

BOROUGH OF WATCHUNG

MINUTES

FEBRUARY 28, 2013

MAYOR'S STATEMENT: Mayor Mobus called the meeting to order at 7:30 P.M. 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

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

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

There were 7 members of the public present.

REPORT OF STANDING COMMITTEES:

- 1. Administration & Finance:** Councilman Franklin reported that a meeting will be held as soon as possible to discuss the 2013 budget and also some personnel issues. The Borough had their Bond Anticipation Note (BAN) sale on February 20th. The low bidder was TD Securities with a net interest rate of 0.4870% on \$4,381,200. This will mature on February 28, 2014. State Aid to the Borough will not be less than it was last year, approximately \$700,000.
- 2. Police:** Council President Pote reported the four new officers are doing well. Two of the officers are attending classes to complete their training. Interviews to find a replacement for the position recently vacated by Officer Skibenes are being conducted with the second round scheduled for next Tuesday. It is hoped they will have a recommendation soon after that. Brian Townley has just completed the hook up to the County so we can start our information sharing. He also reminded all that there will be a Ceremony for the 7th Anniversary of the death of Matthew Melchionda in the line of duty. The Ceremony will commence at 9 AM. on Friday, March 8th. Council President Pote also reported there were a few incidents involving theft in the town, one being at Walmart and the other at a residence. Both perpetrators were apprehended.
- 3. Public Works / Buildings and Grounds:** Councilman Nehls reported the Public Works Department fielded 58 service calls and 53 work orders and also responded to 6 snow events which required 311 manhours and 431 tons of salt. The department has started Spring property cleanup, pothole repairs, catch basin tops have been cleaned off and maintenance of lawnmowers. The Borough has received an extension approval for TDMA (temporary debris management area) from the DEP for the Ness Farm. The debris pile at Camp Endeavor has been mulched completely and no additional debris will be brought to that site. Debris pickup has been completed with the exception of the parks and ball field areas. Residents can either have mulch delivered at a fee of \$50.00 for a five yard truck load or pick up themselves during Borough work hours at no charge. They would have to call and make arrangements for either. FEMA forms are being prepared for submission.
Councilman Nehls reported quarterly JIF inspections for all Borough buildings and parks has been completed; lighting repairs at all Borough buildings and parking lots has been completed by the electrician; monthly lake management, UST, and generator PM's were concluded, and the Seniors' room at the library has been cleared of old furniture and is being prepared for use. Councilman Nehls also reported community service picked up roadside trash and washed police vehicles on Saturdays.

Councilman Nehls also reported there was a facilities meeting this evening and they now have a generator report. This will be reviewed in the next few days and he will have a report at the next meeting.

4. Public Affairs:

Open Space – No report was presented

Environmental – No report was presented

Recreation – Council President Pote reported the Recreation Commission has not met since the last Council meeting.

Historical – Council President Pote reported the Historical Committee has not met since the Council meeting.

Board of Health – Councilman Black reported the Board of Health discussed CERT Training and what the process is for qualifying. He also reported he has been in contact with Jane Ashe who has been involved with the Warren Township CERT Training. He is hoping to have something in the Newsletter.

5. **Fire** – No report was presented.
6. **Laws/Ordinances:** Councilwoman Joren reported there was a meeting on February 18th. There are two items on the Agenda this evening, one raising the Alcoholic Beverage fees and the other adding two additional members to the Historical Committee. The Committee discussed changes in the language of the Towing Ordinance, specifically definitions. They are holding these changes until further discussion regarding fee increases for this ordinance. These fees have not increased in quite awhile. The Committee also discussed the possibility of increasing parking fines to bring them up to the State guidelines. Councilwoman Joren said she had brought this up to the previous Court Administrator about a year ago and now she has reached out to our new Court Administrator with the information she had on file and asked her to look at it to see if this is something the Borough should consider or maybe there have been changes not known to us. The Committee will wait to hear back from the Court Administrator on this. The Committee also discussed the request from the Board of Health regarding a tobacco ordinance. A memo was sent to the Board of Health requesting further information on what the current State Law is and what the Board would like to see in a Borough Ordinance above and beyond the State Law. Councilwoman Joren also mentioned the Borough facebook page is up with much help from our Borough Clerk, Michelle DeRocco, and our 1610 radio station is providing weekly updates and NIXLE alerts have been going out to those who have signed up for it. The Borough is moving along with our communication upgrades.

REPORTS - OTHER:

7. **Engineer:** Tom Herits reported at the Public Works Committee meeting they discussed the cost estimate for the Lake View/Cedar Lane project, which we received DOT funding for, is being prepared to go out to bid so this can be done this year. Mountain Drive just needs to be marked out on the upper end of the road so he can prepare to go out to bid. Mr. Herits will be setting up a meeting with Public Works and Dave Mobus to discuss what is to be done at the tennis courts at Mobus Field and get the project going. Berkeley Heights has a new superintendent at the treatment plant and there will be a delay getting their billing out. Mr. Herits sent them all the data today. Last night he attended a meeting in Somerville for a presentation by two groups, Together North Jersey and North Jersey Transportation Planning Association. These groups set the projects the DOT will be doing and traffic and other planning. There will be a public meeting next week at the Vocational school in Bridgewater to discuss the same topics.
8. **Police Chief:** No report was presented
9. **Fire Department:** Chief Carlucci reported they had 25 calls this month. The Knox Box is up and running. ICS 300 training is being held at the Fire House tonight, Friday, Saturday and Sunday with members of the Police, Fire, and Rescue Squads participating. Councilman Black asked about the capital budget for the coming year and Chief Carlucci stated it was approximately \$150,000. Councilman Nehls requested he bring this information to the Public Works Committee. Mayor Mobus asked if all Council Members have completed the training and Councilman Nehls responded that only one has not. Chief Carlucci said they will be setting up another program.
10. **Rescue Squad** - No report was presented
11. **Attorney :** No report was presented.
12. **Clerk:** Mrs. DeRocco reported the Borough will be having a “Shred Event” on June 16th and the High School will be holding “White Out Day” on March 8th. They have a whole day of events scheduled including a walk around the Watchung Lake and they will be tying white ribbon on trees in the area. The Borough staff will be supporting the event by wearing white on that day.

Administrator: Tom Atkins reported he has been meeting with CFO Bill Hance to discuss some 2013 budget issues, particularly the revenue side to formulate some policy recommendations for Council. On the operations side there is very little money to appropriate. To add to comments reported by Tom Herits regarding Berkeley Heights, Tom Atkins stated after the Borough adopted their budget in May/June of 2011 they received a bill for 2011 from them for \$120,000 more than was anticipated. There is lack of communication on the part of Berkeley Heights. For 2012 Mr. Atkins noted that he, Tom Herits, and Tom Franklin, spent much time getting this resolved and brought a number back to the Borough that was accurate. This year the key Berkeley Heights staff we worked

with last year in getting to this number have since left. The R6 resolution on our agenda this evening has had a positive recommendation from Bob Burns, Public Works Manager. R8 is also a positive action. Last year the Borough worked with the County because they required a Certified Recycling Coordinator. The work is still being conducted by the Borough but is then submitted by the County. The rate for this service is approximately \$33.00 per hour and the 2012 County charge was quite reasonable.

Councilwoman Joren asked the status of the Borough's Sustainable Energy Application. Mr. Atkins did not know but he will check with Bill Hance.

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UNFINISHED BUSINESS

A Public Hearing on OR:13/01 entitled **“AN ORDINANCE GRANTING A TWENTY (20) YEAR NON-EXCLUSIVE FRANCHISE TO CROSS RIVER FIBER, INC., FOR THE USE OF A LIMITED PORTION OF THE BOROUGH OF WATCHUNG’S PUBLIC ROAD RIGHTS-OF-WAY FOR THE PURPOSE OF TELECOMMUNICATIONS TRANSMISSION SERVICE”** was held. Councilwoman Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Pote, Black, Franklin, Joren, Nehls, “aye.”

With no one from the public wishing to be heard, Councilwoman Joren closed the public hearing and moved the following resolution:

R1:02/28/13 Adoption of OR:13/01 - Authorize Use of Public Rights of Way / Cross River Fiber

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

A Public Hearing on OR:13/02 entitled **“AN ORDINANCE AMENDING CHAPTER II, TITLED “ADMINISTRATION”, SECTION 2-43, TITLED “HISTORICAL COMMITTEE”, BY CHANGING SECTIONS 2-43.1 AND 2-43.2 TO PROVIDE THAT THE HISTORICAL COMMITTEE SHALL CONSIST OF NINE (9) MEMBERS.”** was held. Councilwoman Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Pote, Black, Franklin, Joren, Nehls, “aye.”

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

R2:02/28/13 Adoption of OR:13/02 - Amend Code - Historical Committee Membership

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

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NEW BUSINESS

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

Approval of the following Council minutes:
February 14, 2013

Acknowledging Receipt of the following Borough Reports:
Open Space Advisory Committee Minutes - May 21, 2012
Historical Committee Minutes - January 9, 2013
Historical Committee - 2012 Annual Report, 2013 Mission Statement
Police Activity Report - December, 2012

Acknowledging Receipt of the following Correspondence:

- #12 - Middle Earth 2/15/13 Requesting permission for the annual Frank “Nap” Torpey, Memorial “Hills of Somerset County” Cycling Classic to pass through Watchung on Saturday, May 25, 2013 c: M & C, TEA, TW
- #13 - Jennifer Olsen 2/19/13 Urging the Governing Body to seek additional alternatives for a new Library c: M & C, TEA
- #14 - Somerset County Board of Chosen Freeholders 2/19/13 Resolution R13-062 creating the County Wastewater Management Plan Amendment Procedures and Review Fee Schedule c: M & C, TEA, TH

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

- R3:02/28/13 Authorize Clerk to Issue Raffle License - Shimon & Sar Birnbaum Jewish Community Center
- R4: Authorize Emergency Purchase - S. E. Rose Trucking (2), RTG 2, LLC, Galbraith Landscape Construction, Inc., Wayne Boylan, Cont.
- R5: Authorize Treasurer to Return 2012 4th Qtr. Tax Overpayment - 35 Snoden Lane
- R6: Authorize Salary Adjustment / Public Works - Arthur Wright
- R7: Authorize Contracts through Morris County Co-Op / David Weber Oil Comp, Atlantic Salt Company
- R8: Endorsing the Submission of the Recycling Tonnage Grant Application to the State of New Jersey, and Designate Recycling Coordinator / MaryAnn Hance
- R9: Authorize Expansion of Professional Service Contract - Maser Consulting / Tennis Court Survey, Plans, Specs, Bid Documents, Contract Administration

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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.

Proposed Ordinance OR:13/03 entitled "**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG, CHAPTER VI, ENTITLED “ALCOHOLIC BEVERAGE CONTROL,” SPECIFICALLY SECTION 9-3.7 THEREOF, ENTITLED ‘LICENSE FEES; MAXIMUM NUMBER’ AS HERETOFORE SUPPLEMENTED AND AMENDED**" 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 the Clerk be directed to publish the ordinance and notice of Public Hearing.

R10:02/28/13 Introduction of Ordinance OR:13/03 - Amend Code to increase Liquor License Fee

The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Pote, Black, Franklin, Joren, Nehls, “aye”. Public Hearing to be held on March 14, 2013.

PSE&G, 02/13/13, North Central Reliability Project/Request to extend hours of operation at their recently approved temporary storage area located at 1660 Route 22 (Sears Parking Lot), weekdays and Saturdays from 7 am to 7 pm, if needed for an emergency situation, authorization to extend those hours for brief periods of time. Estimated completion of project: July, 2015.

Councilman Nehls explained this is for the Monopole expansion project. This was discussed with the Public Works Committee and they are in agreement but would want PSE&G to come back in 6 months to Mr. Bennett to re-examine this. Mayor Mobus would like to table this for further discussion. Attorney Albert Cruz recommends a formal resolution be prepared for PSE&G and it should include the requirement for review every six months.

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NON-CONSENT AGENDA RESOLUTIONS

Councilman Franklin moved the following resolution:

R11:02/28/13 Payment of Bills

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

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PUBLIC PORTION

Beth Mattiassi – Phillips Lane had a comment about the advertising for the CERT Training. She wanted to know if the Borough could advertise in newspapers and other areas first to set up an informative meeting and then put in the Newsletter. Councilman Black questioned whether this could be brought back to the school board to possibly have something put in the Friday backpacks going home to the parents, and Tiffany Brigante - Old Somerset Street, answered, as a member of the Board of Ed, this was feasible but it would probably be better to start at the Administrative level and speak with Dr. Resko. Commenting as a resident, Tiffany thought we should commit to a date for the training. Councilman Pote noted the Newsletter does reach everyone in town. Councilman Nehls stated we should not wait four months, we should get 10 signed up for the class and start. Councilman Franklin noted people have to know what training is involved and suggested a date for orientation/informational meeting first. Mayor Mobus mentioned that the current Newsletter, which is almost complete, will be covering the progress the Borough has made in the After Action Review (AAR).

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ADJOURNMENT
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There being no further business to come before the Council, the meeting was adjourned at 8:50 P.M. to the Call of the Chair, and to the next scheduled Council meeting to be held March 14, 2013 at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk