

BOROUGH OF WATCHUNG

MINUTES

APRIL 11, 2013 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:32 PM and read 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 AND ALSO AN EXTENDED MOMENT OF SILENCE IN MEMORY OF MAYOR GERALD M. MOBUS.

ROLL CALL

Joren [P] Black [P] Franklin [P] Nehls [P] Gibbs [P] Beck-Clemens [P]

Also present were Administrator Tom Atkins, Attorney Albert Cruz, Police Chief Tim Wenzel, Clerk Michelle DeRocco, Deputy Clerk MaryAnn Hance, and Fire Chief Tom Carlucci.

There were 20 members of the public present, and after the Special Presentations 6 remained.

SPECIAL PRESENTATIONS

Prior to reading Resolution R1:04/11/13 and its presentation, Mayor Pote presented Mayor Mobus' gavel to his wife, Mary. He said the gavel is a symbol of authority, it gives a person the right to act officially and Jerry earned that right with his dedication and commitment. He said the gavel has a brass band around it with the inscription Gerald M. Mobus, Mayor, and like this rare metal, Jerry was a rare individual, he completely wrapped himself around the Borough of Watchung.

Mayor Pote then moved the following resolution with a second by Councilman Nehls and upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

R1: Honoring Gerald M. Mobus, Mayor (copy attached)

Following the presentation of the resolution, Mary Mobus spoke briefly and said on behalf of her and the entire Mobus family, thank you to the Governing Body. She cited a quote from Winston Churchill, which she felt summed up Jerry – "we make a living from what we get, but we make a life from what we give". She then said she would be honored to continue Jerry's tradition on New Years Day and have the gathering at her home.

Council President Joren moved the following resolution with a second by Councilman Nehls and upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

R2: Appointment of Probationary Police Officer - Brian McLaughlin

Prior to the swearing in Council President Joren gave a brief synopsis of Brian's background.

Mayor Pote then administered the Oath of Office to Police Officer Brian McLaughlin, as his girlfriend Jessica held the Bible.

REPORT OF STANDING COMMITTEES:

- 1. Administration & Finance** – Councilman Franklin reported he has had discussions with CFO Bill Hance and Administrator Tom Atkins on the budget. He is hoping to have a meeting with the full committee next week to go over the budget. There are some increased expenditures in the budget for retiree health benefits and for the "Sandy" clean up. He said since there has been some difficulty scheduling a Saturday meeting where all could attend, he is recommending a workshop meeting to be held on Thursday evening, April 18th, and recommended attendance of only the Police, Fire and Public Works Departments. Councilman Franklin discussed briefly how we are taxed for the Regional School System, explaining the figures are based on our assessed valuations and our portion is now about 20%, which is an improvement. He believes that it may take some years, but Watchung's portion will catch up to the other town's in the Regional district.

2. **Police** – Council President Joren reported the Police Department is currently starting their bi-annual weapons qualifications. They are also supporting the Prosecutors’ initiative called “Put It Down” in April, which entails watching for anyone who is using a hand held cell phone and reporting the results back to the County. Two of the new officers, Ryan Dunne and Andrew Pero, have completed their ride-alongs with their training officers and are now on their own. Robert Hofmann has completed his Academy portion which was required and he is now riding with his training officer, and Barry Kelly is in the Academy until June. Peter LaVecchia has moved to the Detective Bureau and will be the new liaison to the Youth Services Commission, and Officer Zaiton will go to the Detective Bureau after he completes his training with the newly sworn in Brian McLaughlin. This brings our Police Department up to full staff.

Councilman Black commended the Borough Police Department for the excellent job our officers did handling the accident situation on Route 22 where a vehicle chase ended by crashing into the Crown Cadillac building.

3. **Public Works / Buildings and Grounds** – Councilman Nehls reported the Committee met on April 4th and discussed moving forward on some pending projects. The Committee has two quotes for fixing the HVAC problem at Police Headquarters and also the Fire Department. The Committee would like to move forward with the replacement of the two overhead doors at the Fire House, and would like to get approval from the Council. Mayor Pote said this will be discussed at the budget meetings. The Borough received a letter from JIF stating the Borough has completed 100% of the Safety Incentive program, resulting in a savings to the Borough of \$1,300.00 on insurance. At the Committee meeting held on April 8th they discussed the Levin Property, which will be further discussed in Executive Session this evening.

4. **Public Affairs:**

Open Space – Councilwoman Beck-Clemens reported the committee met on February 18th and they are in need of 3 new members. The Committee has completed it’s Open Space Inventory and they want to know how and where to include this in the Open Space Report. Attorney Albert Cruz said they would have to amend the Master Plan. This would be initiated by the Planning Board as a recommendation to the Mayor and Council. The Committee also wanted to know if there is a Village Center Preservation Committee and it was stated that there is.

Councilwoman Beck-Clemens reported there have been questions regarding the Ness Property and some conditions at Camp Endeavor and wished to know if anything is being done to correct these situations?

Councilman Nehls stated the Public Works Committee will be addressing the fencing at Camp Endeavor and at the Ness property they are looking to start some building demolitions. Ed Bennett is testing for any asbestos and will give the committee a report. The Underground storage tank has been removed and samples have been sent out for testing but no report has been received yet. Councilwoman Beck-Clemens questioned if all buildings are being demolished. Councilman Nehls said the houses used as residences would be as will those that are deemed unsafe. The Borough may try to save the Milk House, however, the roof is gone and there was discussion on saving the barn. Mayor Pote asked if there is anything in the barn that should be removed if it is decided to demolish it. Councilman Nehls did not know but the building will have to be checked for safety. He also mentioned this property is very easily vandalized. Administrator Tom Atkins was surprised they are considering saving the barn as it appears to be in extremely bad shape. Bob Burns took him there to see the property and he did not feel it would be worth saving. Councilman Nehls also reported State Law requires all buildings be tested for asbestos. Some of the floor tiles have tested positive for this and the Borough may have to hire someone to remove anything that is found.

Environmental- No report was given

Recreation – Mayor Pote reported Little League opening day is Saturday, April 13th with the parade starting 9 AM. Both he and Dr. Resko will be throwing the first pitches. The Community Picnic will be held on Saturday, May 18th with a rain date Sunday, May 19th at Mobus Field from 12 Noon until 3 PM. The Commission is working on the Tennis Court repairs.

Historical - Mayor Pote reported the Historical Committee wished to remind everyone the Memorial Day Service will be held at 9:30 AM at the Texier House. Prior to that, the Fire Department will have a ceremony at the Firehouse at 8:30 AM.

Board of Health – Councilman Black reported the next Board of Health meeting is scheduled for April 17th at 7:30 P.M. Prior to the Board of Health meeting, Tony DeMateo, Somerset County, will be showing a power-point presentation on the C.E.R.T. (Citizens Emergency Response Training) program. The program will begin at 6:30 P.M. Councilman Black is hoping for a good turnout with at least 10 persons signing up for the program. The actual training consists of two Saturdays- one is in Hillsborough at the Fire Training Academy, and four week nights. The week night classes are approximately 3 hours each and the Saturday training is about 5 hours each.

5. **Fire** – Councilman Black reported there was a meeting with the “old” Committee members to discuss the upcoming budget, and also needed repairs and refurbishments at the firehouse.
6. **Laws/Ordinances** – Council President Joren said she is preparing an agenda for the next meeting so the new members on the Committee will know what is coming up, and will be setting a meeting date shortly.

REPORTS - OTHER:

7. **Engineer** – No Report
8. **Police Chief** – No Report
9. **Fire Department** - Chief Carlucci congratulated the Mayor and the two new members of the Council on their appointments. He then reported that so far the month of April has been very busy. He discussed the recent power outage incident at Bayberry school and commended Assistant Chief Pete Martino in his role as incident commander. The new pumper will be going out for warranty maintenance. The Department is working on their membership and there is one new member on the agenda this evening. Chief Carlucci said the department will be participating on Little League opening day.

Mayor Pote thanked the Department for the excellent job they did handling the Bayberry School incident and the police chase on Route 22. He also asked Chief Carlucci to bring a prioritized list to the budget meeting regarding the capital budget.

10. **Rescue Squad** – Denise Wilson expressed the Squads sorrow for the passing of Mayor Mobus and said they were thankful for the opportunity to help and also to attend the events held in his honor. April is a busy month for the Squad with spring clean up for April 20th, and participation on the Little League Opening Day ceremony. The Fund Drive is scheduled to start next month, and Denise noted that with their new website, social media accounts and the ability to accept Pay Pal donations, the squad is hoping for a good response. Members attended the PTO basketball fundraiser to cheer on Noah Monetti. Top responders were Adam Wexler, Jess Ray and Logan Taylor.
11. **Attorney**- Mr. Cruz reported there is one item for Executive Session on the agenda this evening.
11. **Clerk** –Mrs. DeRocco reminded everyone of the upcoming Bulky Waste Clean up. The fee has been raised to \$60.00 to cover the increase from the vendor. She said clean up will begin June 3rd for district #1 and June 10th for district #2. The application for a permit is in the newsletter and at Borough Hall. Mrs. DeRocco also informed everyone of the upcoming Shred Event which will be held on Saturday, June 15th at the Police Department parking lot, from 9 am to 1 pm. We will also be asking Mr. Scrapy to come to collect iron and our Public Works Department to possibly collect styrofoam as they did last year. The County supplies the equipment and does the actual collection for shredding. If we include the metal, foam, plastic, etc. the event could be called a “Green Event” and this would help the Borough achieve points toward our sustainability.
13. **Administrator** – Tom Atkins congratulated our new Council Member, Dianna Beck-Clemens for completing and passing the online training for Basic Risk Management. Mr. Atkins will be setting up this training in Summit for Mayor Pote and the remaining Councilmen, Black, Franklin, Nehls and Gibbs. The Borough receives a \$250 deduction from our Insurance Premium for each member who completes this training.

Mayor Pote again wished to thank the members of the Police Department, Fire Department and Rescue Squad for all their services during Mayor Mobus’ passing. He also commended them for their assistance with the upcoming Little League opening day event. He announced that Operation Pride day, which he attended along with Council Members Robert Gibbs and Dianna Beck-Clemens, was held last weekend. Members of the Traffic and Beautification Committee, Watchung Garden Club, Girl Scouts and Boy Scouts helped during this event. He thanked the Borough Staff for the recent newsletter edition which went out to all residents. Mayor Pote also reported that Councilman Black, Councilman Gibbs, and Councilwoman Beck-Clemens attended the Somerset County Governing Officials dinner last evening and commented that it was very good session where they learned about arbitration, and police negotiations. Mayor Pote wished to recognize Ed Zimmerman from Rocky Hill who took the time in the beginning of the meeting to ask everyone to recognize themselves as someone from Watchung in memory of Jerry Mobus. It was a very moving moment, nicely done and greatly appreciated.

Councilman Nehls reported that at the Public Works Committee meeting, fees for the use of the Borough’s fields, parks, and recreation facilities were discussed. He distributed a list of proposed fees and explained the intention is to bring the fees in line with the actual cost of maintenance. He said with the Spring season, many requests are coming in and it is important to have the fees established. He said another concern is the regulation of the use of the gazebo for weddings. Discussion ensued, as Council President Joren said if a wedding party wants to stop for pictures, a fee should not be necessary. Clerk DeRocco said that is not the situation. She explained that regulations are necessary to limit the size of

weddings, as in the past, people have “rented” the gazebo for a small wedding, and then came with enough chairs for about 100 people, and brought a tent and a sound system. She went on to explain that by requiring a permit for this use, it allows the Borough to obtain a certificate of insurance and somewhat control of the size of the event. Mayor Pote requested a resolution from the Recreation Commission be introduced at the Council meeting of April 25th.

Councilman Nehls said at the last meeting a request from Watchung Associates, L.L.C., owners of the O’Conner’s property, requesting a waiver for a sewer connection fee, until the proposed project is ready to be constructed. He explained that since Mountain Boulevard is in the process of being reconstructed, the owners would like to do the sewer connection now, so that in the near future when they are ready for construction, they will not have to re-open the newly paved road. Councilman Nehls said the Committee recommends this request and Mr. Cruz asked the Clerk to prepare a resolution for the next meeting.

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UNFINISHED BUSINESS

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NEW BUSINESS

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

Approval of the following Council minutes:
March 28, 2013, Regular
March 14, 2013, Executive Session

Acknowledging Receipt of the following Borough Reports:
Building Department Report - February, March, 2013
Recreation Minutes - February 6, 2013
Board of Adjustment Minutes - March 7, 2013

Acknowledging Receipt of the following Correspondence:

- #26 - Township of Warren 3/20/13 Notice of Ordinance Amendment to the Redevelopment Plan and date of public hearing on May 16, 2013 c: M & C, TEA, TH, DS
- #27 - Township of Warren 3/20/13 Resolution opposing Senate Bill S2, forcing municipalities to Implement shared services c: M & C, TEA
- #28 - Township of Warren 3/20/13 Notice of Ordinance Adoption - revision to code by adding Central Jersey Resource Center as an affordable housing agency c: M & C, TEA
- #29 Borough of North Plainfield 4/4/13 Resolution in memory of Mayor Gerald Mobus c: M & C, TEA

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

R3: Appointment of Volunteer Fire Member - Galo Guerrero

R4: Purchases Over \$2,000. - W.H. Boylan Contracting, Inc.

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NON-CONSENT AGENDA ITEMS: 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.

Councilman Franklin moved the following resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Franklin, Nehls, Gibbs, Beck-Clemens, “aye”, Black, “abstain”.

R5:04/11/13 Waive Chapter 2-25.13 - Gray’s Florist (2)

Councilman Franklin moved the following resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, “aye”.

R6: Temporary Budget Amendment

Councilman Franklin clarified this is included in the final budget.

Mayor Pote read the following Proclamation commending Council President Joren (copy attached).

Proclamation: Debra S. Joren - Outstanding Woman in Somerset County

Mayor Pote thanked Clerk Michelle DeRocco for the great job preparing both the Proclamation for Council President Joren and the Resolution for Mayor Mobus.

PUBLIC PORTION

Peter Martino - Sunbright Road, mentioned that a permit should be required from the fire department if someone rents the fields and they have open flames/fire for barbeques, etc. There may be additional fees for this. Councilman Nehls said they will be re-evaluating this in the next year.

John Malchow – Mountain Boulevard mentioned there is one more theatre performance at the Valley View School of “Annie” and if anyone had the time they should try to attend.

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Council President Joren moved the following resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, “aye ”.

R7: Executive Session:
Contract Negotiations - Levin Properties, L.P.

Upon return to the regular session at 10:00 P.M., all Council Members previously in attendance were again present.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:00 P.M. to the Call of the Chair, and to the next scheduled Council meeting will be held on April 25, 2013 at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk