

BOROUGH OF WATCHUNG

MINUTES

OCTOBER 25, 2012 – 7:30 PM

MAYOR'S STATEMENT: Mayor 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 SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD

ROLL CALL

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

Also present were Administrator Tom Atkins, Attorney Albert Cruz, Engineer Tom Herits, CFO Bill Hance, Clerk Michelle DeRocco, and Deputy Clerk MaryAnn Hance.

There were 10 members of the public present.

REPORT OF STANDING COMMITTEES:

1. **Administration & Finance** – Councilman Franklin reported that the Borough received a \$4,200 rebate from JIF (Joint Insurance Fund) which is normally applied to the next premium. He also stated the Borough has received a check from PSE&G on the reliability project which is to be used for public safety and after discussion, it was the unanimous decision to use the monies toward the narrow band connection system. Finally, he stated the Borough received the equalization tables and gave an explanation of what this is and how it is used for taxation purposes.
2. **Police** – Councilwoman Joren had no report other than to mention the Ordinance on the agenda this evening for store hours on Thanksgiving day, and said this will be discussed later in the meeting.
3. **Public Works** – Councilman Nehls reported the Public Works Department responded to 22 service calls and 74 work orders. He said the milling and paving of Johnston Drive is complete and the catch basin repair is done. Other roads that have been black topped or repaired are Redmont, Acorn, Canterbury and Knollwood Drive. Signs have been replaced where they were missing. Other projects have included catch basin repairs, underground storage tank maintenance and generator repairs. He noted the resolution on the agenda for the purchase of the dump truck. Councilman Nehls announced the JIF (Joint Insurance Fund) did a loss control survey and determined there were no problems with either the workers or the equipment being used. There have also been several Public Works Committee meetings to continue discussions on the sanitary sewer project on Johnston Drive, and also met with Levin Management in regard to tying in to their system and possibly taking over their sanitary sewer system.

4. Buildings and Grounds; Recreation:

Buildings and Grounds - In Councilwoman Cassidy's absence Councilman Nehls reported that Community Service painted the Judge's chambers under Mr. Jackson's supervision. The total cost for painting both the court hallway and the Judge's chambers is under \$500.00. All vegetation along the earthen dam and below spillway has been removed, trees have been planted by the Mountain Boulevard gazebo, and parking lot wiring at Police Headquarters has been repaired.

Recreation – Mayor Mobus said the ad hoc Committee met and discussed fees and also Phillips Field. He reported progress has been made and the committee is hoping to schedule a meeting with the baseball commission. He also reminded everyone about the Harvest Festival this Saturday at 3:00 P.M.>

5. Public Affairs:

Open Space: Councilman Franklin reported the committee did not have a meeting but they are waiting for the updated inventory on open space. Tom Herits stated he is working on it.

Environmental: Councilman Franklin reported there was an Environmental meeting on Monday. The Commission continued discussion on the Borough's tree ordinance. He reminded residents that they must obtain a tree permit to remove any trees, and said there is a fee for removing live trees but no fee for dead or diseased trees, however, a permit is still required.

Board of Health – Councilman Black stated the next meeting for the Board of Health is in December.

6. **Fire** - No report was presented

7. **Laws/Ordinances** - In Councilman Pote's absence, Councilwoman Joren reported that the Committee did meet to discuss the proposed Ordinance regarding store hours on Thanksgiving Day, but there was nothing further.

REPORTS - OTHER:

8. **Engineer** - Tom Herits reported that all road projects have been completed. He said he received an email from the County advising that bids have been received for the Mountain Boulevard project and they will be awarding a contract soon. Mayor Mobus questioned whether the County will be completing the water line or stopping where they have gone so far? Mr. Herits said they should go all the way to the end. The Mayor also asked about the time extension (early start/late finish) that was requested. Mr. Herits said he thought this would only be used if necessary and he did not feel this would be the case.

9. **Police Chief:** - Chief Wenzel and Lt. Kelly explained why they were requesting the change in store hours for Black Friday. They explained they had met with the Laws and Ordinance Committee and Police Commissioner and it was decided to require all stores to close at 10 PM for 2 hours until 12 PM on Thursday, Thanksgiving Day. Lt. Kelly said Walmart wants to remain open for 24 hours. Chief Wenzel explained, from prior year's experience, the Police would have better crowd control if stores were to close, and the shoppers would leave. Then at 12 midnight they could re-open and control the number of people to enter at one time. Administrator Tom Atkins said he spoke to the Walmart representatives before tonight's meeting and was told they would like to meet with the Police Chief next week for further discussion. Mr. Cruz stated that the Walmart Representatives will have an opportunity to speak during the Public portion this evening and also at the Public Hearing for the Ordinance on November 8th.

10. **Fire Department** - No report was presented.

11. **Rescue Squad** - No report was presented.

12. **Attorney** - No report was presented.

13. **Clerk:** - Clerk Michelle DeRocco reported the Borough received a request from the County for the Borough's participation in "BOBO Fridays" (Buy One, Bring One). Mrs. DeRocco said she will set up drop-off bins in the Tax Office, Engineering Office, and Clerk's entranceways for the collection of non-perishable food items, personal-care items, including diapers.

14. **Administrator:** Tom Atkins reported that Bill Hance met with the Sustainable Energy Team last week to discuss what they have to do to get their Sustainable Jersey Bronze Certification. He also mentioned he has given the Council some reports on insurance. Mr. Atkins said the Ordinance on the agenda that amends the min-max ordinance and is scheduled for adoption this evening, will have to be further amended to clarify the description of the new position. He said it will be re-advertised and scheduled for a public hearing on November 8th.

Mayor Mobus asked Council Members to review the list of upcoming appointments/re-appointments and if they have any recommendations to give them to Mrs. Hance.

UNFINISHED BUSINESS

A Public Hearing on Proposed 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. Councilwoman Joren requested the Clerk produce an Affidavit of Publication 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, and Nehls, "aye".

The meeting was open to the public for any questions or comments.

Administrator Atkins recommended this Ordinance be amended to change the description from “Police Officer, Probationary Status” to “Police Officer, Academy Rate.” There being no one from the public desiring to be heard, Councilwoman Joren closed the public hearing and moved the ordinance to be amended to read “Police Officer, Academy Rate,” and directed the Clerk to re-advertise a Public Hearing for the November 8, 2012 Council meeting.

~~R1:10/25/12 Adoption of Bond Ordinance OR:12/14 Amend Salary Ordinance/Police Officer Probationary Status AMENDED~~

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

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, Franklin, and Nehls, “aye”.

Approval of the following Council minutes:
October 11, 2012

Acknowledging Receipt of the following Borough Reports:
Historical Committee – Minutes of September 12, 2012

Acknowledging Receipt of the following Correspondence:

- #54 - Suburban JIF (Joint Insurance Fund) 10/16/12 Notice of dividend issued to Watchung in the amount of \$4,206.52 c: M & C, TEA, WH
- #55 - Maria Perez 10/17/12 Email expressing continued safety concerns and asking for a solution to a speeding problem on Hill Hollow Road c: M & C, TEA, TW

Councilwoman Joren reported she spoke with Chief Wenzel regarding Mrs. Perez’s concerns and he will look into putting more police presence on the road when possible.

CONSENT AGENDA RESOLUTIONS: 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, Franklin, and Nehls, “aye”.

R2:10/25/12 Purchases over \$2,000. – Fun Services, LLC.

R3: Authorize Treasurer to Issue Check – HomeStead Rebate/Block 6905, Lot 28
135 Nottingham Drive

R4: Authorize Clerk to Issue Raffle License – Sisters of Mercy of the America’s

R5: Award of Bid – 2013 International six (6) Yard Dump Truck/Mid-Atlantic Truck
Centre, Inc.

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.

Prior to the Introduction of OR:12/15, Mr. Cruz distributed a new copy of this Ordinance revising Section 6-11.2. He explained that this Ordinance will establish a closing time of 10:00 PM on Thursday, Thanksgiving Day, for all stores in the Borough. He said it will also allow them to re-open at midnight, if they choose to do so.

Proposed 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 introduced. Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk be directed to publish the ordinance and notice of public hearing.

R6:10/25/12 Introduction of Ordinance OR:12/15 – Amend Code/Store Hours

The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, and Nehls, “aye”. Public Hearing to be held on November 8, 2012.

Proposed 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 introduced. Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk to publish the ordinance and notice of public hearing.

R7:10/25/12 Introduction of Ordinance OR:12/16 – Granting Utility Easement to County of Somerset/Mountain Boulevard Project

The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, and Nehls, “aye”. Public Hearing to be held on November 8, 2012.

Councilman Franklin offered the following resolution:

R8: Payment of Bills

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

Councilman Nehls offered the following resolution:

R9: Request from the Watchung Board of Education to waive Noise Ordinance/Saturday Construction

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

Councilman Nehls noted the Board of Ed is hoping to have all work completed during the week of Teacher’s Convention.

Councilman Black questioned where the panels would be placed. Engineer Tom Herits said a small portion of the panels will be placed on the roof but most will be placed on the canopies.

PUBLIC PORTION

Chris Igoe, Market Asset Protection Manager and Walmart representative, said that he agreed with the Police Chief when he said that Walmart fell short last year as far as crowd control was concerned, however, expressed his desire to go forward with keeping the store open 24 hours. He said he intends to meet with Chief Wenzel next week for further discussion. He stated Walmart’s first priority is the safety of all residents, shoppers and their staff.

Skip Bells, 9-11 Committee Chair and member Seth Alexander reported that the Buildings and Grounds Committee has approved the proposed plans for the Borough’s new memorial and asked the Mayor and Council for authorization to move forward. He explained the 9-11 Committee will be discussing fund raising options and hope to be able to start the collection process as soon as possible. Mayor Mobus questioned CFO Bill Hance of the status on the Borough’s 501-C3 application. Mr. Hance responded that the Federal Government sent a list of additional questions, however, he said it has not been denied which means he hopes it will be approved shortly. Skip Bell also mentioned he had been in contact with someone at Liberty State Park where they have excess granite from the Statue of Liberty renovation. He said it may be possible to incorporate this granite in the new Memorial plan.

Councilman Nehls made a motion that the Council endorse the concept for the 9-11 Memorial seconded by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, and Nehls, “aye”.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:30 P.M. to the Call of the Chair and to the next meeting scheduled for November 8, 2012 at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk