

BOROUGH OF WATCHUNG

MINUTES

JULY 21, 2011 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Gerald Mobus called the meeting to order at 7:33 PM and made the following statement: Under the provisions of N.J.S.A.10:4-6 et seq., notice of the time and place of this meeting was given by way of annual notice to the Courier News, Echoes Sentinel, and Star Ledger, and posted at Borough Hall.

SALUTE TO THE FLAG and a MOMENT OF SILENCE FOR OUR TROOPS

ROLL CALL

Joren [P] Black [P] Franklin [P] Pote [P] Nehls [P] Cassidy [A]

Also present were Clerk Michelle DeRocco, Attorney Albert Cruz, and Borough Engineer Tom Herits. Although not present at roll call, Councilwoman Cassidy arrived at 7:46 P.M.

There were 22 members of the public present.

APPOINTMENT AND ADMINISTRATION OF OATH OF OFFICE

Council President Debra Joren moved the following resolution (copy attached):

R2:07/21/11 Appointment of Borough Administrator

Councilman Steve Black seconded the motion and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, "aye."

Mayor Mobus administered the Oath as Mr. Atkins' wife Bonnie held the Bible. Mr. Atkins thanked the Governing Body and said he looks forward to working in Watchung.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin said the recent revenue report is still showing a lot of "red." He spoke of an Administrative and Finance workshop held on Saturday morning where CFO Bill Hance presented a session on bonds and notes. He said he will be asking Bill to present it again to the other Council members.

2. Police - Councilwoman Joren announced Chief Wenzel is attending the FBI Academy for training, and Lts. Cina and Egnasko are holding the fort down. She deferred to Lt. Cina for an update on the Department's research on red light cameras. Lt. Cina said he is in the process of researching vendors and explained the vendors prepare the applications to the DOT, He said the vendors make their money by getting a portion of the summonses, the State gets a portion, and the Borough will get a portion. He said the only viable installation in the Borough would be the intersection of Route 22 and Terrill Road. Lt. Cina said the Department is seeking the Council's support to move forward with the vendor research. Councilwoman Joren announced August 2nd is "National Night Out" and the Department will be hosting some events.

3. Public Works - Councilman Nehls reported the work-order statistics for the month, and read a letter from Public Works Manager Bob Burns to the Board of Education, thanking their Buildings and Grounds Manager Eric Schwartz for his assistance in helping to rectify an air conditioning failure at the Police Department during the heat wave. Councilman Nehls said this was a nice example of shared services. He reported a good report was received by the JIF loss control inspectors.

4. Buildings and Grounds; Recreation – Councilwoman Cassidy announced the resignation of Sara Beth Joren from the 911 Memorial Committee, as she is moving out of town, and thanked her for her efforts in assisting the Borough in their acquisition of a 911 artifact. She commended Public Works Supervisor Bob Burns for doing an excellent job in researching vendors for the Watchung Lake's aerators, saying the end result will be a savings for the Borough. Councilwoman Cassidy said she will be scheduling a Buildings and Grounds meeting soon to discuss expenditures, as we are half-way through the year already.

5. Public Affairs - Councilman Nehls announced the Environmental Commission met and discussed tree inspections, certified tree experts, and fracking. He reported the Open Space Advisory Committee met and in addition to discussing Camp Endeavor, have planned a walk-through of the Ness property for this weekend. Mayor Mobus said he has sent a letter to Louise Lindenmeier requesting her service as a member of the Board of Health.

6. Fire - Councilman Black said the Fire Committee met this morning and deferring to Chief Bell who was present, reported the Committee discussed the FCC license application. Chief Bell also spoke of the recent fatality in the Borough which occurred when an oversized truck lost control coming south from Hillcrest onto Valley Road. Chief Bell gratefully acknowledged the mutual aid received at the scene of this terrible accident and commented on how well everyone worked together.

7. Laws/Ordinances - Councilman Pote announced the public hearing tonight on the Bond Ordinance to purchase fire department equipment. In regard to Laws and Ordinances, he announced that changes to the tree ordinance were discussed. He said the Library Study Committee met with the Foreman Group and plan to have a progress report to the full Council in August. Councilman Pote explained much discussion of the Library proposal is needed with the community, including funding and the possibility of a referendum in 2012. He said at last night's Planning Board meeting, revisions to the Master Plan were discussed and the Planning Board is requesting through the Council, that the Laws and Ordinance Committee look at the "mc mansion" ordinance, charitable bins, and the Village Center overlay zones, in addition to reviewing the County's plans for sidewalks on Mountain Boulevard.

REPORTS - OTHER:

8. Engineer – Mr. Herits reported bids will be received for the Improvements to Ridge Road – Phase II project on August 12th, and he hopes to award a contract at the next Council meeting. He said the improvements to the Texier House are waiting delivery of the doors, which needed to be special ordered. He said several sewer projects are under consideration – one for 28 properties along Johnston Drive, one for 7 properties on Valley Drive, and another one near Blue Star. He explained that early in September a resident meeting will be held to see if the residents involved are interested. He advised that Public Works is addressing drainage issues at Barrett Field and the tennis courts. Mr. Herits said on or about August 1st NJ American Water will be replacing a water pipe on Bonnie Burn Road, and this project should be done before the start of school, however, the north bound lane will be closed from 8 AM to 4 PM during the month of August.

9. Police Chief – Lt. Cina presented his report during Council President Joren's Committee report.

10. Fire Department - Chief Bell presented his report during Councilman Black's Committee report.

11. Rescue Squad - Councilman Nehls, on behalf of the Rescue Squad, reported their attendance at the Triathlon, and announced the Fire Department beat the squad in their annual softball game. He was happy to report the recruitment of new members and read the June statistics.

12. Attorney – Mr. Cruz said he has one item for discussion in Executive Session.

13. Administrator - Borough Clerk Michelle DeRocco reported the Clerk's Office has been very busy this summer and all are anxiously awaiting the arrival of the new Administrator.

Mayor Mobus acknowledged Board of Education member Rhea Williams who was present this evening and noted receipt of the Youth Services Grant from the County.

UNFINISHED BUSINESS

Public Hearing on Proposed Ordinance OR:11/11 entitled: "BOND ORDINANCE AUTHORIZING THE ACQUISITION OF EQUIPMENT FOR THE FIRE DEPARTMENT IN THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY AND APPROPRIATING \$49,625.00 AND AUTHORIZING THE ISSUANCE OF \$47,144.00 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF." was held. Councilman Pote moved a public hearing be held with a second by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye."

With no one from the public desiring to be heard, Councilman Pote moved the public hearing be closed, the ordinance be adopted, and the Clerk be directed to publish the notice of adoption. Councilman Black seconded the motion, and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy "aye."

NEW BUSINESS

CONSENT AGENDA: The Consent Agenda listed below with the except of #38 and #43, was unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls, and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, “aye”.

Approval of the following Council minutes:

June 23, 2011, Special Meeting of July 12, 2011 - Regular and Executive Sessions

Acknowledging Receipt of the following Borough Reports:

Historical Committee Minutes - March 9th, May 11th, and
Sub-Committee Meeting of May 17, 2011
Finance Department - May 2011 Revenue Report
Police Activity Report - June, 2011
Tax Collector’s Report - June, 2011

Acknowledging Receipt of the following Correspondence:

- #34 - Township of Warren 6/27/11 Notice of Public Hearing on July 21, 2011 on proposed height c: M & C, TH, DS Ordin
- #35 - Debra and Richard Becker 7/1/11 Commending and thanking Officers Skibenes and Hale for their assistance and professionalism while responding to a call for assistance at their home on June 19, 2011 c: M & C, TW, HS, TH, & PHF
- #36 - Somerset County Board of Chosen Freeholders 7/7/11 Resolution supporting proposed Amendment to the Open Public Records Law to preserve its original intent c: M & C
- #37 - Lynda Goldschein 7/7/11 E-mail requesting the removal of the signs at the entrances to the Borough that advise motorists to tune into 1610 am for news c: M & C

Councilman Nehls requested the following be removed from the Consent Agenda for discussion:

- #38 - Ryan Valentino 7/13/11 Letter of resignation from his employment with the Public Works Department c: M & C, MDR, WH, JR, PHF

Councilman Nehls thanked Ryan Valentino for his service to the Borough over the last 5 years and wished him well in his future endeavors. Councilman Nehls moved to accept #38, a second was made by Councilman Franklin and upon roll call, the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, “aye”.

- #39 - Sara Beth Joren 7/14/11 Letter of resignation as a member of the 911 Memorial Committee, as she is moving out of the Borough c: M & C, SB
- #40 - PSE&G 7/18/11 Notice of filing and public hearing - Changes in tariff for gas service c: M & C, Post
- #41 - Brooke Gilligan 7/15/11 Letter representing 18 residents of Edgemont Road and Mountain Drive, both private roads, requesting assistance from the Borough to rectify their badly, deteriorating roads c: M & C, TH, BB
- #42 - Watchung Arts Center 7/15/11 Submission of report and lease payment c: M & C, AC

Councilman Nehls requested the following be removed from the Consent Agenda for discussion:

- #43 - Louise Blood 7/14/11 Thanking the Borough for rectifying an on-going water runoff problem in front of their home on Ridge Road c: M & C, TH

Councilman Nehls said he appreciated this letter from Ms. Blood, and credited Engineer Herits who worked with the Public Works Department to correct this problem. Councilwoman Joren moved to accept #43, a second was made by Councilman Nehls and upon roll call, the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, “aye”.

CONSENT AGENDA RESOLUTIONS: The Consent Agenda resolutions listed below was unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls, and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, “aye”.

- R2:07/21/11 Appointment of Borough Administrator
- R3: Establishing 2011 Employees Base Salaries
- R4: Authorize Change Order #1, Accept Project, and Authorize Final Payment - Reivax Contracting Corp. / Improvements to Johnston Drive - Phase IV
- R5: Authorize Disbursement of Final Payment for Accumulated Benefits - Lauren B. Felin
- R6: Purchases Over \$2,000. - Pinto Brothers, Brent Materials, Fullerton Ford, Oswald
- R7: Authorize Extension of Due Date - 2011 Third (3rd) Quarter Taxes
- R8: Authorize Final Payment of Accumulated Benefits - Ryan Valentino
- R9: Waive Chapter 20, Section 1.6g of the Code- NJ American Water Company Saturday Construction / Bonnie Burn Road

NON-CONSENT AGENDA: Items listed below will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion.

Discussion - Mountain Boulevard Improvement Project / Sidewalks

Councilman Pote said he would like to hear discussion on the proposed sidewalks, and Council President Joren suggested a workshop meeting with the County Engineer be held. Mr. Herits said he is in receipt of the preliminary plan design, and that it is time to have the County here. Councilman Black said he is opposed to the implementation of any sidewalk plan, but if he had to choose one side or another he would opt for the North side. Councilman Nehls stated that he does not want to spend any money on sidewalks, but said if he had to favor a side it would be the North side. Councilman Franklin said he favors the North side. Mr. Herits said he will arrange for a meeting with the County engineers.

NON-CONSENT AGENDA RESOLUTIONS - The resolutions listed below were adopted on roll call as follows:

Councilman Pote moved R1, a second was made by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye".

R1:07/21/11 Adoption of Ordinance OR:11/11 - Acquisition of Equipment for Fire Department

Councilman Franklin moved R10, a second was made by Councilman Nehls and upon roll call the vote was as follows: Joren, Franklin, Pote, Nehls, Cassidy, "aye"; Black, "abstain".

R10: Waive Chapter 2.25 of the Borough Code - Gray's Florist & Greenhouse

Councilman Franklin moved R11, a second was made by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye".

R11: Payment of Bills

PUBLIC PORTION

Denise Oliver, Edgemont Road, spoke of the deteriorating and dangerous condition of Edgemont Road, Mountain Drive, and North Drive, and inquired as to what steps can be taken to have the Borough either repair them or assist them in the repair. She said that she and other neighbors have been unsuccessful in efforts to get all the residents in the neighborhood to agree to pay for repairs. Attorney Cruz explained that these two streets are "private" streets and the Borough cannot expend public funds on private property. He further explained that if the Borough were to consider taking responsibility for the road, it must first be brought up to standards. Mr. Cruz suggested to Ms. Oliver that she get a petition. Mr. Herits said part of North Drive is in North Plainfield, and that he would look at the roads and report back to the Public Works Committee.

Arthur Lidsky, Edgemont Road, explained that his road is old, but residents are new, and the North Drive section is in need of repair.

Margarite Eppler, Mountain Drive, said there is no "official" homeowners association for Mountain Drive and that there are 2 roads, one gets reimbursement for snow plowing and one does not.

Brook Gilligan, Edgemont Road, said the residents are in dire need of the Borough's assistance, and the roads are both dangerous and embarrassing.

Don Speeney, Stanie Glen and Planning Board Chairman, thanked Councilman Pote for revisiting the redesign of Mountain Boulevard, and bringing it back to the table.

Lynda Goldschein, Sherwood Drive, questioned the use of radio station 1610, saying that it only broadcasts the weather, and commented that during the truck accident on Valley and Hillcrest, residents were not informed of detours and road closings. Mayor Mobus said the road closing was broadcast through Shadow Traffic and most of the Borough's personnel were involved in assisting at the accident scene.

Mr. Woods, Berkeley Heights resident, was present to update the Governing Body of the public hearing scheduled for the proposed Berkeley Aquatic Center (BAC) in Warren. Mayor Mobus advised Mr. Woods, that as a neighboring town, the Borough of Watchung had not been "noticed."

Councilwoman Joren moved R12, a second was made by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye".

R12: Executive Session - PBA Grievance on behalf of Officer Tim Hale

Upon return to regular session at 11:10 PM, all members previously present were again in attendance.

RETURN TO REGULAR SESSION

Upon return to regular session at 11:10 PM, all members previously present were again in attendance.

The Council may take action on the item or items discussed in Executive Session, if necessary.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned to the call of the Chair and to the next scheduled meeting to be held at 7:30 P.M. on Thursday, August 18, 2011.

Respectfully submitted,

Michelle DeRocco, RMC
Clerk