

**BOROUGH OF FAR HILLS**  
Borough Council Regular Meeting  
**MINUTES**  
October 12, 2021  
VIA REMOTE MEETING ACCESS ONLY

**CALL TO ORDER**

Mayor Vallone called the remote meeting to order at 7:00 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 (arrived 7:15 p.m.), Councilwoman Sheila Tweedie, Councilman Kevin Welsh, Mayor Paul J. Vallone, MD

Absent, as Excused:

Absent:

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

**REPORTS**

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

Councilman Welsh reported there was some debris remaining on the Fairgrounds following the Atlantic Health/Visiting Nurse Rummage sale and Ms. Hicks has notified representatives from the VNA to have the area cleaned.

**Councilwoman Sheila Tweedie – Health/Sanitation**

Councilwoman Tweedie stated she attended the Sanitary Transmission Advisory Board (STAB) meeting this morning and reported while there was a substantial increase in water due to the recent hurricanes, the pumping station did not overflow. Precautionary measures were taken during these storms which included 24-hour staffing and having trucks on standby at the facility.

She stated video inspection and smoke testing of the sewer lines were suggested during the STAB meeting as a means to decrease inflow and infiltration and noted that Far Hills has been conducting inspections and testing as part of an ongoing maintenance program with our Environmental Engineer, Natural Systems Utilities.

Lastly, she stated Mr. Rodney McCatharn has been hired by Bedminster Township to oversee the sewer facilities and has both the experience and necessary operator licenses.

A brief discussion ensued regarding the sewer capacity for the Borough of Far Hills and the Miller Lane pumping facility.

### **Councilman Joseph Carty – Finance/Insurance**

No report.

### **Councilwoman Mary Chimenti – Laws and Ordinances**

Councilwoman Chimenti reported Municipal Court deposits for the month of August 2021 were \$4,176.00. She stated Court Administrator, Ms. Freeman had discussed increasing staffing hours to provide additional support in the Court offices.

### **Council President David Karner – Police**

Council President Karner reported the Far Hills Police Department was preparing for the upcoming Far Hills Race Meeting event on October 16, 2021. He noted the Atlantic Health/Visiting Nurse Association Rummage Sale was a well-run event with minimal police incidents. Lastly, he commented upon the County project that involves improvements to the sidewalks and pedestrian walkways along Peapack Road. Council President Karner suggested that the Borough trim the low hanging tree branches along Peapack Road, as they are a potential hazard to pedestrians using the sidewalk. Ms. Hicks responded that this was normally the responsibility of the property owner but as the tree limbs were a safety concern she would reach out to the Borough's landscaper.

### **Chief Michael DeCarolis**

Chief DeCarolis echoed Council President Karner's comments regarding the rummage sale as well as reviewing the preparations for the upcoming Far Hills Race Meeting event.

Councilman Carty commented upon the unsightliness along US Route 202 as a result of the PSE&G gas line installation project and inquired as to the required remediation. Mayor Vallone indicated the he had previously spoken with PSE&G who indicated they would be planting grass in the area after the completion of the project. Mr. Sordillo apprised the Council that US Route 202 was governed by the NJDOT and the Borough had no authority or control over this roadway.

### **Councilman Ted McLean – Roads**

No report.

### **Mayor Paul J. Vallone, MD**

Mayor Vallone stated a post-sale meeting with the Atlantic Health/Visiting Nurse Association representatives was scheduled for October 28, 2021. With regard to the Far Hills Race Meeting event scheduled for October 16, 2021, Mayor Vallone indicated he spoke with the Far Hills Race Association and approximately 30,000 people were anticipated to attend. Pari-mutuel wagering would also be available at the event via an online app.

Mayor Vallone stated that he and Chief DeCarolis recently attended the Breast Cancer Awareness event at the Somerset County Courthouse and commented that several municipal police departments have wrapped their vehicles in pink in support and to increase awareness.

Mayor Vallone apprised the Borough Council regarding recent COVID exposures amongst Borough staff and as a result, masks would now be required of everyone entering the municipal building regardless of vaccination status. He indicated that meetings would continue to be held remotely via Zoom until the end of the year.

## **PRESENTATION**

Mayor Vallone introduced Ms. Jamie Leiss who serves as the Vice President of the Board of Education for the Somerset Hills School District. Ms. Leiss expressed her appreciation to the Mayor and Council for the opportunity to present at tonight's meeting. She stated the district was reviewing a new strategic plan and was encouraging public participation to collaboratively garner ideas on the future of the district. Meetings were currently scheduled for October 21, November 11 and December 13, 2021 at 7:00 p.m. at the Bernards High School. Additional information on how to attend was available on the SHSD.ORG website.

Councilman Carty inquired as to the number of Far Hills students who were currently enrolled in the school system. Ms. Leiss estimated 90 students but indicated she would look into it and provide a more accurate number.

At this time, this portion of the meeting was opened for public comment regarding the presentation. As there were no comments from the public, this portion of the meeting was closed to the public.

Ms. Leiss left the meeting at this time.

## **REGULAR AGENDA**

### **APPROVAL OF MINUTES**

#### **9/27/21 – 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**

### **ORDINANCES – INTRODUCTION**

#### **ORDINANCE 2021-13 – AN ORDINANCE ESTABLISHING TREE REMOVAL AND REPLACEMENT REGULATIONS WITHIN THE BOROUGH OF FAR HILLS**

Mr. Sordillo provided an overview of the Ordinance.

Councilman McLean expressed this permit process may place an undue burden upon property owners. A brief discussion ensued regarding prior issues with clear cutting as well as the need to maintain existing scenic corridors and easements.

Councilwoman Chimenti commented she was aware of a few properties that were currently overgrown with brush and vegetation and inquired if maintenance provisions could also be included in this Ordinance. Mr. Sordillo responded issues regarding maintenance could be addressed in a separate ordinance and recalled that the Borough had previously reviewed property maintenance ordinances and could reconsider one to address these issues.

A general discussion ensued regarding the permitting logistics as well as exemptions to requiring a permit resulting in a consensus that further revisions to the Ordinance were necessary. Mr. Sordillo indicated he would make the discussed revisions and recirculate the Ordinance for review.

Motion by Councilwoman Chimenti, seconded by Councilman Welsh was unanimously carried that Ordinance 2021-13 be tabled.

## **CONSENT AGENDA**

The items listed within the Consent Agenda portion of the meeting have been referred to the Borough Council for reading and study and are considered routine and will be enacted with one motion of the Borough Council with no separate discussion. If separate discussion is required, the item may be removed from the Consent Agenda by Borough Council action and placed on the Regular Agenda under New Business.

## **RESOLUTIONS**

1. Resolution 21-126 – Authorizing Escrow Refund – Planning Board – B6 L16.04
2. Resolution 21-127 – Adopting a Civil Rights Policy
3. Resolution 21-128 – Authorizing Waiver Sign Permit - Far Hills Race Meeting
4. Resolution 21-129 – Authorizing Payment of Bill List

Ms. Hicks informed the Council that the adoption of the Civil Rights Policy was one of several requirements for the biennial review of the employee handbook and personnel policies as required by the Municipal Excess Liability (MEL) Insurance program.

Mr. Sordillo added that adopting this policy was also a prerequisite to receive federal funding should the Borough become eligible in the future.

Motion by Council President Karner, seconded by Councilman McLean that Resolutions 21-126 through 21-129 be approved.

Roll Call:

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

Nay:

Abstain:

Motion Carried.

## **DISCUSSION**

### **2021 Best Practice Inventory**

Ms. Hicks provided an overview of the 2021 Best Practice Inventory and indicated that the Borough would be receiving 100% of the allotted state aid.

**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.*

Ms. Hicks informed members of the public that the Borough Council would be adhering to the five-minute time limit for public comment. Members of the public would be advised when one minute remained; and again when thirty seconds remained.

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

Charles Schwester, 410 Lake Road, Far Hills inquired as to the status of the letter he had requested from the Borough exonerating him from responsibility as well confirming his assertion that the tree was not on his property.

Mayor Vallone responded the Borough had already removed the tree limb due to a public safety concern and Mr. Schwester was apprised in writing that no further action was necessary on his part. A debate ensued and Ms. Hicks provided additional information regarding the removal of the limb by Somerset County due to the emergent weather situation at the time. She explained the Borough Engineer was consulted and, as detailed in the second letter to Mr. Schwester, the only definitive means to confirm the ownership of the tree would be to have the tree delineated on a property survey prepared by a licensed surveyor.

Karen Reilly, 7 Fox Hunt Court, Far Hills inquired as to the status of the PSE&G gas main installation along US Route 202 and due to the amount of exposed earth, expressed concern for the potential for mud on to the roadway should there be a significant rainfall. She also requested that PSE&G not plant any high vegetation adjacent to Fox Hunt Court to avoid obstructing the site line when entering onto US Route 202. She also reiterated her concerns regarding discrepancies in JCP&L's reporting system for power outages. Lastly, she questioned when it was determined to proceed with an onsite sewerage package plant at the Pulte/Residences at Overleigh site and referenced Mr. Schwester's comment made at the prior Council meeting regarding the issues with a similar type plant at the Drakewick development in Mendham Township.

With regard to the onsite sewerage package plant, Mayor Vallone responded he has been in contact with the engineer who was involved with the Drakewick project as well as the Mayor of Mendham Township and would be discussing this at the next Planning Board meeting. Mayor Vallone clarified that it was the developer for Pulte/Residences at Overleigh who made the determination to proceed with a sewerage package plant system due to opposition from residents for a public sewer connection at this site.

Mayor Vallone acknowledged the potential for muddy conditions at the PSE&G project site and although the Borough of Far Hills has no jurisdiction, he has been working collegially with PSE&G to complete this project in order to bring gas service to residents along Route 202 and Fox Hunt Court. With regard to the JCP&L outages, Mayor Vallone responded the police reports indicated there were 18 outages in the Borough of Far Hills and power was restored within hours for the majority of residents.

George Mellendick, 260 Lake Road, Far Hills expressed his support of the tree permitting ordinance and inquired if the permitting process also applied to the Errico Acres/Pulte development, specifically with regard to the preservation of the scenic corridor. He also inquired about the approval process regarding the sewerage package plant. Lastly, he expressed he was offended by comments made about himself and Mr. Schwester by Councilman McLean at a prior Council meeting and indicated he would be responding in kind.

Mr. Sordillo responded the proposed tree permitting ordinance would apply to the development through the provision for a site plan approval reviewed by the Planning Board. He added that the preservation of the scenic corridor was detailed in the agreements with the developer.

Mayor Vallone stated the sewerage package plant would be discussed in detail at an upcoming Planning Board meeting when the professionals representing the developer would be present.

Charles Schwester, 410 Lake Road, Far Hills commented upon the lack of clarity regarding the number of children currently enrolled in the Somerset Hills School District.

A brief discussion ensued regarding the accountability of the number children enrolled in the school system.

George Mellendick, 260 Lake Road, Far Hills expressed his appreciation to Ms. Hicks and her staff for the work that they do for the Borough and its residents.

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 8:30 p.m.

Respectfully submitted,



Dorothy S. Hicks  
Borough Clerk

APPROVED – 10-25-21