

BOROUGH OF WATCHUNG

MINUTES

NOVEMBER 8, 2012 - 7:30 P.M.

(HELD AT THE MUNICIPAL COURT)

MAYOR'S STATEMENT: Mayor Gerald Mobus called the meeting to order at 7:31 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 SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD

Mayor Mobus read an Executive Order from Governor Christie for Matthew Kantor, Long Hill resident who lost his life in Afghanistan, and said the flags will be lowered tomorrow in his honor.

ROLL CALL

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

Also present was Borough Attorney Albert Cruz, Administrator Atkins, Police Chief Tim Wenzel, and Clerk Michelle DeRocco.

There were approximately 60 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin had no report this evening.
2. Police - Council President Joren had no report this evening.
3. Public Works - Councilman Nehls had no report this evening.
4. Buildings and Grounds; Recreation - No report was presented.
5. Public Affairs:
 - Open Space Committee: Councilman Franklin had nothing to report this evening.
 - Environmental Commission: Councilman Franklin had nothing to report this evening.
 - Board of Health: Councilman Black said the Board of Health's next meeting is in December.
6. Fire - Councilman Black had no report this evening.
7. Laws/Ordinances - Councilman Pote had no report this evening.

REPORTS - OTHER:

8. Engineer - No report was presented.
9. Police Chief - Chief Wenzel said he had no report this evening.
10. Fire Department - No report was presented.
11. Rescue Squad - Rescue Squad President Don Monetti gave a brief report of the Squad's monthly activities and announced Logan Taylor and Alison Diecke are now full active members. He announced the Tree of Lights will take place on December 1st at 5:30 PM and the Squad would like to invite all members of the Council to join their annual Holiday Party immediately following the event. He said the Squad's new website is up and running, and they are now capable of accepting online donations. He reported a total of 32 calls for the month of October and this month's top responders were Jessica Ray, Adam Wexler, and Alison Diecke.
12. Attorney - Mr. Cruz had nothing to report this evening.

- 13. Clerk - Mrs. DeRocco had nothing to report this evening.
- 14. Administrator - Mr. Atkins had nothing to report this evening.

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UNFINISHED BUSINESS

A Public Hearing on Proposed Bond Ordinance OR:12/13 entitled: **“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$55,000.00 FOR THE ACQUISITION A COMPUTER AIDED DISPATCH (CAD) SYSTEM AND A RECORDS MANAGEMENT SYSTEM (RMS) FOR AND BY THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$52,250.00 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.”** was held. Councilman Pote asked the Clerk to provide an affidavit of publication and certification of posting, and 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, “aye.”

With no one from the public desiring to be heard, Councilman Pote closed the public hearing and moved the following resolution:

R1:11/08/12 Adoption of Bond Ordinance OR:12/13 - Police Department Purchase /
CAD/RMS
 System

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

A Public Hearing on Ordinance OR:12/14 entitled **“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG CH. 5-12-12.76 ET. SEQ., THEREOF AND TO FIX AND DETERMINE MINIMUM AND MAXIMUM SALARIES AND COMPENSATION TO BE PAID TO CERTAIN EMPLOYEES.”** was held. Councilman Pote asked the Clerk to provide an affidavit of publication and certification of posting, and 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, “aye.”

With no one from the public desiring to be heard, Councilman Pote closed the public hearing and moved the following resolution:

R2:11/08/12 Adoption of Ordinance OR:12/14 - Amend Salary Ordinance / Police Officer,
 Academy Rate

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

A Public Hearing on Ordinance OR:12/15 entitled **"AN ORDINANCE AMENDING CHAPTER VI OF THE CODE OF THE BOROUGH ENTITLED "POLICE REGULATIONS" BY ADDING A NEW SECTION, TITLED STORE HOURS."** was held. Councilman Pote asked the Clerk to provide an affidavit of publication and certification of posting, and 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, “aye.”

Lynda Goldschein, Sherwood Drive, asked what this Ordinance was about, and Mr. Cruz explained that it would require that all stores in the Borough close on Thursday, Thanksgiving Day, from 10:00 P.M. Until 12:00 Midnight, at which time they can open for “Black Friday” sales.

Chris Igoe, Market Asset Protection Manager and Walmart representative, was present with a Walmart Attorney, and explained that being forced to close the store at 10:00 PM on Thanksgiving evening is at the pinnacle of their sale promotions. He asked if the Police Department and Governing Body would reconsider. Mayor Mobus said that it was his understanding that there was to be a meeting with Chief Wenzel and Walmart, prior to this evening’s meeting. Mr. Igoe said that there was to be one, however, Hurricane Sandy set everything back and a meeting was held this evening, prior to this meeting. Council President Joren said that this Ordinance was introduced at the October 25th meeting, and Walmart was aware of this at that time. The Attorney representing Walmart said she was aware that in prior years Walmart’s security had some deficiencies, however, they have a plan to correct them. Chief Wenzel said that every year Walmart comes to them with a new and improved plan, and every year there are deficiencies and a dangerous situation occurs at the store during this holiday sale, jeop-

ardizing the safety of not only the shoppers but the employees and the law enforcement personnel. Mr. Cruz asked the Walmart Attorney to explain what the previous deficiencies were in prior years, and the Attorney responded that she had been called to attend this meeting at the last minute and she did not have first hand knowledge of the deficiencies. Chief Wenzel explained that this time period, 10 PM to 12 PM was chosen because every year Walmart opens earlier and earlier. He said this ordinance was developed with all the stores, including Walmart, in mind, for the purpose of making it a safer shopping experience. Councilman Franklin said he wished Walmart came to the Council sooner, and Councilman Nehls asked Mr. Igoe why the Council should go against the recommendation of our Police Department? Councilwoman Joren said sales are advertised for products that are not in stock. She said more people line up for these sales than there are parking spaces. She said last year the store had to be closed and our local Fire Department and Rescue Squad had to be called out on Thanksgiving night. She said Mr. Igoe had just reached out to Chief Wenzel at 4:00 PM tonight.

With no one else from the public desiring to be heard, Councilman Pote closed the public hearing and moved the following resolution:

R3:11/08/12 Adoption of Ordinance OR:12/15 - Amend Code / Store Hours

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

A Public Hearing on Ordinance OR:12/16 entitled "AN ORDINANCE GRANTING A UTILITY EASEMENT FROM THE BOROUGH OF WATCHUNG TO THE COUNTY OF SOMERSET FOR THE MOUNTAIN BOULEVARD PROJECT" was held. Councilman Pote asked the Clerk to provide an affidavit of publication and certification of posting, and 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, "aye."

Lynda Goldschein, Sherwood Drive, asked what would happen if the Borough did not convey this easement to the County for this projects, and Mr. Cruz explained that their are higher courts that would act on the County's behalf.

With no one else from the public desiring to be heard, Councilman Pote closed the public hearing and moved the following resolution:

R4:11/08/12 Adoption of Ordinance OR:12/16 - Granting Utility Easement to County of Somerset / Mountain Boulevard Project

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

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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 Black and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, "aye".

Approval of the following Council minutes:
Minutes of October 25, 2012

Acknowledging Receipt of the following Borough Reports:
Tax Collector's Report - September, 2012

Acknowledging Receipt of the following Correspondence:

#56 - Dolores Clarke 10/15/12 Expressing concerns regarding speed enforcement and road maintenance on Valley Drive c: M & C, TEA, TW

#57 - County of Somerset, Office of Emergency Management 10/29/12 Proclamation and declaration for the entire County of Somerset as an emergency situation, and setting forth regulations

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

R5: Authorize Extension of Due Date - 4th Quarter 2012 Taxes / November 20, 2012

R6: Authorize Clerk to Issue Raffle License - St. Mary's Stony Hill

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NON-CONSENT AGENDA ITEMS AND RESOLUTIONS: 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.

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PUBLIC PORTION

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Mayor Mobus took this opportunity to thank all of the Borough's first responders for all that they did for the Borough and its residents, before, during, and after Hurricane Sandy. He asked all of them to stand up when named: Gary Greves and the Office of Emergency Management; Chief Carlucci, Assistant Chief Pete Martino and the volunteer Fire Department; Adam Wexler, Lysandra Plotkin, Denise Wilson, and the members of the Rescue Squad; Chief Wenzel, Lt. Cina, Lt. Kelly and the members of the Police Department. He thanked outside contractors Scott Rose and Predator Tree Service. He thanked electrician John Kostic and said if it were not for him, Borough Hall would not be up and running. Mayor Mobus said he and Council President Joren spent many hours on conference calls with PSE&G and JCP&L, and even had separate sit down conferences with executives from PSE&G and our Legislators, and came away feeling "little love."

Administrator Tom Atkins said criticisms came in early, not only because of the lack of power, but because of the lack of communication. The Borough's phone systems were down, as well as our internet system. With the lack of power came the lack of ways to talk to residents. We sent flyers door to door, we sent a fire truck around with a loudspeaker on it. We sent messages to the Echoes and the Watchung Patch, and he thanked Denis Kelly and John Patten. The Borough used a local FaceBook site, knowing we were able to reach about 500 residents and hoping the word would spread, and eventually used the school's "blast." We re-activated AM Radio Channel 1610. And on top of all this, the Borough was hit with a snow fall. He said the Borough did not lack effort - just ran out of resources.

Borough Clerk Michelle DeRocco said when Hurricane Sandy hit on October 30th, the thought of not having power on November 6th for Election Day was not even considered. She said the Election Board called on November 1st and wanted confirmation that our polling places would have power on Election Day, and obviously, she could not confirm that. In the middle of emergency operations through out the Borough, and Borough Hall still without power, Mrs. DeRocco, with the help of Administrator Atkins and Deputy OEM Coordinator Skip Bell, brainstormed and decided to use the Municipal Court and the lower level of the Exempt Hall as new polling locations. With these two locations powerless as well, it was decided that a generator would have to be brought in for the Exempt Hall and the generator that the Police Department was using could be tapped into. Volunteers went door to door with flyers, advising residents of their new polling locations, and it was only a day or so before the Election that the County notified her that they experienced a problem with the mailing of the sample ballots and residents in Watchung did not receive theirs. Mrs. DeRocco said it wasn't until about 8:00 PM the evening before Election Day that she was confident the generators were going to provide the necessary power for the machines. Although power was restored to Borough Hall and the Police Department mid day on the 6th, her office was prepared to manually tally the votes by way of flashlights, if need be. Despite the inconveniences, all went well and Mrs. DeRocco said she had many people to thank: Administrator Atkins, Mayor Mobus, Bob Pittenger who watched over the generators from 5:00 am until the close of the polls, OEM Coordinator Gary Greves, and most of all, Skip Bell and electrician John Kostic, both who found the generators and ensured that all was operating properly. She thanked the poll workers, some who had to work all day with no heat, and thanked PSE&G for restoring the power.

Mayor Mobus opened the meeting for questions or comments from the public:

Jennifer Netta, Wetumpka Lane, thanked all of the emergency responders and said she is here with good intentions. She said knowing about road closures would have been helpful, learning of school closures and warming stations were among her neighbors concerns. She said the main concern was the lack of communication, and noted other towns used FaceBook. She said many seniors live alone and needed a way to hear of what was going on. Ms. Netta said she would volunteer to reach out to these seniors. Mayor Mobus said Adam Wexler and the volunteer Rescue Squad members did check on the seniors. Adam Wexler said his members did visit about 104 seniors and addressed their concerns.

Alys Tyler, Johnston Drive, said she has been without power for 10 days. Her concerns are that trees are down, wires are down, some neighbors had to evacuate. Mayor Mobus assured her that someone would be out to look at the wires, and Chief Wenzel advised her to register her cell phone with the reverse 911 system.

Frances Shanahan, Forrest Drive, said he was not here to complain, only to offer his assistance. He said he works for Amazon and can offer some assistance in regard to the Borough's communication systems.

Monique Kaye, Ridge Road, said she joined the Watchung Neighborhood Network as a way to get better information. She said she feels we're not doing enough for all of the Borough's residents.

Diane Sherry Buono, Ridge Road, said she hopes the Governing Body takes more time to address deficiencies, starting with the OEM budget. She said more money needs to be allocated for infrastructure or this situation will occur again. She said FaceBook, Twitter is free. She said the town cannot control PSE&G, but can certainly control its communications. She told the Governing Body that residents did not get enough from them, and they pay their salaries. She said she feels they were not there for the residents, and she implored the Governing Body to come together and to learn from these mistakes. Council President Joren assured Ms. Buono that she agreed with her.

Doris Fine, Johnston Drive, said she has neighbors in wheelchairs. Rescue Squad member Denise Wilson assured Ms. Fine that her neighbors were checked on daily. Ms. Fine said a 100' tree fell on her neighbors' property, and suggested that the permit fees be waived for its removal. Councilman Pote said the Laws and Ordinance Committee will look at waiving that fee in a crisis situation.

Margaret Langer, Canterbury Lane, said using the school's blast was a good way to communicate and said the trees near wires need to be trimmed. She said hers are under the ground.

Bruce Ruck, Lakeview Avenue, said the OEM Committee will be critiquing after and asked, who will be critiquing the OEM? He said many of these concerns were brought up at a Board of Health meeting after the last storm. He said every resident in Warren received a "daily update", and asked where the Borough's CERT teams were? And where the Borough's warming stations were? Councilwoman Joren said she has reached out to the County for information regarding CERT training. She asked if the Board of Health ever passed their comments on to the Governing Body, as she does not recall hearing or reading them. Mr. Ruck said he would volunteer his time to be part of the OEM Committee.

Mayor Mobus thanked the public for their comments and assured them that they did not fall upon deaf ears. He said the Governing Body is always welcome to new ideas.

Kristen Rizzi, Valley Road, said she was concerned about the traffic light being out. She feels portable lights should have been brought in.

Linda Goldschein, Sherwood Road, said that she can volunteer right now and because she does not agree with everything the Council does, than she will not get appointed to any committees. Councilman Black said he does not agree with Mrs. Goldschein's statement because she had been a member of many committees, and it is only fair to give other residents a chance to serve. Councilman Black thanked Mrs. Goldschein for her past and present volunteer service.

Dorothy Addario, Rock Avenue, asked what percentage of the town was still without power, and Mayor Mobus said he did not have an exact number. Mrs. Addario said many residents live with "threatening" trees on their properties and may not be able to afford to have them removed. She asked if the Governing Body could revisit the policy on "threatening trees."

Mike DeParto, Orchard Road, said communications need improvement, noting that Hillcrest Road was closed today, and travelers need to know this.

Terry Murphy, Valley View Road, said their needs to be a contingency plan for the schools. Mayor Mobus said OEM Coordinator Gary Greves did communicate with the school, and schools would not be able to open unless it was safe to transport children to and from the schools. Councilwoman Joren said she sat in on a meeting with PSE&G executives LaRosa and Leheay who assured her there was a plan, and that hospitals and schools were a priority. Kathy Caldas, school board member who was present, said the schools will not open until the Office of Emergency Management assures that it is safe.

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:12 P.M. to the Call of the Chair, and the next scheduled Council meeting to be held on November 26, 2012 at 7:30 P.M.

Respectfully submitted,

Michelle DeRocco, RMC
Clerk