

## **BOROUGH OF WATCHUNG**

### **COUNCIL MINUTES**

**October 24, 2013 - 7:30 P.M.**

**MAYOR'S STATEMENT:** Mayor Pote 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; AND FOR DEPUTY COURT ADMINISTRATOR LORETTA SHPUNDER'S MOTHER, IRENE MEDWICK; AND LIONEL EHRENWORTH, A FRIEND AND LONG TIME RESIDENT OF WATCHUNG.**

#### **ROLL CALL**

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

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

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

1. Administration & Finance: Councilman Franklin reported the Deer Surveys are coming in fast with several hundred received to date. Councilman Franklin also reported that the Administration and Finance Committee had an informal meeting with Bob Weldon and their attorney Bill Butler and discussed several issues including zoning. Councilman Franklin reported approval has been given to hire a temporary employee for the Construction Department to help process the permits during the evening hours. Councilman Franklin also stressed the need to fill the Dispatcher position in Police Headquarters as soon as possible, as Kathy Davies will be leaving the end of December and Brian Townley will be moving to her position, creating a vacancy. He said there is also a need for a full time person in Borough Hall to assist in all departments. Councilman Franklin said all expenditures by department should be completed by November 1<sup>st</sup> so the Borough can have a better picture for next year's budget.
2. Police: Council President Joren reported the Police have set curfews for mischief night which will be 10 P.M. and on Halloween 9 P.M. She also reported there is a scheduled Prescription Drop off Saturday, October 26th from 10 A.M. to 2 P.M. at Police Headquarters.
3. Public Works/Buildings and Grounds: Councilman Nehls reported Public Works was very busy in the preparation of assisting the Historical Committee for their grand opening, cleaning up around the firehouse for Fire Prevention Day and cleaning the fields for the Harvest Festival. He also reported that Public Works continued their normal operations repairing catch basins, filling potholes, and wood chip deliveries. Councilman Nehls said all Public Works employees attended a JIF Snow Plow Safety class. He also reported the department has been continuing work at the temporary disposal area at the Ness property, in an effort to prevent the delay of FEMA monies, And that OEM Coordinator Gary Greves has contacted Assembly Bramnick for assistance. Councilman Nehls then said he recommends the Borough consider not charging residents for the mulch when they pick it up because we have much to get rid of.
4. Public Affairs:

Open Space: Councilwoman Beck-Clemens had no report. The next meeting is scheduled for January.

Environmental: Councilman Gibbs had no report. There is a meeting scheduled for Monday, October 28<sup>th</sup>.

Recreation: Councilwoman Beck-Clemens reported the Harvest Festival is scheduled for this Saturday, October 26<sup>th</sup> from 3-5 PM. CERT Team members as well as the Boy Scouts and Girl Scouts will be assisting with the event. She also said the Texier House Museum will be open for the same hours.

Historical: Councilwoman Beck-Clemens reported the Historical Committee is busy continuing to archive and categorize articles and photo.

Board of Health: No report was submitted.

5. Fire: Councilman Black reported Fire Prevention Day was well attended and he thanked Mayor Pote and Council President Joren for attending the event. He then asked the Mayor if Gary Greves could come forward and speak. Gary Greves said the Firemen did a great job getting everything ready for this event, and then discussed the CERT classes which will hopefully be scheduled for some time in November.

Mayor Pote said he would like to meet with Councilman Black to get neighborhood captains in place.

6. Laws/Ordinances: Council President Joren had no report.

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

7. Engineer: Tom Herits reported that he, and Councilman Nehls met with residents from Cedar Road and Lakeview Avenue last night to discuss the upcoming curb project. The project will be advertised tomorrow, plans will be available October 28<sup>th</sup>, and the opened on November 14<sup>th</sup>. He also reported the Mountain Drive drainage project should begin next week. Mr. Herits said the pole barn is on order and he will try to get a better idea of when it will be delivered so Public Works can get a pad ready for it. He also reported he has received one architect report on the cost for refurbishing the firehouse and is waiting for the second one. He also explained the Ordinance for the easement for 111 Johnston Drive.
8. Police Chief: No report was submitted.
8. Fire Department: Gary Greves reported for Chief Carlucci that there were 23 calls in August and 18 in September.
10. Rescue Squad: No report was submitted.
11. Emergency Management: OEM Co-ordinator Gary Greves reported they are working on reviewing and updating the Annexes. Administrator Atkins said the update is due by February 14<sup>th</sup> and currently annex assignments are being discussed. Mayor Pote would like a schedule and Mr. Atkins said they want the draft back by December 15<sup>th</sup>. Mr. Greves said Shannon Snook of the County will be glad to assist.
12. Attorney: Mr. Cruz had no report.

13. Clerk: Ms. DeRocco reported she and Deputy MaryAnn Hance attended the quarterly meeting and the speaker was a previous DARM (Division of Archives and Records Management). She discussed how to tackle the overabundance of records by doing one box a day which would make the job seem less overwhelming. Ms. DeRocco also reminded the Council it is bill signing night.
14. Administrator: Tom Atkins reported Councilman Nehls and Engineer Tom Herits met with the Cedar Rd/Lakeview Ave. residents and the advertisement will be in the newspaper tomorrow and the specs should be in the office Monday morning with the bids being opened November 14<sup>th</sup> and awarding on Monday, November 18<sup>th</sup> at a special meeting with at least four Councilmembers in attendance. Councilwoman Beck-Clemens requested the Council be given a copy of the bid specs prior to going out to bid. Mr. Atkins also reported a resident who owns a property on Drift Road would like to donate it to the Borough, and that he and Mr. Herits went to look at it. He said the Buildings and Grounds / Public Works Committee needs to evaluate the request. Mr. Atkins said Bob Burns went to a seminar in Piscataway for a JIF/MEL training on "Active Shooting in the Workplace" and said it was very good, and unfortunately a reality in this day and age.

Mayor Pote said the Borough should actively look at this and maybe have a drill. He also thanked Bob Burns and the Public Works Department for their support on the Historical Day and the upcoming Harvest Festival. Mayor Pote said R5 on the agenda this evening is appointing Linda Monetti as Recreation Coordinator. He also said he wants to make sure all data from the Deer Survey is used. Mayor Pote reported Clerk Michelle DeRocco celebrated her 10 year anniversary with the Borough on October 16<sup>th</sup>.

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### PUBLIC PORTION / AGENDA ITEMS ONLY

Lynda Goldschein, Sherwood Drive, said she was happy to see the resolution for the deer management program. She questioned how many and how often will there be people on the sites to hunt. Administrator Tom Atkins said once a location is approved the culling will begin. He said the Hunting Club tries to get as many volunteers as possible and have them at the sites as often as they can.

Joe Nappe, Warren Blue Ridge Sportman, said the shotgun season begins the Monday after Thanksgiving.

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### UNFINISHED BUSINESS

Public Hearing on Ordinance OR:13/18 entitled: "**AN ORDINANCE AUTHORIZING THE LEASE OF A PORTION OF MUNICIPAL LANDS, LOCATED ON BLOCK 16.04, LOT 15.01 IN THE BOROUGH OF WATCHUNG TO THE WATCHUNG EXEMPT FIREMEN'S ASSOCIATION, INC.**" Councilwoman Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

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

R1:10/24/13 Adoption of OR:13/18 - Authorizing Lease Renewal / Watchung Exempt Firemen's Hall.

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

Public Hearing on Ordinance OR:13/19 entitled: "**AN ORDINANCE ACCEPTING SANITARY SEWER EASEMENT, BLOCK 45.01, LOT 21.**" Councilwoman Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, “aye.”

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

R2: Adoption of OR:13/19 - Accept Sanitary Sewer Easement / 111 Johnston Drive

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

Public Hearing on OR:13/20 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.**" Councilwoman Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, “aye.”

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

r3: Adoption of OR:13/20 - Amend Code - Min/Max: Recreation Coordinator

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

Public Hearing on Ordinance OR:13/21 entitled "**AN ORDINANCE REPEALING AND REPLACING APPENDIX A PART I RULES OF ORDER OF THE MAYOR AND COUNCIL**" Councilwoman Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, “aye.”

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

Councilman Franklin questioned what the changes were and Councilwoman Joren explained there were several changes including the meeting time from 7:00 to 7:30 PM, and Mr. Cruz explained some of the other changes included changing the day the agenda would be ready and also general correspondence would not be on the agenda as these items would go directly to the necessary departments for review and responses as needed. Councilwoman Joren reminded Councilman Franklin that all of the changes were marked in the blacklined copy of the ordinance that had been distributed.

R4: Adoption of OR:13/21 - Amend Code / Appendix A

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

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## NEW BUSINESS

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

Approval of the following Council minutes:

September 26, 2013, Regular (Amended)  
October 10, 2013, Regular and Executive

Acknowledging Receipt of the following Borough Reports:

Recreation Commission Minutes - September 10, 2013

Acknowledging Receipt of the following Correspondence:

#77 - Township of Warren 10/10/13 Notice of introduction and public hearing on November 13, 2013 for Ordinance #'s 13-20, 13-21 regarding Maximum Height in residential zones, and revision of non-residential development fees c: M & C, TEA, AC

#78 - Jennifer Netta 10/8/13 Advising the Governing Body of her efforts to assist STOP FEMA

NOW in the interests of almost 2,000 NFIP policy holders in the Borough, and requesting answers to several questions regarding flood maps and flood zones in Watchung c: M & C, TEA, TH

Councilman Franklin explained that FEMA determines flood zones and asked what the Borough could do to assist. Tom Herits said there is information on the FEMA website. Mayor Pote and Councilwoman Beck-Clemens asked Mr. Herits if he could respond to this Letter and Mr. Herits said he would call Ms. Netta. Councilman Franklin suggested the Borough hold a FEMA workshop to assist residents and Councilman Gibbs said he supports a workshop but cautioned giving false hope to residents when we cannot control FEMA.

#79- Traffic and Beautification Committee 10/21/13 List of areas of concern and items they believe need to be addressed c: M & C, TEA

Councilwoman Beck-Clemens questioned why the sprinkler system is not used. Councilman Nehls said Traffic and Beautification is only asking that Public Works water every other day.

#80 - Douglas Sherman, Esq. 10/21/13 Follow-up letter clarifying and confirming the hours that Rick's Liquor Shop LLC are requesting for operation for sale of packaged goods only c: M & C, TEA, AC

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

R5:10/24/13 Appointment of Recreation Coordinator - Linda Monetti

R6: Purchases Over \$2,000. - Skyline Equipment; Soriano's

R7: Accept Maintenance Bond and Tree Replacement Plan - 66 Glen Eagle Drive

R8: Authorize NJEIT to Apply for Loan on Behalf of the Borough - Johnston Drive,

R9: Authorize 2014 Recycling Contract - Somerset County

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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.

Introduction of Ordinance OR:13/22 entitled **“AN ORDINANCE AMENDING SECTION 9-4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY ADDING A NEW PARAGRAPH 9-4.1 TITLED “PLENARY RETAIL CONSUMPTION LICENSE WITH BROAD PACKAGE PRIVILEGES (TYPE 32); HOURS OF SALE.”** was introduced. Council President Joren moved the ordinance be adopted on first reading and the Clerk be directed to publish the ordinance and notice of public hearing. Public Hearing to be held on November 14, 2013.

Councilwoman Joren moved the following resolution:

R10:10/24/13 Introduction of OR:13/22 - Amend Code / Hours of sale - Liquor License #44

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

Councilman Franklin moved the following resolution:

R11: Authorize 2013/2014 Deer Management Program - Warren Blue Ridge Sportsmen, Inc.

Councilman Black seconded the motion and upon roll call the vote was as follows: Joren,”No”, Black, Franklin, Nehls, Gibbs, Beck-Clemens, “aye.”

Councilman Nehls moved the following resolution:

R12: Resolution Regarding Bids for the Furnishing, Constructing, and Installation of  
Emergency Generators at the Municipal Building, Fire Department,  
and Police Headquarters.

Councilman Nehls reported there were some concerns about the Specs for this project. Councilwoman Beck-Clemens requested the Specs be totally re-done. Councilman Nehls said the Borough does not have time to re-write the entire specs and he has complete confidence in the Borough Engineer Tom Herits and Maser Consulting. Councilwoman Beck-Clemens she has concerns that the generators are too big for what the Borough needs. She said all our generators are working. Councilman Nehls said the Facilities Committee came up with this recommendation after much research and discussion. During Super Storm Sandy the Police Department only had Dispatch up and running, the Fire Department only had their meeting room and the Borough really had nothing. Since some of these sites will be used for warming or cooling centers the Borough must be able to have heat or air conditioning. Councilman Black said the generators must be able to produce what is needed. Councilwoman Beck-Clemens said she went through all the electric bills and the Police Department only used 60 KWH and the Borough is requesting generators for 300 KWH. She would also like to

see a 5 year warranty written into the specs. Councilwoman Beck-Clemens asked Councilman Gibbs if PSE&G give audits but he did not know but would try to find out. Mayor Pote said the goal is to make all building fully operational during an emergency. Councilman Black questioned a maintenance agreement and Engineer Tom Herits said we get a Maintenance Bond. Tom Herits reported that previously a generator company would come to the sites but they no longer do this. Councilman Gibbs stated that he did significant research on this project and then explained that initial start KWH for any device is much greater than the run time KWH and that the electric bills do not give the total picture of what the necessary requirement is. Clerk Michelle DeRocco said that during the Storm there were extraordinary measures needed. Voting machines had to be run at the Court and the Borough had to have men on stand-by to maintain them generators. She also said Borough Hall worked with no heat, and one light with extension cords running all throughout the offices. Councilwoman Beck-Clemens also questioned gas lines for these generators and Tom Herits said Public Service was contacted and the Police Department and Fire Department only needs meters, but Borough Hall will need a new line. Councilman Gibbs said when looking at the break down on the bids the quotes were reasonable. Break down was 35% for the generators and 65% to install. Councilman Nehls would like the new bid specs ready to go out in two weeks. Tom Herits said he will work with Mr. Cruz to get this accomplished. Councilwoman Beck-Clemens requested a copy of the Bid Specs be given to all Council members before going out for bid.

Councilwoman Joren seconded the motion and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

Councilman Franklin moved the following resolution:

R13: Payment of Bills

Councilman Black seconded the motion and upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

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### **PUBLIC PORTION - GENERAL DISCUSSION**

Lynda Goldschein, Sherwood Road, questioned the deer resolution and asked if it addresses hunting on private property and Councilman Franklin said the Borough follows State Regulations and Mr. Cruz said only those residents who give the Borough permission are used. Ms. Goldschein also questioned where the current generators will be used and Tom Herits said they remain as Borough property and possibly be used at another building and if they are not used could go be sold at a public auction. Ms. Goldschein suggested not running air conditioning and Councilman Franklin replied there are some rooms that have no ventilation. Mayor Pote said if sites are used for warming/cooling centers the Borough must be able to supply air conditioning or heat. Ms. Goldschein then questioned how the Borough was paying for these and Mayor Pote responded that this money was bonded.

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### **ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 9:45 P.M. to the Call of the Chair, and to the next scheduled Council meeting will be held on November 14, 2013 at

7:30 P.M.

Respectfully submitted,

MaryAnn Hance  
Deputy Clerk