

BOROUGH OF WATCHUNG

MINUTES

OCTOBER 27, 2011 - 7:30 P.M.

MAYOR'S 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 [A] Franklin [P] Pote [P] Nehls [P] Cassidy [A]

Also present were Administrator Tom Atkins, Attorney Albert Cruz, Engineer Tom Herits and Clerk Michelle DeRocco.

There were 16 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin reported the revenue report reflected encouraging news, noting two non-anticipated items of revenue in the amount of \$97,000. He said on tonight's agenda, the authorization of a contract with ADP for payroll services will save the Borough at least \$6,000.

2. Police - Councilwoman Joren said at the last Police Committee meeting the merger of Police Departments was discussed. She said Chief Wenzel met with the Chiefs from Warren and Green Brook and they considered all aspects of a merger, such as salaries, buildings, staffing and they are asking Administrator Atkins to take the lead. Councilwoman Joren reported the County is continuing with their study for a County-wide merger, which, if it was to happen will take years to implement. She said Chief Wenzel met the new Court Administrator and is confident that she will do a good job. She reported the Department is moving forward with the application for acquisition of the red-light camera which will be placed at the Terrill Road / Route 22 intersection, however, the State needs to approve it first. Councilwoman Joren said 3 officers were injured during the pursuit and arrest of the stolen vehicle suspects, and are now on light duty. She also announced the Department will be implementing a curfew for mischief night, October 30th and recommended hours for trick or treating on Halloween.

3. Public Works – Councilman Nehls said he was happy to report that more than 50% of the residents of a section of Johnston Drive, from the power lines to Bonnie Burn Road, replied in favor of a sanitary sewer project, therefore, the Borough will move forward. He announced a similar response from Valley Drive residents, a smaller project of seven properties, and said the consulting Engineer Lee Purcell will piggy-back these two projects so that the Valley Drive residents will be able to benefit from the same 1% low interest loan from the State. He said an informal meeting was held with the residents of Mountain Drive and Edgemont Road and the Borough will be moving forward with improvements on the Borough-owned portion, such as tree removal and grading. He said Public Works Supervisor Bob Burns reported the Department responded to 76 service calls this month, in addition to performing branch pick-up, monthly maintenance, and Harvest Festival preparation. Mayor Mobus noted that he is scheduled to meet with North Plainfield Mayor Giordano tomorrow to discuss the stormwater pipe.

4. Buildings and Grounds; Recreation – No report was presented.

5. Public Affairs - Councilman Nehls said the Board of Health met and discussed dog bite regulations, and possible recommendations to revise the current sanitary sewer hook-up requirements. He said the Environmental Commission supports the proposed revisions to the tree ordinance.

6. Fire – No report was presented.

7. Laws/Ordinances – Councilman Pote explained the revisions to the tree ordinance tightens up penalties for unauthorized tree removal, ie. “offense” will be tree by tree, instead of one penalty for the removal of multiple trees. It will also empower the Engineer to take on more responsibility in regard to fallen trees, and implement two different checklists – one for a homeowner, and one for a contractor. Councilman Pote said the intent is to simplify the process. He announced the introduction of an ordinance to amend the zoning regulations is also on the agenda, and explained that this is the result of a Master Plan revision recommended by the Planning Board. He reported that Watchung Commons is about to undergo a major “face lift” as Party City will be moving in and will become the flag ship store. Councilman Pote said the Somerset County Business Partnership will be introducing a comprehensive economic development strategy and suggested the Borough may want to take a more proactive approach and form a sub-committee to become involved in this process. He said more information will be forthcoming.

REPORTS - OTHER:

8. Engineer – Mr. Herits announced the Ridge Road improvement project will begin shortly, and will consist of drainage and curbing improvements from the easterly end of High Tor to Phillips Lane. He said the flooring in the Texier House is complete, and the contractor is under the bid by \$1,700.00, noting a resolution on the agenda to authorize a change order and authorize the contractor to install the molding. Mr. Herits reported this year’s DOT applications have been submitted. Mayor Mobus thanked Mr. Herits for his assistance in obtaining the \$250,000. grant from DOT for the Ridge Road project.

- 9. Police Chief – No report was presented.
- 10. Fire Department – No report was presented.
- 11. Rescue Squad
- 12. Attorney – Mr. Cruz had nothing to report.
- 13. Clerk – Mrs. DeRocco had nothing to report.
- 14. Administrator – Mr. Atkins had nothing to report.

Mayor Mobus said it was his privilege and honor to accompany three of the Borough’s volunteers – Skip Bell, Adam Wexler, and Gary Greves, for their service to the Borough before, during, and after Hurricane Irene was recognized by Governor Christie’s at a ceremony at the Trenton War Memorial. Mayor Mobus announced he was in receipt of Electrical Inspector Martin McMorrow’s resignation due to retirement, and thanked him for his years of service and wished him well. He also reported that this weekend he was dismayed to see a large wedding taking place on the Village Green, causing quite a traffic dilemma as well. He said this was not a permitted use and suggested a Committee be formed to review field use applications and fees.

UNFINISHED BUSINESS

NEW BUSINESS

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

Approval of the following Council minutes:
October 13, 2011

Acknowledging Receipt of the following Borough Reports:
Board of Health Minutes - June 15, 2011
Planning Board Minutes - February 15, 2011 Sp. Meeting; March 1, 2011; April 12, 2011;
May 17, 2011
Police Activity Report - September, 2011
Historical Committee Minutes - September 14, 2011
Board of Adjustment Minutes - May 5, 2011; April 7, 2011

Acknowledging Receipt of the following Correspondence:

- #64 - Petition 10/13/11 Asking the Borough to rescind the plan for sidewalks on Mountain Boulevard c: M & C, TEA, TH
- #65 - Petition 10/13/11 Asking Somerset County Officials to discontinue plans to widen Mountain Boulevard c: M & C, TEA, TH
- #66 - Bruce Ruck 10/17/11 E-mail regarding previous discussion pertaining to house sizes, and a request to be kept informed of any future discussions c: M & C, TEA, AC
- #67 - Rose Anne Barr 10/20/11 Copy of letter sent to the Somerset County Freeholder Board which includes the resident petitions (see # 64 and #65) and urging the Freeholders to reconsider the Mountain Boulevard project as planned c: M & C, TEA, TH
- #68 - Martin M. McMorrow 10/25/11 Notification of intention to retire from his position as Electric Subcode Official, effective November 29, 2011 c: M & C, TEA, JR

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

- R1:10/27/11 Honoring Rotary Club of Watchung-Warren - 50th Anniversary
- R2: Authorize Clerk to Issue Raffle License - The College Club of Fanwood-
Scotch Plains, Inc.
- R3: Purchases Over \$2,000. - Astro Rents, S.E.Rose Trucking & Excavating, Inc., Chatham
Lawnmower Service, Inc., Denville Line Painting, Summit Truck, Wayne Boylan
- R4: Authorize Tax Collector to issue Redemption Check - Tax Sale Certificate #212010
- R5: Authorize Tax Collector to issue Redemption Check - Tax Sale Certificate #5-2010
- R6: Authorize Agreement with ADP - Payroll Services
- R7: Authorize Engineer and Clerk to sign maps - Subdivision BA01-25 /Winter
Way Estates, Johnston Drive
- R8: Authorize the Implementation of Curfew and Limit of Hours - October 30, 31st
(Mischief Night and Halloween)
- R9: Authorize Change Order #1- Texier House Renovations / Unlimited Builders
Construction, LLC
- R10: Appointment to Fire Department - Patrick Lanzone
- R11: Authorize Tax Collector to Credit for 3rd Qtr. Tax Interest - As listed
- R12: Expansion of Contract - Valley Road Sewer Extension / Lee T. Purcell Associates

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.

Proposed Ordinance OR:11/13 entitled “AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET, STATE OF NEW JERSEY, SO AS TO RE-ZONE CERTAIN PROPERTIES TO THE R-M-L II ZONING DISTRICT” was introduced. Councilman Pote moved the ordinance be given its first reading. So ordered. Councilman Pote moved the ordinance be adopted on first reading and the Clerk be directed to publish the ordinance and notice of public hearing. The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Joren, Franklin, Pote, Nehls, “aye”. Public hearing to be held on November 28, 2011.

R13:10/27/11 Introduction of Ordinance OR:11/13 - Amend Code - Re-zone certain properties

Proposed Ordinance OR:11/14 entitled “AN ORDINANCE REPEALING AND REPLACING CHAPTER XXIV OF THE CODE OF THE BOROUGH OF WATCHUNG, NEW JERSEY, TITLED

“TREE PRESERVATION.” was introduced. Councilman Pote moved the ordinance be given its first reading. So ordered. Councilman Pote moved the ordinance be adopted on first reading and the Clerk be directed to publish the ordinance and notice of public hearing. The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Joren, Franklin, Pote, Nehls, “aye”. Public Hearing to be held on November 10, 2011.

R14:10/27/11 Introduction of Ordinance OR:11/14 - Amend Code - Repeal and Replace Chapter XXIV - Tree Preservation

NON-CONSENT AGENDA RESOLUTIONS

R15:10/27/11 Payment of Bills

Councilman Franklin moved R15, a second was made by Councilman Nehls and upon roll call the vote was as follows: Joren, Franklin, Pote, Nehls, “aye”.

PUBLIC PORTION

Former Mayor Anthony Addario, Rock Avenue, strongly urged the Mayor and Council to petition the County to remove the provisions for any sidewalks in the proposed Mountain Boulevard improvement project. He said if a provision must be in the plan, it should be on the North side and not the South side. Council President Joren explained the environmental constraints that the County sited as to why the South side was better for sidewalks. Mr. Addario said he recently attended a Freeholders meeting and spoke out against the sidewalks, and added that if the Borough does not intend to build them, then there should be no provision for them.

Susan Mamis, Mountain Boulevard, said she believes there is a need for more dialog on the Mountain Boulevard sidewalks, and that there has been much mis-communication along the way.

Mr. Mamis, Mountain Boulevard, said there is no room for sidewalks on the South side, and most of the joggers are on the North side. He said he doesn't feel like the South side makes sense.

Rosanne Barr, Mountain Boulevard, thanked the Governing Body for all that they do for the Borough, and for the amount of time put in to many issues. She said she feels the Mountain Boulevard project is an outlandish waste of three million dollars, and is not happy with the removal of so many trees, and is very disturbed by the whole plan. Mrs. Barr told the Governing Body that they should respect the wishes of those who vote for them, and believes if the Governing Body reaches out to the Freeholders, they will recind the plan. Mrs. Barr asked how the Borough intends to deal with the “speeders” that will fly up and down Mountain Boulevard. Council President Joren responded that the County can reduce the speed limit, and we can instruct the Chief to do a surveillance. Mrs. Barr asked what the benefits of this project might be, and Councilwoman Joren explained that the County has a Master Plan for infrastructure throughout the County. She said Mountain Boulevard, as it is now, is not up to State standards, and this project will not widen the road, it will equalize the shoulders. She said some properties will actually gain land, and this project is not intended to hurt the homeowners, but make the roadway safer. Councilwoman Joren said she has been living in the Borough for 60 years, and the Borough is not the same as it was then, we must move forward.

Councilman Nehls suggested another informal meeting with concerned residents to review the plans again.

George Sopko, Winnans Lane, said he has previously expressed his concerns and believes traffic calming measures should be implemented.

Andrea Stout, Mountain Boulevard, said she agrees with most of what people have said this evening, in particular, about the sidewalks. She said she does not believe widening this road will increase the rural atmosphere of the Borough.

Christine Gourlay, Mountain Boulevard, said people utilize the Borough in different ways, and “if you build it, it will come.” She said she believes sidewalks on Mountain Boulevard will be a wonderful thing. She added that the installation of curbs will protect her trees and property from erosion, and the toxins that rush from the road in front of her home. Mrs. Gourlay said she feels she has been misrepresented as a resident of Mountain Boulevard, because no one has asked her or her neighbor their opinion, and she did her own informal poll. She said a decision cannot be made based on the opinion of just those who show up at meetings. Mrs. Gourlay said this project is a good investment to the future.

Gary Molyneux, Mountain Boulevard, in regard to the County's improvement project, said that sidewalks will cause problems and that if the County installs them, they should be their responsibility to

shovel them. He said cars jump curbs and cause accidents, and that these proposed improvements will increase speed and traffic. Councilman Franklin said there had been a similar project implemented on Washington Rock Road and residents were not in favor of it, however, now that it has been completed, the residents are very happy with it - their fears did not prove out.

Ralph Diem, Mountain Boulevard, asked if the sidewalks are still planned for the South side of Mountain Boulevard, and Mayor Mobus said they were.

Borough Engineer Tom Herits said the bottom line is that this is a safety issue, and the Borough is supporting the County plan.

Mr. Addario said he never sees Police enforcement on Mountain Boulevard, and by straightening out the road, the traffic will flow faster.

Councilman Pote said this was discussed at a Planning Board Meeting, and the Board thought the plan was for the sidewalks on the North side. He said this is a safety issue and that this project is an opportunity to repair the road. He said there will be a time when the Ness property is developed and sidewalks will be needed. Councilman Pote said once Mountain Boulevard is paved if speed does become an issue then it would be a good reason to ask the County to reduce the speed limit. He said he supports the County's plan for redesign.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:40 P.M. to the call of the Chair and the next scheduled meeting to be held at 7:30 P.M. on Thursday, November 10, 2011.

Respectfully submitted,

Michelle DeRocco, RMC
Clerk