

## **BOROUGH OF WATCHUNG**

### **MINUTES**

**NOVEMBER 10, 2011 - 7:30 P.M.**

**MAYOR'S STATEMENT:** Mayor Gerald Mobus called the meeting to order at 7:30 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 [ A ] Pote [ P ] Nehls [ P ] Cassidy [ A ]

Also present were Administrator Tom Atkins, Attorney Albert Cruz, and Clerk Michelle DeRocco. Although not present at roll call, Councilwoman Cassidy arrived at 7:40 PM.

There were 60 members of the public present. After the presentation, 12 members of the public remained.

#### **SPECIAL PRESENTATION / PBA - CITIZEN COMMENDATIONS**

Cindy Van Houtte  
Charlene Reilly  
Kathleen Goodling

A special presentation was made to Cindy Van Houtte, Charlene Reilly, and Kathleen Goodling, by the Watchung Police Department for their "good samaritan" efforts. These three citizens observed a gentleman who collapsed while walking around Watchung Lake, and all performed CPR and other life saving measures that undoubtedly resulted in saving his life. Looking very healthy, Mr. Riccardi was present and personally thanked the ladies. In addition to a gift from the Watchung PBA, the Governing Body presented certificates of appreciation. Mayor Mobus said too often people are reluctant to get involved, and praised Van Houtte, Reilly and Gooding saying that they "raised the bar."

Mayor Mobus read R2 "Commending Volunteers for Service During Hurricane Irene" into the minutes (copy attached.) Mayor Mobus commended all of the Borough's Emergency Management Teams for their outstanding service during and after the Hurricane Irene and the October snow events. On hand to receive a framed resolution on behalf of their respective departments were Chief Wenzel, Police Department; Robert Burns, Public Works Department; Tom Carlucci, Fire Department; Robert Winston, Rescue Squad; and Gary Greves, for the Emergency Management Team.

#### **REPORT OF STANDING COMMITTEES:**

1. Administration & Finance – No report was presented.
2. Police - Councilwoman Joren noted the receipt of a Body Armor Grant on the agenda and deferred to Chief Wenzel for his report. Chief Wenzel praised the efforts of Lt. Joe Cina who was at the helm during Hurricane Irene, and instrumental during the October snow event. Chief Wenzel thanked the Mayor and Council for their cooperation and support.
3. Public Works - Councilman Nehls noted two bond ordinances on the agenda, explaining one is for the purchase of a new dump truck for Public Works, and the other will fund the engineering and design services for the sanitary sewer project for a section of Johnston Drive. Councilman Nehls reported the stormwater improvements for the Mountain Drive area are moving forward. He said the Borough has been "slammed" by the two unexpected weather events, and thanked the residents for their patience while the Department gets around to picking up their branches. He read a letter from resident Sue Forton, commending Andy Baldassarre for his assistance during the storm. He announced there is a lot of nice mulch on Ridge Road and said interested residents can help themselves. Councilman Nehls said there will be an informal meeting on November 30<sup>th</sup>, beginning at 7:00 pm, for anyone who is interested in reviewing the County's plans for Mountain Boulevard. He said another resident meeting is tentatively scheduled for November 29<sup>th</sup>, to discuss the sanitary sewer projects for portions of Johnston Drive and Valley Drive.

4. Buildings and Grounds; Recreation - Councilwoman Cassidy thanked the residents for their support on Election Day. She reported the aerators will be removed from the lakes for the winter months. She thanked the staff for their efforts during the past two storms, and explained that due to the ongoing storm clean-up, Buildings and Grounds who were going to paint the interior of the Texier House will no longer have the time to do so, therefore, Bob Burns will be getting some quotes. Councilwoman Cassidy announced that a student from the High School has volunteered to video-interview some of the older residents who have memories of Watchung's history for the Historical Committee. She said this will be a terrific project.

5. Public Affairs Councilman Nehls announced the Board of Health will be meeting on November 16<sup>th</sup>, and the Environmental Commission on November 2<sup>th</sup> and said they are trying to organize a "shredding" event in Watchung.

6. Fire - Councilman Black reiterated that enough praise cannot be expressed about our volunteer's efforts throughout both storms. He congratulated Councilwoman Cassidy on her successful election to the Council.

7. Laws/Ordinances - Councilman Pote said the Laws and Ordinance Committee is reviewing the dog ordinance regulations, and will be meeting on November 15<sup>th</sup>. He said the public hearing and adoption of the revised tree ordinance is on tonight's agenda, and that he will be scheduling a meeting of the Library Study Advisory Committee. He announced the Veteran's Day Ceremony will be held Friday, November 11<sup>th</sup>, beginning at 9:30 am, and that he will be filling in for Councilman Franklin.

#### **REPORTS - OTHER:**

8. Engineer – No report was presented.

9. Police Chief – See earlier – Chief Wenzel reported under Police Committee.

10. Fire Department – No report was presented.

11. Rescue Squad - Vice President Don Monetti thanked the Fire Department for the invitation to the pig roast, announced the 2012 officers, and reported the statistics for the month that included 9 calls for EMS, in addition to the Squad being integrally involved in keeping the residents and commuters of Watchung safe during the deadly weekend storm on October 29<sup>th</sup> and 30<sup>th</sup>. Mr. Monetti outlined many of the situations the Squad tended to, including the fatal motor vehicle accident. Throughout this storm, the Squad kept both vehicles manned, and collaborated with the Fire Department to conduct welfare checks on residents. He said the Squad's increasing collaborative relationship with the Fire Department was paramount as both volunteer agencies provided the highest level of regard and care to the Borough; and that they are extremely proud and honored to serve with all the members of the Borough's emergency service organizations.

12. Attorney – Mr. Cruz had nothing to report.

13. Clerk – Mrs. DeRocco had nothing to report.

14. Administrator – Mr. Atkins said there is a resolution on the agenda authorizing the transfer of monies in the budget, which is allowed by statute after November 1<sup>st</sup>. He noted the transfer of \$105,633. into the sewer account raises some issues that he will discuss with CFO Bill Hance prior to its release. He said he attended a FEMA meeting today with Bob Burns, Bruce Egnasko, and Gary Greves, and reimbursement procedures for Hurricane Irene were discussed. Mr. Atkins also noted two personnel appointments on tonight's agenda, Joe Marretta as Electrical Sub-Code Official, and Ray Murray as Tax Collector.

Mayor Mobus said he plans to do a resolution in support of Governor Christie's denouncement of JCP&L's response to the State's need for assistance during the October snow event. He said their restoration efforts were ridiculous during Hurricane Irene and worse during this snow event. He asked Administrator Atkins if the Governing Body would have a copy of the preliminary budget in January, because he does not want to wait until March to find out that we may be short. Mr. Atkins assured him the budget process will be underway shortly. Mayor Mobus announced he met with Mayor Giordano to discuss stormwater improvements to Mountain Drive and reported Mayor Giordano is in support of what the engineers in both towns have recommended – the installation of 350' of stormwater pipe connecting to North Plainfield's system. Mayor Mobus said Mayor Giordano needs to have his governing body approve it and then we will get moving on it quickly. He said this is best for both towns. Mayor Mobus commended Deputy Adam Wexler for the wonderful job he did coordinating Emergency Management efforts while Gary Greves was out of town during the October snow event. He said it speaks volumes of the training program when the second in command can come in and take over. He commended Fire Chief Skip Bell who took off several days from his paying job to assist residents. Mayor Mobus commended all paid and unpaid personnel for their efforts and said he never once had to tell residents "I don't know" as he was always informed with up-to-date information. He also commended and thanked Administrative Assistants Linda Monetti and Maria Fittipaldi, who for almost the whole week, patiently answered desperate phone calls from residents who were without power. They did an

outstanding job. Mayor Mobus noted the flyers that were handed out earlier, announcing that Somerset County is collecting donations for Thanksgiving and that \$40.00 can feed a needy family.

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### UNFINISHED BUSINESS

A Public Hearing of 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 held. Councilman Pote moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Pote, Nehls, Cassidy, "aye."

With no one from the public desiring to be heard, Councilman Pote closed the public hearing.

R1:11/10/11 Adoption of Ordinance OR:11/14 - Amend Code - Repeal and Replace Chapter XXIV - Tree Preservation

Councilman Pote offered R1:11/10/11, Councilman Black seconded the motion, and upon roll call the vote was as follows: Joren, Black, Pote, Nehls, Cassidy "aye." Councilman Pote directed the Clerk to publish the notice of adoption.

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### 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, Black, Pote, Nehls, Cassidy, "aye".

Approval of the following Council minutes:  
October 27, 2011

Acknowledging Receipt of the following Borough Reports:  
Finance Department Revenue Report - September, 2011  
Tax Collector Monthly Report - September, 2011  
Building Department Report - October, 2011

Acknowledging Receipt of the following Correspondence:

#69 - Township of Warren 11/4/11 Notice of adoption of Zoning Ordinance OR:11-17 - Recognizing and Protecting Pre-existing non-conforming development in specific zones c: M & C, DS

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**CONSENT AGENDA RESOLUTIONS:** The Consent Agenda resolutions listed below, with the exception of R11, was unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls, and upon roll call as follows: Joren, Black, Pote, Nehls, Cassidy, "aye".

R2:11/10/11 Commending Volunteers for Service During Hurricane Irene

R3: Authorize Transfer of Performance Guarantee - Carneiro to Patel / 976 Valley Road

R4: Purchases Over \$2,000. - North Plainfield Auto Rebuilders, Communications

R5: Waive Chapter 2-25.10 and Authorize Purchase Over \$2,000. - Sparta Tire

R6: Authorize CFO to refund permit fee for unused Engineering Application - JC Salerno Construction, LLC

R7: Supporting S-3062 - "Telecommunications-Cable Television Deregulation Ensuring Consumer Protection Act"

R8: Insertion of Special Item of Revenue to Budget - Body Armor Grant / \$2,971.02

R9: Appointment of Electrical Sub-Code Official / Joe Marretta

R10: Authorize Execution of Agreement with NJ DOT / Rt. 22 ITS Closed Loop Extension

~~R11: Authorize Execution of Non-Disclosure Agreement - NJ American Water Co WITH-DRAWN~~

R12: Authorize 2011 Budget Transfers

R13: Authorize Capital Budget Amendment 2011

R14: Appointment of Tax Collector - Raymond S. Murray

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**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.

Introduction of Proposed Bond Assessment Ordinance OR:11/15 entitled “**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$70,000 FOR ENGINEERING AND DESIGN PHASE IN CONNECTION WITH SANITARY SEWER IMPROVEMENTS TO A PORTION OF JOHNSTON DRIVE FOR AND BY THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY, DIRECTING A SPECIAL ASSESSMENT OF THE COST THEREOF IN THE AMOUNT OF \$35,000 AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**” 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 Black and upon roll call the vote was as follows: Joren, Black, Pote, Nehls, “aye;” Cassidy, “abstain.” Public hearing to be held on December 8, 2011.

R15: Introduction of Proposed Bond Assessment Ordinance OR:11/15 - Engineering and Design for Johnston Drive Sanitary Sewer Improvement Project

Introduction of Proposed Bond Ordinance OR:11/16 entitled “**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$73,000 FOR ACQUISITION OF A MASON DUMP TRUCK WITH ATTACHMENTS FOR AND BY THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$69,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.**” 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 Black and upon roll call the vote was as follows: Joren, Black, Pote, Nehls, Cassidy, “aye.” Public hearing to be held on December 8, 2011.

R16: Introduction of Proposed Bond Ordinance OR:11/16 - Purchase of DPW Vehicle / Mason

Discussion: Wildlife Management Advisory Committee / Community-Based Deer Management

Mayor Mobus recommended the discussion of this recommendation be tabled until Councilman Franklin is present, as he would prefer to have the full Council involved in this discussion. Councilman Pote asked Administrator Atkins if the Borough has a time-line to follow and Mr. Atkins said the Borough no longer has to apply to the State, and he has begun gathering information. Mr. Cruz reminded all that the current Code prohibits bow hunting and if the recommendation is to amend that, an ordinance would have to be introduced soon, as Statute says an ordinance must be adopted in the same year it is introduced.

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**NON-CONSENT AGENDA RESOLUTIONS**

R17: Authorize return of Escrow Deposits - As Listed

Councilman Pote moved R17, a second was made by Councilwoman Joren and upon roll call the vote was as follows: Joren, Black, Pote, Nehls, “aye;” Cassidy, “abstain.”

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**PUBLIC PORTION**

Don Speeney, Stanie Glen, and Planning Board Chairman, spoke of the Somerset County Business Partnership’s intention to prepare a comprehensive economic development strategy for Somerset County, and of their proposed initiatives, and encouraged the Borough’s participation.

Marylou DiRosa, Washington Rock Road, and Board of Education member, congratulated Steve Black and Karen Cassidy on their successful elections, and said she knows Ray Murray will be a great asset to the Borough as Tax Collector. Mrs. DiRosa commended the Borough’s Public Works Department and said they do a spectacular job. She advised the Board is in the early stages of a superintendent search, as Dr. Malyska intends to retire on June 30<sup>th</sup>. Mrs. DiRosa said the Board of Education should be in attendance at the special meeting to discuss the Mountain Boulevard improvements.

Mayor Mobus called forward newly appointed Tax Collector Raymond S. Murray to administer the Oath of Office. Administer Tom Atkins held the Bible.

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**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned to the call of the Chair at 9:12 P.M. and to the next scheduled meeting to be held at 7:30 P.M. on Monday, November 28, 2011.

Respectfully submitted,

Michelle DeRocco, RMC  
Clerk