

BOROUGH OF FAR HILLS
Borough Council Regular Meeting
MINUTES
March 22, 2021
VIA REMOTE MEETING ACCESS ONLY

CALL TO ORDER

Mayor Vallone called the remote meeting to order at 7:02 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, Council President David Karner, Councilman Ted McLean, Councilwoman Sheila Tweedie, Councilman Kevin Welsh, Mayor Paul J. Vallone, MD

Absent, as Excused:

Absent:

Also Present: Borough Clerk Dorothy S. Hicks, Borough Attorney Joseph Sordillo, Chief of Police Michael DeCarolis

REPORTS

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

Councilman Welsh reported that at the last Borough Council meeting residents expressed concern regarding several decaying trees along Peapack Road. Councilman Welsh state that he marked the trees with yellow tape to identify them for review and possible remediation by Somerset County.

Councilwoman Sheila Tweedie – Health/Sanitation

Councilwoman Tweedie reported she would be attending a committee meeting this week regarding train station Quiet Zones. The committee, spearheaded by the Borough of Bernardsville, has begun to investigate the process to establish these zones at several train stations. A preliminary review indicated the project may be cost prohibitive, specifically for Far Hills, due to the safety modifications that would be required as the rail crossing is located on US Route 202.

Councilman Ted McLean – Roads

Councilman McLean thanked Council President Karner for his assistance in reviewing the road conditions on Far Hills Avenue and Schley Road. The Borough Engineer, Ferriero Engineering and representatives from New Jersey American Water were contacted to review the patchwork done as a result of recent service-related road openings.

Councilman McLean reported the New Jersey Department of Environmental Protection (NJDEP) was overseeing the remediation of the oil leak which occurred at 80 Hidden Valley Road. He indicated the Borough Engineer, was asked to review Hidden Valley Road to ascertain a baseline for any potential damage as a result of the volume of trucks necessary to remove the contaminated soil. Mr. Sordillo was also asked to reach out to the Borough Engineer and the NJDEP for a status update. Councilman McLean noted that the truck traffic could also adversely affect Lake Road and Route 202.

Councilman Joseph Carty – Finance/Insurance

No report.

Councilwoman Mary Chimenti – Laws, Ordinances, & Elections

Councilwoman Chimenti reported Court sessions were continuing to be conducted via Zoom. She indicated total deposits for February 2021 were \$7,428.44 of which \$1,867.84 was for the Far Hills Municipal Court.

Chief Michael DeCarolis

Chief DeCarolis reported there was a recent power outage due to a blown transformer but noted JCP&L restored power within the hour.

He also informed the Borough Council of the passing of former Bedminster Police Chief Gary Cummings. Mayor Vallone asked Ms. Hicks to send a letter on behalf of the Borough Council expressing condolences to the family.

Council President David Karner – Police

Council President Karner provided an update on the 100th Anniversary Event and indicated authorization was received from JCP&L but authorization was still pending from NJDOT for the installation of the banner across Route 202.

Council President Karner stated that he has reviewed the police budget with Chief DeCarolis.

Mayor Vallone

Mayor Vallone acknowledged the efforts of JCP&L for their timely communication and restoration during the power outage.

He reported there was a slight decline in the number of Covid positive cases in the Borough of Far Hills and encouraged the continual adherence to the social distancing and mask protocols for the health and safety of all residents.

Mayor Vallone apprised the Borough Council that he has been asked to continue to serve on the New Jersey League of Municipalities Legislative Committee. He indicated that he has served on this committee for the past six years and would continue to do so and represent the Borough of Far Hills.

Lastly, he informed the Council he has reviewed the budget with CFO Debra Stern and due to the pandemic and restrictions on large events there were substantial revenue losses to the Borough.

REGULAR AGENDA

APPROVAL OF MINUTES

03/08/21 – Regular Meeting Minutes

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

NEW BUSINESS

ORDINANCES

INTRODUCTION

ORDINANCE 2021-05 – AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2021

Ms. Hicks provided a brief overview of the Ordinance.

Motion by Councilwoman Tweedie, seconded by Councilwoman Chimenti that Ordinance 2021-05 be introduced.

Roll Call:

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

Nay:

Abstain:

Motion Carried.

ORDINANCE 2021-06 – AN ORDINANCE TO FIX AND DETERMINE THE SALARIES, WAGES OR COMPENSATION TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF FAR HILLS, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY

Ms. Hicks provided a brief overview of the Ordinance.

Motion by Council President Karner, seconded by Councilwoman Chimenti that Ordinance 2021-06 be introduced.

Roll Call:

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

Nay:

Abstain:

Motion Carried.

ORDINANCE 2021-07 – AN ORDINANCE RE-ESTABLISHING A GENERAL LAND USE PROHIBITION ON ALL RECREATIONAL AND MEDICAL MARIJUANA BUSINESSES AND ESTABLISHMENTS WITHIN THE BOROUGH OF FAR HILLS

Mayor Vallone stated that due to the recent legalization of recreational marijuana in the State of NJ, the Borough's previously adopted ordinance prohibiting marijuana businesses was now null and void.

Mr. Sordillo provided a brief overview of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act and in order to preserve the prohibition of marijuana related businesses in the Borough it was necessary to adopt an ordinance consistent with the provisions of the Act. Mr. Sordillo clarified that while the Ordinance prohibits marijuana businesses from operating in the Borough, the delivery of medical or recreational marijuana was not prohibited.

Mayor Vallone added that Ordinance 2021-07 does not prohibit the use of medical or recreational marijuana in the Borough but only prohibits marijuana businesses from operating in the Borough.

Motion by Council President Karner, seconded by Councilwoman Tweedie that Ordinance 2021-07 be introduced.

Roll Call:

Aye: Carty, Chimenti, Karner, Tweedie, Welsh

Nay:

Abstain: McLean

Motion Carried.

CONSENT AGENDA RESOLUTIONS

1. Resolution 21-064 – Appointment – Planning Board
2. Resolution 21-065 – Authorizing an Emergency Temporary Appropriation
3. Resolution 21-066 – Certification of Compliance with EEOC Enforcement Guidance
4. Resolution 21-067 – Authorizing Payment to Raritan Valley Development Corporation
5. Resolution 21-068 – Authorizing Interlocal Agreement – Somerset County Recycling
6. Resolution 21-069 – Authorizing Contract – Lease of Copiers – Ricoh USA
7. Resolution 21-070 – Authorizing Contract – Employee Assistance Program
Hunterdon Behavioral Health
8. Resolution 21-071 – Payment of Bill List

Council President Karner clarified that the appointment for Mr. Jack Koury to the Planning Board was for an Alternate #1 position. Mayor Vallone responded that that position was previously discussed with Mr. Koury and would be held until the end of the year and would be reviewed at the Borough Reorganization meeting in January 2022.

Motion by Council President Karner, seconded by Councilman McLean that Resolutions 21-064 through 21-071 be approved.

Roll Call:

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

Nay:

Abstain:

Motion Carried.

Council President Karner informed the Borough Council that the time capsule had been delivered and asked residents to contribute any items that they felt would represent the Borough of Far Hills to future residents when the time capsule was opened in 50 years.

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, was unanimously carried to open the meeting to public comment.

George Mellendick, 260 Lake Road, Far Hills commented on the potential impact upon law enforcement with the legalization of recreational marijuana. He also inquired about the train station Quiet Zones.

Councilwoman Tweedie responded that the committee was spearheaded by the Borough of Bernardsville as there are several railroad crossings throughout their municipality and concerns were expressed by residents due to the increased use of the train horns.

Charles Schwester, 410 Lake Road, Far Hills inquired if the Errico Acres site would be utilizing public water for the development and if so, the location of the water main. He also inquired as to the status of the submission of the application to the Planning Board and expressed concern regarding the simultaneous submission of a preliminary and final site plan application. Lastly, he expressed concern regarding the percolation testing of the site and inquired as to the agency responsible for this oversight.

Mr. Sordillo responded that it was the Borough's understanding that the development would utilize public water service, although at this time the developer has not yet submitted an application to the Planning Board. He noted that the developer had submitted an application to the NJDEP which would be the agency responsible for the analysis of the percolation tests. Lastly, he indicated that the simultaneous submission of a preliminary and final site plan application to the Planning Board was common practice and further clarified that the review process of these applications would be the same regardless if they submitted together or separately.

George Mellendick, 260 Lake Road, Far Hills inquired if residents would have an opportunity to view the site plan applications for the Errico Acres development prior to the Planning Board meeting and if residents would be provided notice once the applications had been submitted.

Mr. Sordillo responded that once the application is filed with the Borough, it becomes a public document and would be available for review. He noted that a request was made of the developer to also provide an electronic copy of the application. Mr. Sordillo provided a brief overview of the submission and notice requirements for applications to the Planning Board. With regard to notice to residents upon the developer filing the application, Mr. Sordillo indicated that there was no requirement for such a public notice but suggested that information could be made available on the Borough website.

Mayor Vallone reiterated that there are often numerous meetings of the Planning Board before a determination is made regarding a land use application and the public would be afforded every opportunity to review the application and express any concerns.

Karen Reilly, 7 Fox Hunt Court, Far Hills inquired about the loss in revenues and direct expenses incurred by the Borough due to the Covid pandemic. She also inquired as to the amount of funding received by the Borough from the American Rescue Plan (ARP). Lastly, she inquired if there would be any adverse effect upon Far Hills regarding the potential consolidation of schools in NJ.

Mayor Vallone reiterated that due to the restrictions for large events, the Borough has sustained a substantial loss of revenue of approximately \$100,000.00. He noted that he had recently met with the event organizers to discuss the potential of holding these events in the near future.

He noted that the Borough has not had extensive expenses due to the Covid pandemic but has submitted for reimbursement from the state and federal government. With regard to the amount of ARP funding, Mayor Vallone responded that the exact amount of funding for the Borough was unknown at this time.

Mr. Sordillo added it was his understanding that the ARP funding was based upon population.

With regard to the consolidation of schools, Mayor Vallone indicated that the Borough of Far Hills is a sending district and utilizes the Somerset Hills Regional School District.

Council President Karner expressed his appreciation to Mayor Vallone for reaching out to Mr. Connell of Peapack Road who had voiced concern regarding vehicles and busses exceeding the speed limit on Peapack Road. Chief DeCarolis was asked to provide additional patrol along this roadway especially on the weekend.

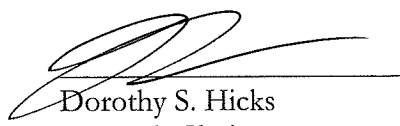
There were no further comments from the public.

Motion by Council President Karner, seconded by Councilwoman Tweedie, was unanimously carried to close the meeting to public comment.

ADJOURNMENT

Motion by Council President Karner, seconded by Councilwoman Tweedie, was unanimously carried to adjourn the meeting at 8:02 p.m.

Respectfully submitted,



Dorothy S. Hicks
Borough Clerk

APPROVED – 04-12-21