviewed and found to be ineligible for consideration in reducing the affordable housing obligation.

Mayor Welsh stated that a meeting of the Affordable Housing Subcommittee was scheduled for February 13, 2024 to further review options available to the Borough in order to meet this fourth-round affordable housing obligation.

#### **Mayoral Committee Appointments – 2024**

Mayor Welsh reviewed the Committee appointments noting there was a change to the Police Committee as Council President Karner would be appointed as the Vice Chair.

The following are the Mayoral Committee appointments effective February 12, 2024.

#### **FINANCE/INSURANCE**

Chair: RICK RINZLER

Vice-Chair: JOSEPH CARTY

#### **FIRE, WATER, LIGHT, BUILDINGS & GROUNDS**

Chair: PETER J. COCOZIELLO, JR.

Vice-Chair: CHARLES P. SCHWESTER

#### **HEALTH/SANITATION**

Chair: MARY CHIMENTI

Vice-Chair: DAVID P. KARNER

#### **LAWS & ORDINANCES**

Chair: DAVID P. KARNER

Vice-Chair: MARY CHIMENTI

## **POLICE**

Chair: JOSEPH CARTY

Vice-Chair: DAVID P. KARNER

## **ROADS**

Chair: CHARLES P. SCHWESTER

Vice-Chair: PETER J. COCOZIELLO, JR

### **Matheny School Facilities Tour**

Council President Karner stated the Matheny School has offered to host a tour of the facilities for the Mayor and Borough Council and recommended a date in March/April be considered.

Councilwoman Chimenti stated the Far Hills Garden Club has been working collaboratively with the Matheny Group Home on beautification projects which have including holiday wreaths and the planting of both annuals and perennials at the home. She noted that the Garden Club was a separate entity from the Borough and encouraged residents to volunteer.

### **Oath of Office**

Ms. Hicks administered the Oath of Office to Paul Saphier, MD as a member of the Board of Health, Alternate #1.

**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 for public comment.

Sohail Khan, Fox Hunt Court, Far Hills inquired about the cost for the new radios and cautioned against additional spending. He also expressed concern with the Borough's contracted professionals with regard to the review of the Kimbolton development and inquired as to the status of awarding contracts for new professionals. Lastly, Mr. Khan commented upon the continual construction at the Kimbolton development and questioned how this could occur without permits.

Council President Karner responded that the Borough was only responsible for 20% of the total cost to Far Hills Bedminster Fire Department and clarified that the radios were for emergency services communication only.

Mayor Welsh responded that the Notice of Violation was issued on January 18, 2024 and had a thirty (30) day response period during which time no additional zoning permits would be issued. He clarified that the construction currently occurring on the site was for only five (5) units which had previously been issued construction permits. With regard to the work along the roadway, permits were issued to NJAW for the watermain installation and work was being completed in accordance with the parameters of the permits. Due to potential litigation, Mayor Welsh explained that he could not elaborate any further on this matter.

George Mellendick, Lake Road, Far Hills expressed concern regarding the diminishing barrier between Route 202 and the Kimbolton development. He also questioned who was currently monitoring the construction at the site.

Mayor Welsh responded that Boswell Engineering continues to conduct inspections of the construction site.

Councilman Coccoziello explained that there was a legal process and assured members of the public that the project would be built in accordance with the plans that have been approved.

A brief discussion ensued regarding the radio communications and cell phone/internet coverage. It was clarified that the new radios, necessitated by the change in band frequency, were for communications between emergency services personnel only. It was also noted that a presentation from the Far Hills Bedminster Fire Department and the Far Hills Bedminster First Aid Squad was scheduled for the February 26, 2024 Borough Council meeting.

Councilman Rinzler commented he drove by the Kimbolton development site at approximately 10:00 p.m. on January 26, 2024 after being notified of residents' concerns regarding the night work and the parking of vehicles on the site. He continued that while taking pictures he was told by the construction personnel that that was prohibited. Councilman Schwester relayed a similar situation when he had previously taken pictures of the construction site.

Mr. Khan added that several construction trucks and lighting equipment were utilizing Fox Hunt Court during the evening construction work.

Mayor Welsh stated that he has spoken with the construction foreman for Pulte Homes regarding the lights, parking locations and dirt on the roadways and has found them to be more responsive in addressing these issues than when this project first began. He noted that the work being conducted for the watermain installation on Route 202 was under the jurisdiction of the NJ Department of Transportation (NJDOT), while the Borough had jurisdiction of the local roadways only. Mayor Welsh stated that the watermain installation project was proceeding and barring any unanticipated issues should be completed on schedule.

Mike Collins, Schley Road, Far Hills presented a petition to the Borough Council which was initiated by residents in support of lowering the speed limit on Peapack Road.

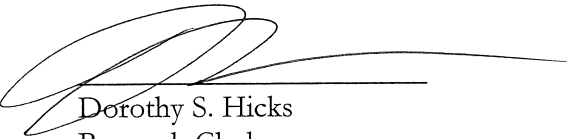
There were no further comments from the public.

Mayor Welsh closed the meeting for public comment.

## **ADJOURNMENT**

Motion by Council President Karner, seconded by Councilwoman Chimenti was unanimously carried to adjourn the meeting at 8:41 p.m.

Respectfully submitted,



Dorothy S. Hicks  
Borough Clerk

APPROVED – 2/26/2024