

BOROUGH OF FAR HILLS
Borough Council Regular Meeting
MINUTES
January 23, 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 David P. Karner, Councilman Rick Rinzler, Councilwoman Sheila Tweedie, Mayor Kevin P. Welsh

Absent, as Excused:

Absent:

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

EXECUTIVE SESSION

Resolution 23-042 – Personnel – Candidate Qualifications – Council Vacancy

Motion by Councilman Karner, seconded by Councilwoman Tweedie, was unanimously carried to approve Resolution 23-042.

RETURN TO OPEN SESSION

The Mayor and Council returned to open session at 7:58 p.m.

Mayor Welsh asked for nominations for the appointment of a successor to temporarily fill the vacancy as a member of the Borough Council with a term expiring upon the certification of the November 2023 General Election.

Motion by Councilman Karner, seconded by Councilman Carty to nominate Mr. Peter J. Cocozziello, Jr.

Mayor Welsh asked if there were any additional nominations.

Motion by Councilwoman Tweedie, seconded by Council President Chimenti to nominate Mr. Jack Koury.

There were no additional nominations.

Mayor Welsh asked for a vote to confirm the nomination of Mr. Peter J. Cocozziello, Jr. for the Borough Council seat with a term expiring upon the certification of the November 2023 General Election.

Roll Call:

Aye: Carty, Karner, Rinzler

Nay:
Abstain: Chimenti, Tweedie
Motion Carried.

Mayor Welsh asked for a vote to confirm the nomination of Mr. Jack Koury for the Borough Council seat with a term expiring upon the certification of the November 2023 General Election.

Roll Call:
Aye: Chimenti, Tweedie
Nay:
Abstain: Carty, Karner, Rinzler
Motion Failed.

RESOLUTIONS

Resolution 23-043 – Appointment of Successor Due to Vacancy - Borough Council

Motion by Councilman Karner, seconded by Councilman Rinzler to approve Resolution 23-043.

Roll Call:
Aye: Carty, Chimenti, Karner, Rinzler, Tweedie
Nay:
Abstain:
Motion Carried.

OATH OF OFFICE

Ms. Hicks administered the Oath of Office to Mr. Peter J. Cocozziello, Jr. as a member of the Borough Council with a term expiring upon the certification of the November 2023 General Election.

REPORTS

Councilman Karner – Roads

Councilman Karner stated he would be reviewing potential grants for road improvements in 2023.

Councilwoman Tweedie – Health/Sanitation

Councilwoman Tweedie stated the 2023 sewer connection fee schedule was being prepared by the Borough Environmental Engineer, Natural Systems Utilities and provided a brief overview of the current connection fees. She stated the Borough was using approximately 75% of the purchased capacity in December 2022, which was calculated on the three-month rolling average.

A general discussion ensued regarding the Borough's current sewer capacity and connection fees as established in the existing contract with Environmental Disposal Corporation/New Jersey American Water.

Councilwoman Chimenti inquired as to the status of the grants for renovations to the Miller Lane pumping station, which is the service facility for Bedminster, Far Hills, and Peapack & Gladstone. Mayor Welsh responded he spoke with Bedminster Mayor Larry Jacobs and while the grant funding was approved it has not yet been received.

Councilman Carty – Finance/Insurance

Councilman Carty reported preparations for the 2023 Budget were underway.

Council President Chimenti – Laws, Ordinances & Elections

No report.

Councilman Rinzler – Police and Fire, Water, Light, Buildings & Grounds

Councilman Rinzler presented the December 2022 Police Report.

He also reported he attended a meeting on January 20, 2023 with Mayor Welsh, Council President Chimenti, Chief DeCarolis and Ms. Hicks to review pedestrian safety throughout the Borough.

Chief DeCarolis

Chief DeCarolis stated the pedestrian safety meeting was very productive and the department would be looking into measures to improve safety throughout the Borough.

Mayor Welsh

On behalf of the Borough Council, Mayor Welsh offered his congratulations to Mr. Sordillo who was recently named partner in the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, PC.

Mayor Welsh stated he recently met with Mr. Hotz of Raritan Valley Development Corporation (RVDC) to review the status of the affordable housing projects located at 46 Peapack Road and 8 & 10 Peapack Road.

He stated the Borough purchased 46 Peapack Road for \$415,000.00, which was subsequently subdivided into three lots for affordable housing development; two lots for the Matheny Group Home and one lot for RVDC. The existing home at 46 Peapack Road is being renovated by RVDC into two affordable housing rental units and was anticipated to be completed in six months upon the issuance of the construction permits.

Mayor Welsh continued by detailing the five affordable housing units to be built by RVDC at 8 & 10 Peapack Road. This project is planned to commence in the spring 2023 and was anticipated to be completed within ten months.

Lastly, he stated the Borough would be postponing the affordable housing subsidy payment to RVDC until June 2023 pending the completion of substantial construction activity at these properties.

REGULAR AGENDA

APPROVAL OF MINUTES

1/3/2023 – Reorganization Meeting Minutes

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

1/3/2023 – Regular Meeting Minutes

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

1/3/2023 – Executive Session Minutes

Motion by Councilwoman Tweedie, seconded by Councilman Karner, was unanimously carried that these minutes be approved for content only.

UNFINISHED BUSINESS

ORDINANCE – PUBLIC HEARING AND ADOPTION

ORDINANCE 2023-01 – AN ORDINANCE AUTHORIZING THE GRANT OF A NEW LEASE TO THE ATLANTIC VISITING NURSE FOR THE USE OF A PORTION OF THE J. MALCOLM BELCHER FAIRGROUNDS FOR USE IN CONNECTION WITH ITS CHARITABLE SALES.

Councilman Karner provided a brief overview of the provisions of the new lease agreement and the improvements already completed at the fairgrounds as a result of this renewed partnership with the Atlantic Visiting Nurse (AVN). He indicated a plaque was planned to be installed on the barns to commemorate this long-standing collaboration between the Borough and the AVN.

Motion by Councilman Karner, seconded by Councilman Carty was unanimously carried to open the public hearing.

There were no comments from the public.

Ms. Hicks advised that the notice of the public hearing was published in the newspaper of record, and that no communication, either written or verbal was received regarding the Ordinance.

Motion by Councilman Karner, seconded by Councilman Carty, was unanimously carried to close the public hearing.

Motion by Councilman Karner, seconded by Councilman Carty that Ordinance 2023-01 be adopted.

Roll Call:

Aye: Carty, Chimenti, Karner, Rinzler, Tweedie

Nay:

Abstain: Coccoziello

Motion Carried.

NEW BUSINESS

RESOLUTIONS

Resolution 23-044 – Repealing and Replacing Resolution 22-150 and Authorizing and Approving the Proposed Street Names for the Residence at Overleigh (Errico Acres) Development.

Mr. Sordillo advised that due to an inadvertent omission of one of the street names in Resolution 22-150, a new resolution was prepared in order to provide a final complete record.

Councilman Coccoziello commented there were two similarly named streets; Dillon Avenue and Dillon Boulevard which may cause confusion for emergency services.

A brief discussion ensued and after reviewing the Overall Site Dimension Plan, dated March 19, 2021 it was determined the street names would remain unchanged as there would be no homes located on Dillon Boulevard.

Motion by Councilman Karner, seconded by Council President Chimenti that Resolution 23-044 be approved.

Roll Call:

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

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 23-045 – Appointment of Redactor(s) pursuant to Daniel's Law
2. Resolution 23-046 – Authorizing SHMAYSC's FY2024 Grant Application – DEDR
3. Resolution 23-047 – Authorizing SHMAYSC's 2023-2025 Grant Application – DMHAS
4. Resolution 23-048 – Authorizing Payment of Bill List

Councilman Rinzler inquired as to the use of the funds for these two grants. Ms. Hicks provided a brief overview of the educational programming being funded.

Motion by Councilwoman Tweedie, seconded by Councilman Rinzler that Resolutions 23-045 through 22-048 be approved.

Roll Call:

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

Nay:

Abstain:

Motion Carried.

DISCUSSION

Escrow Accounts

Councilwoman Tweedie reported, as discussed at the January 3, 2023 Planning Board meeting, there were several outdated escrow accounts that appear to have not satisfied each of the conditions of approval as required by resolution. It was noted a few properties had been sold prior to the conditions of approval being satisfied often unbeknownst to the new homeowners.

A general discussion ensued regarding reviewing new procedures within the construction, zoning, and fire prevention departments to ensure the conditions of approval are satisfied prior to the transfer of the property.

Councilman Coccoziello suggested establishing a tickler file to track the completion of issued construction permits with a two-year inspection follow-up. He also suggested the fire official could confirm permits were closed prior to the issuance of the smoke detector/alarm certification required for the sale of the property.

Councilwoman Tweedie stated the Planning Board Attorney, Mr. Linnus would be contacting Mr. Sordillo to further review these issues. Ms. Hicks was also asked to review the process with the Planning Board Secretary, Ms. Goodchild.

Pedestrian Safety

Mayor Welsh reported he held a meeting on January 20, 2023 with Council President Chimenti, Councilman Rinzler, Chief DeCarolis and Ms. Hicks to review pedestrian safety throughout the Borough. He advised the Council improvements to provide higher visibility for pedestrians utilizing the crosswalks as well as a potential reduction in the speed limit on Peapack Road were discussed. As Peapack Road is a county roadway, it would be necessary to coordinate with the Somerset County Engineering Department any reductions in speed limit or safety improvements.

Mayor Welsh also focused on safety improvements for streets in the Village area, which were frequently being utilized as a cut-through to access Route 202. As there are currently no posted speed limit signs, the default speed limit would be 25-mph according to NJDOT regulations. Chief DeCarolis was currently reviewing these streets for speed limit and safety improvements.

Mayor Welsh stated pedestrian safety was his top priority and welcomed additional suggestions for improvements from residents.

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.*

Councilman Rinzler commented the potholes along Douglas Road had been repaired and thanked those involved for their efforts.

Motion by Councilman Karner, seconded by Councilwoman Tweedie to open the meeting to public comment.

Charles Schwester, 410 Lake Road, Far Hills inquired how a Certificate of Occupancy was issued when there were outstanding Planning Board resolution compliance issues. He also inquired about the status of the financial impact study being conducted by the Otteau Group regarding the Errico Acres/Residences at Overleigh development and the status of the affordable housing projects being constructed by Raritan Valley Development Corporation (RVDC), in particular the payments made to RVDC by the Borough.

Mayor Welsh responded the Borough anticipated the Otteau Group study would be completed shortly. With regard to RVDC, Mayor Welsh indicated he met with Mr. Hotz, and it was agreed the Borough would be postponing the March 2023 payment until June 2023 pending the review of the construction progress of the affordable housing units. Mr. Sordillo advised a first amendment to the Affordable Housing Agreement with RVDC was authorized in February 2021 which updated the subsidy payment schedule.

A brief discussion ensued regarding the NJDEP floodplain requirements resulting in Mr. Sordillo responding the Borough Engineer, Ferriero Engineering had previously determined the NJDEP requirements would not impact the Errico Acres/Residences at Overleigh development. Mr. Sordillo also clarified this project was authorized via rezoning of the property and not through the redevelopment process.

George Mellendick, 260 Lake Road, Far Hills inquired how a property adjacent to the Errico Acres/Residences at Overleigh site was held to the 10-acre zoning requirement when the Errico Acres site was not. He also inquired about the overall surface area and increase in density and stormwater runoff with this development.

Mr. Sordillo responded the Errico Acres/Residences at Overleigh site was rezoned to allow for the higher density in order to satisfy the Borough's affordable housing obligation.

Councilman Coccoziello responded stormwater and runoff regulations were under the purview of the NJDEP and opined that neither the Borough Council nor the Planning Board had any authority over these regulations.

There were no further comments from the public.

Motion by Councilman Karner, seconded by Council President Chimenti to close the meeting to public comment.

EXECUTIVE SESSION

Resolution 23-049 - Attorney-Client Privilege -Litigation – Affordable Housing

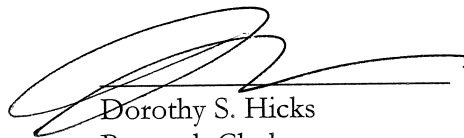
Motion by Councilman Karner, seconded by Councilman Rinzler, was unanimously carried to approve Resolution 23-049.

RETURN TO OPEN SESSION AND ADJOURNMENT

A brief discussion ensued regarding the calculation of the sewer connection fees in relation to the purchased sewer capacity within the Borough of Far Hills as authorized via the existing agreement between Environmental Disposal Corporation (EDC)/New Jersey American Water (NJAW).

Motion by Councilman Karner, seconded by Councilwoman Chimenti was unanimously carried to adjourn the meeting at 9:15 p.m.

Respectfully submitted,



Dorothy S. Hicks
Borough Clerk

APPROVED – 2/13/2023