

BOROUGH OF FAR HILLS
Borough Council Regular Meeting
MINUTES
February 26, 2024

CALL TO ORDER

Mayor Welsh called the meeting to order at 7:08 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 Albert Cruz, Borough Planner David Banisch, Lieutenant Christopher Kocur

REPORTS

Councilman Carty – Police

Councilman Carty reported of a vehicular theft that was thwarted outside of the Far Hills Café coffee shop and reminded residents to always lock their vehicles. He also relayed an internet crime that had occurred against one of the special needs students at the Matheny School who was defrauded of his money when making an online purchasing of a Play Station game console. The PBA will be buying the game console for the student.

Councilwoman Chimenti – Health & Sanitation

Councilwoman Chimenti presented the January 2024 Collection System Report prepared by the Borough's Environmental Engineer, Natural Systems Utilities, noting that the Borough sewer system was in good shape as the gallons per day utilization in January was well below the purchased capacity.

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

Councilman Cocoziello reported Atlantic Health Systems has contracted with Torsilieri, Inc. to relocate the waterline at the J. Malcolm Belcher Fairgrounds in preparation for the May 2024 Atlantic Visiting Nurse Rummage Sale. It was noted that the waterline had been previously damaged during the installation of the tents at the biannual sale.

Council President Karner – Laws & Ordinances

Council President Karner reported the resolution to reappoint Judge Katty Wong-Taylor was on the agenda this evening.

Councilman Rinzler – Finance & Insurance

No report.

Councilman Schwester – Roads

Councilman Schwester reported he attended the preconstruction meeting for the DeMun Place and Dumont Road project this afternoon and the project was anticipated to commence in May 2024. He also reported that the plan to install pedestrian crossing safety and speed limit warning signage on

Peapack Road was underway. He added that the speed limit warning signage would be rotated throughout the Borough.

Councilman Rinzler added that he noticed a pothole on northbound Route 202 as well as a damaged directional sign near Sunnybranch Road.

Lieutenant Kocur

Lieutenant Kocur reported the “Distracted Driver” enforcement detail was recently completed on February 17, 2024.

Council President Karner stated that one of the police vehicles had sustained damage to the engine and repair estimates were currently being reviewed by the Police Committee.

Mayor Welsh

Mayor Welsh reported that the Somerset County Safety Committee, comprised of mayors from several surrounding municipalities met on February 14, 2024 and are continuing their efforts to increase safety measures due to the increase in burglaries and vehicle thefts in our area. Far Hills state representatives Assemblywomen Munoz and Matsikoudis, NJ Senator Bramnick and US Congressman Kean have also been involved and are working on new legislation to hold these criminals more accountable. The committee will be meeting again in March to review the status of the installation of additional cameras at fixed locations throughout the municipalities, increase the use of license plate readers as well as patrol vehicles stationed near the major highway entrances/exit ramps.

Mayor Welsh stated at the February 20, 2024 Board of Health meeting, Councilman Rick Rinzler was nominated to serve as the Chair and Ms. Ann Ryan to serve as Vice Chair, and on behalf of the Borough Council expressed appreciation for their dedication and service.

PRESENTATIONS

Far Hills Bedminster Fire Department (FHBFD)

Chief Carson Brienza reviewed the 2023 Annual Report and presented the 2024 Capital Budget specifically notating the request for a new tanker truck as well as the mandatory radio upgrades. A brief discussion ensued regarding the change from the 500 MHz band to the new 700 MHz band to ensure consistent communication between emergency personnel and the need for new radios prior to the 500 MHz band being decommissioned in 2026. Chief Brienza also reviewed several grant applications that were being prepared, noting a regional collaboration with several surrounding fire departments requesting approximately \$1,000,000.00 in grant funding for the new radios. It was noted that the new radios were anticipated to have a longevity of approximately twenty (20) years.

Far Hills Bedminster First Aid Squad (FHBFAS)

President Patty Segal reviewed the services offered to residents by the FHBFAS and presented the 2024 Capital Budget. She noted that the FHBFAS had not previously presented before the Borough Council as they had primarily funded their budget through donations and fundraising efforts. She stated that due to increases in insurance premiums, they had recently requested to become members of the Suburban Municipal Joint Insurance Fund and the application was in process. Ms. Segal stated that the FHBFAS also needed to purchase new portable and mobile radios due to the change in band frequency. She also indicated that the chassis on one of the ambulances needed to be replaced, which was a more economical and timely option than purchasing a new ambulance.

Ms. Segal indicated the FHBFAFAS provides ambulatory services from 6:00 pm to 6:00 am Monday through Friday and 6:00 am to 6:00 pm on Saturday and Sunday. Robert Wood Johnson provides ambulatory services outside of these hours. A brief discussion ensued regarding the charges for ambulatory services and Ms. Segal stated that the FHBFAFAS does not currently charge patients. She added that patients are primarily transported to either Morristown Medical Center or Somerset Medical Center but that they can accommodate a patient's preference provided the designated hospital can provide the requisite medical attention.

On behalf of the Mayor and Council, Mayor Welsh expressed appreciation to the members of the FHBFD and FHBFAFAS. There was a round of applause from the members of the public.

Mayor Welsh asked if any members of the public had any questions for the FHBFD or FHBFAFAS.

Karen Reilly, Fox Hunt Court, Far Hills inquired about the cost and quantity of the new fire hydrants that were being installed as a result of the new watermain as well as an anticipated completion date.

Chief Brienza provided a brief response regarding the improved fire service as a result of the new watermain and additional hydrants.

Mayor Welsh added approximately fourteen (14) new hydrants are planned to be installed between Layton and Douglas Roads and along Route 202, with the installation cost being borne by the developer. He added that water pressure and volume has also increased, which is beneficial to all of our residents.

Members of the FHBFD and FHBFAFAS left the meeting at this time.

REGULAR AGENDA

APPROVAL OF MINUTES

2/12/2024 – Regular Meeting Minutes

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

NEW BUSINESS

RESOLUTIONS

Resolution 24-068 – Authorizing and Directing the Planning Board to Cause a Preliminary Investigation to be made pursuant to NJ Local Redevelopment and Housing Law as to whether Block 14, Lots 1,2,3,4,5,6, and Block 15 Lots 1.01, 1.02, 2,3,4,5,6,7,8 Constitute an “Area in Need to Non-Condemnation Redevelopment”

Mayor Welsh recused himself and stepped down from the dais.

Council President Karner deferred to Mr. Banisch to provide an overview who stated the resolution authorizes the Planning Board to conduct an investigation for an area in need of non-condemnation redevelopment. He continued to outline the redevelopment process inclusive of the notice and public hearing requirements. Mr. Banisch stated that members of the public would have an opportunity to review the investigation report as well as make comments during the Planning Board public hearing process. Mr. Banisch noted that the resolution directs the Planning Board to conduct a preliminary investigation to determine whether certain areas are eligible under the law to be a redevelopment area, and emphasized, that it does not obligate the Borough Council to proceed with a redevelopment plan.

In response to questions from the Borough Council, Mr. Banisch provided additional details regarding the redevelopment process including clarification of condemnation vs non-condemnation, the requirements in order to designate an area for redevelopment, a brief history of the redevelopment statute, the Borough's obligation to comply with the affordable housing regulations, as well as reiterating the public hearing process required for redevelopment.

Councilman Coccoziello added that in contrast to conventional zoning process, the redevelopment process provides the Borough an opportunity to develop a more specific, proactive and collaborative plan. He noted that by January 2025, the state is mandating that all municipalities submit a plan detailing how they will meet their affordable housing obligations for the Fourth Round. If a municipality fails to submit a plan, it would be vulnerable to a builder remedy's lawsuit.

A brief discussion ensued regarding the blocks and lots encompassed in the resolution resulting in a consensus to include additional properties specifically Block 12, Lots 1, 2, Block 13, Lots 10, 11, 12, and a portion of Block 1.01, Lot 1 in the redevelopment investigation.

Mr. Cruz inquired if an individual lot fails to satisfy the criteria for redevelopment could that lot be included in the redevelopment plan. He also asked Mr. Banisch to provide a brief review of the process should the Borough Council determine to proceed with a redevelopment plan.

Mr. Banisch responded affirmatively as the definition of a redevelopment area includes lots and parcels that while not meeting the criteria are necessary for the redevelopment area. If the redevelopment plan is adopted, he explained the submission process to the Department of Community Affairs and noted no redevelopment plan would proceed outside the normal site plan application process.

Councilman Rinzler inquired if the Borough Council had the ability to make amendments to the redevelopment plan presented by the Planning Board.

Mr. Banisch clarified that the Borough Council has the authority to make amendments to the redevelopment plan; however, a resolution substantiating the amendments must be authorized.

Council President Karner opened the meeting to the public regarding Resolution 24-068.

Karen Reilly, Fox Hunt Court, Far Hills inquired about the Borough's affordable housing obligation for the next round and questioned whether sustainable building methods could be required.

Council President Karner responded that the estimates from the state indicate an obligation between 60-70 units for the Borough of Far Hills.

Councilman Coccoziello responded that the redevelopment plan provides an opportunity for sustainable building requirements.

George Mellendick, Lake Road, Far Hills stated that while he understood the concept of a redevelopment plan, he questioned the governance of the Borough Council to ensure that certain aesthetics were maintained. He also expressed concern regarding the lack of transparency and availability of the documentation to the public regarding the redevelopment process being discussed this evening. He referenced several communities that have had terrible experiences with development and cautioned rushing through this redevelopment process.

Councilman Coccoziello responded by providing a brief overview of the Borough's increased level of control through the redevelopment process as opposed to the conventional zoning process. He added that the resolution being considered this evening by the Borough Council was to authorize the Planning Board to conduct the investigation of an area in need of redevelopment.

Mr. Banisch reiterated the public notice and public hearing required by statute through the redevelopment process. He concurred with Councilman Coccoziello that the resolution this evening was solely to authorize the Planning Board to proceed with the investigation of an area of non-condemnation redevelopment.

Johanna McCarten, Peapack Road, Far Hills commented that she attended the Planning Board meeting on February 5, 2024 wherein Mr. Banisch provided an extensive presentation regarding the redevelopment process.

There were no further comments from the public.

Council President Karner closed the meeting to the public regarding Resolution 24-068.

Motion by Councilman Coccoziello, seconded by Councilwoman Chimenti that Resolution 24-068 as amended to also include Block 12, Lots 1, 2, Block 13, Lots 10, 11 12, and Block 1.01, Lot 1, a portion thereof, be approved.

Roll Call:

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

Nay:

Abstain:

Motion Carried.

Mayor Welsh returned to the dais.

Councilman Coccoziello encouraged residents to attend the March 4, 2024 Planning Board meeting for additional information regarding the redevelopment investigation process.

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 24-069 – Authorizing the Reappointment of Municipal Court Judge
2. Resolution 24-070 – Authorizing Waiver Temporary Sign Permit – Bedminster Township
3. Resolution 24-071 – Authorizing Submission of Grant Application - Local Recreation Improvements – NJ Department of Community Affairs
4. Resolution 24-072 – Payment of Bill List

Motion by Councilman Rinzler, seconded by Council President Karner that Resolutions 24-069 through 24-072 be approved.

Roll Call:

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

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 for public comment.

There were no comments from the public.

Mayor Welsh closed the meeting for public comment.

EXECUTIVE SESSION

Mayor Welsh read Resolution 24-073 into the record.

Resolution 24-073 – Attorney Client Privilege – Potential Litigation – Kimbolton Development

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Far Hills, as follows:

1. The public shall be excluded from discussion of an action upon the specified subject matter.
2. The general nature of the subject matters to be discussed are as follows:
 - Attorney Client Privilege – Potential Litigation – Kimbolton Development
3. It is anticipated that the minutes on the subject matter of the closed session will be made public upon conclusion, dismissal, or settlement of litigation; or final resolution of agreements on personnel matters; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Council will come back into open session and may take further action.
5. This Resolution shall take effect immediately.

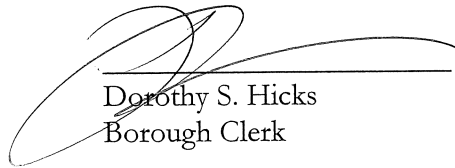
Motion by Council President Karner, seconded by Councilman Rinzler and unanimously carried to approve Resolution 24-073.

RETURN TO OPEN SESSION AND ADJOURNMENT

Motion by Council President Karner, seconded by Councilman Rinzler was unanimously carried to adjourn the meeting at 9:30 p.m.

Respectfully submitted,

APPROVED – 3/11/2024



Dorothy S. Hicks
Borough Clerk