

# **BOROUGH OF WATCHUNG**

## **COUNCIL MINUTES**

**March 6, 2014 - 7:30 P.M.**

**MAYOR'S STATEMENT:** Mayor Pote called the meeting to order at 7:36 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**

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

Also present were Administrator Tom Atkins, Clerk Michelle DeRocco, CFO William Hance, Deputy Clerk MaryAnn Hance, Attorney Albert Cruz.

There were 8 members of the public present.

#### **PROCLAMATIONS:**

Councilman Black read the following proclamation and also said he will be bringing it to the High School tomorrow on behalf of Mayor Pote, where he will present it as an the official part of the student's White-Out Day activities.

White-Out Day – March 7, 2014

Mayor Pote then read and presented a Proclamation to Denis Kelly, Journalist for the Echoes Sentinel, and who has been Watchung Borough's correspondent for not only our Council meetings but for virtually all of the Borough events. He said Denis always reported the facts. Mayor Pote said Denis is very much a part of the Borough's "family," and he will be greatly missed and everyone hopes he will continue to visit us. Denis' wife, Sue was also in attendance for the presentation.

Councilman Black, Councilman Franklin, Councilwoman Joren, Councilman Nehls, Councilman Gibbs and Councilwoman Beck-Clemens also wished Denis well on his future endeavours.

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

1. Administration & Finance – Councilman Franklin reported there was a meeting of the Committee on Monday and several topics were discussed, including the Public Works compensation package, which they are finalizing, employee "comp" time, budget items, the Phillips field lease and the Arts Center deed. Councilwoman Beck-Clemens said the Borough has received the same amount of State aid as last year and that \$9 out of \$10 goes to pensions, debt service, and health care costs. Mayor Pote asked if the budget will be ready to present to the entire Council by late April or early May and Councilman Franklin it should be.
2. Police – Council President Nehls had no report.
3. Public Works / Buildings and Grounds- Council President Nehls reported we were fortunate not to get hit with the last snow storm. He also reported that the Johnston Drive project has had major progress in the last couple of weeks. All gravity sewer pipe completed and most of the pipe has been tested and passed and all road work should be done by the end of March. The Public Works meeting was cancelled and will be rescheduled.
4. Public Affairs:

Open Space – Councilwoman Beck-Clemens reported there will be a meeting in two weeks. She referred to resolution R5 on tonight's agenda and commented that this is good news for Open Space. Councilwoman Beck Clemens that asked Council President Nehls to consider including something for Camp Endeavor in this year's budget and he responded that something else would have to be eliminated in order to be able to fund this.

Environmental – Councilman Gibbs reported there was a Committee meeting last week and they are close to having the recommendations to revise the Ordinance regarding tree replacement. He said he has distributed a copy of the list of native trees to this area which includes many flowering trees, and Councilwoman Joren suggested that Councilman Black review the list. Councilman Gibbs also reported the Committee is scheduling an education movie, "Queen of the Sun, What are the Bees telling us?" This will be shown on Wednesday, April 30th from 7-10 P.M. and will be held at Watchung Hills Regional High School in the auditorium.

Recreation – Councilwoman Beck-Clemens reported that another Eagle Scout, Jeff Isaacs, would like to do a project to refurbish the storage shed at Mobus Field. She also reported that registration for the US Sports Program begins April 14th. This program includes Watchung, Warren, Green Brook and Long Hill Township and that Watchung will have to supply the insurance. Mayor Pote said he appreciates these towns joining together.

Historical – Councilwoman Beck-Clemens reported she will be attending a work shop meeting next week with the Committee who will be working on completing their Strategic Plan. She also said the Committee will be starting Tea Party events. Councilwoman Beck-Clemens said the Committee wants to know if they will be meeting with the entire Council to discuss their budget? Councilman Franklin responded the Committee should let them know if they want to have discussions with the entire Council. Councilwoman Beck-Clemens also said that the running of the Museum is not in the Ordinance and wished to know how to have this changed to include this. Mr. Cruz said it is better directed to the Laws and Ordinance Committee and Councilwoman Joren said the Committee would be glad to look at and review this.

Board of Health- Councilman Black had no report the next scheduled meeting is April 16th at 7:00 P.M.

5. Fire – Councilman Black reported the building improvement project is moving ahead and there is a resolution on the Agenda this evening to hire an architect. Councilman Black then read the following letter into the minutes:

*Dear Wayne and members of the Watchung Volunteer Fire Department,*

*Thank you for calling to check up on me after my automobile accident in January.*

*As you know, my car crashed and flipped over and I had to be extricated by members of your department. You stabilized me, kept me warm and reassured me while waiting for the ambulance to arrive and take me to the hospital. Thankfully, I escaped any serious injury.*

*I just want to thank all of you for your service, your professionalism and your kindness. We take for granted that you will be there for us when we need you, hoping all along that we never will. But when that time comes, how lucky we are in Watchung to have such a well-trained and dedicated group of volunteers such as yourselves.*

*Please accept this token of gratitude for the life-saving work that you do.*

*Thank you again,  
Sheryl Soffer*

6. Laws/Ordinances – Councilwoman Joren reported the Committee had a very productive meeting on February 24th. She said they discussed amending the Ordinance regarding snow removal onto the roadways from residents driveways and the possibility of some type of placard when this is seen. Councilwoman Joren also said they discussed the changes recommended by the Environmental Commission. She said they will be sending this to Arlene McCoy for her review and recommendations and then the Committee will move forward with the revisions. Councilwoman Joren said the Committee also reviewed the Grease Trap Ordinance and revised the section regarding the three yearly inspections to specify three per year due April, August and December and specify the responsibility of inspections is to be done by the Health Inspector. She said the Committee also discussed the parking issue on side streets, in regard to motorists stopping to use the Gazebo. The Committee recommends no parking on Rock Road to Maple, Washington to Scott and all of Cedar Road. Councilwoman Beck-Clemens asked if the public has been notified of this and Councilwoman Joren replied that once the Ordinance is introduced it will be advertised for "public hearing." Mayor Pote asked if the clearing of fire hydrants is included in the Ordinance pertaining to snow removal and Councilwoman Joren said that is covered under section 14-45 in the Code Book.

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

7. Engineer – No report was submitted.
8. Police Chief – No report was submitted.
9. Fire Department – No report was submitted.
10. Rescue Squad- Denise Wilson, Vice President reminded everyone of the Rescue Squad dinner next Friday, March 14th and hopes all will be able to attend. She then reported statistics for January and February.
11. Emergency Management – Mr. Atkins reported that Mr. Greves said he has a number of the annexes revised and in "draft" form and will be approaching the county for an extension of the due date. He is hoping to have it finalized by mid April.
12. Attorney – Mr. Cruz had no report.

13. Clerk – Ms. DeRocco reported Operation Pride is scheduled for March 29th and announced March 8th is the date of the Memorial Service at Police Headquarters for Matt Melchionda. She also said the Somerset County Resource Center contacted the Borough to ask permission to put a recycle box in the office to collect unwanted cell phones for which the profits will be used to assist battered women. Ms. DeRocco also said the Borough will not be hosting a shred event this year because of the rock slide issue in the parking lot at police headquarters but there will be a list of alternate locations posted on the website and in the spring newsletter. She wished Mayor Pote good luck tomorrow as a history “Teacher for the Day” at the high school and Denis Kelly with his writing class also. Ms. DeRocco reported the office has contacted "Geese Chasers" to schedule a demonstration early one morning one day next week. Mayor Pote questioned the status of the light option that the scouts reported on at a Council meeting and Ms DeRocco said she could not find anyone who has had success with these lights, other than the town the girls reported on.
14. Administrator – Mr. Atkins said he received a report from Bill Hance last week on the Bond Anticipation Note Sale and the lowest rate received was from TD Bank and for 5.6 million the rate is under 1/3% for one year. He also reported the Borough has received between 120 to 140 applications for the two office positions that have to be filled. Both Mr. Hance and Ms. DeRocco are assisting him with the interview process. He said there is nothing further to report on shared service options and finally he said the MEL training is ready for the Mayor and Council to complete on line, noting Councilwoman Joren was the first one to complete this. Councilman Black asked what the Municipal and Regional School Debt is and questioned if it include the Referendum that was passed. Mr. Hance said the Municipal School Debt is \$5.6 million and the Regional School Debt is \$9.1 million and if the referendum passed last year it would be included in those figures.

---



---

**PUBLIC PORTION / AGENDA ITEMS ONLY**

Sue Tucker, Valley Road, thanked Denis Kelly for his contribution to this community and his support of our young people.

Denise Wilson, Mountain Boulevard, thanked Denis and said he was there when her daughter gave her "locks of life" and he has become a part of her own family.

Martin Bierbaum, Cedar Lane -(Free Acres Area), said he came to discuss with the Code Official and Engineer a foreclosed property and also the storm water flow. Councilman Black questioned if this property was wetlands and Mr. Bierbaum said he did not think so.

Dorothy Addario, Rock Avenue, thanked Denis for always being there for all Borough events. She also mentioned that Rescue Squad does a Strategic Plan exercise every two years. All members are asked questions such as how improvements can be made, and suggestions to improvise change.

---



---

**NEW BUSINESS**

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

Approval of the following Council minutes:  
February 19, 2014 Special Meeting

Acknowledging Receipt of the following Borough Reports:  
Recreation Commission Minutes – January 14, 2014  
Youth Services Commission Minutes – December 3, 2013  
Historical Committee Minutes – December 11, 2014, January 8, 2014

Acknowledging Receipt of the following Correspondence:

#6 - Township of Warren 2/26/14 Notice of Adoption of Land Use Ordinance #14-04, establishing a HNB-Historic Neighborhood Business District c: M & C, TEA, TH, TS

---



---

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

R1:03/06/14 Appointment to Youth Services Commission – John Malchow

R2: Authorize Professional Service Contract – Avoca Engineers & Architects, LLC / Bathroom & Kitchen Renovation at Firehouse

R3: Authorize Clerk to Issue Raffle License – Easter Seals New Jersey

R4: Authorize Professional Services Contract – Maser Consulting / Planning Board Engineer

R5: Authorize Expansion of Contract–Maser Consulting/ LSRP Services – Ness Property

Councilwoman Beck-Clemens asked for an update on the Ness Property and Council President Nehls responded that the Borough is required to do a remedial investigation of the property and a licensed professional from Maser is conducting this. He also said there was some contamination where the historical fill area is located and Maser will provide the Borough with their recommendations. Council President Nehls also said the underground storage tank has been removed and there are three ground water monitors at the site. After this, there will be a Response Action Outcome report and finally a No Further Action Letter when all has been corrected. Councilwoman Beck-Clemens questioned this will be funded, Mr. Cruz confirmed with Mr. Hance that these costs are taken out of the Escrow Fund, set up at the time of the property purchase. Councilwoman Beck-Clemens then asked what happens if the Borough uses up all of the escrow monies, and Council President Nehls said it would then come from Borough funds. Mayor Pote asked if we must do further testing and Council President Nehls responded yes.

---

**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:14/05 entitled **“AN ORDINANCE REPEALING AND REPLACING SECTIONS 17-3.3, TITLED “PLACEMENT ON PUBLIC STREETS PROHIBITED”, TO BE RENAMED “PLACEMENT OF SNOW, ICE, SLUSH OR ANY COMBINATION THEREOF ON PUBLIC STREETS PROHIBITED”, AND 17-3.4, TITLED “VIOLATIONS AND PENALTIES”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG.”** Public Hearing to be held on March 20, 2014.

Councilwoman Joren moved the following resolution:

R6: Introduction of Ordinance OR:14/05 – Placement of Snow on Public Streets Prohibited

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

Introduction of Ordinance OR:14/06 entitled **“AN ORDINANCE REPEALING AND REPLACING SECTION 18-11, TITLED “GREASE TRAPS”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG.”** Public Hearing to be held on March 20, 2014.

Councilwoman Joren moved the following resolution:

R7: Introduction of Ordinance OR:14/06 – Clarification of Enforcement, Penalties

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

Introduction of Ordinance OR:14/07 entitled **“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG, CHAPTER VI, ENTITLED “ALCOHOLIC BEVERAGE CONTROL,” SPECIFICALLY SECTION 9-3.7 THEREFOR, ENTITLED “LICENSE FEES; MAXIMUM NUMBER’ AS HERETOFORE SUPPLEMENTED AND AMENDED.”** Public Hearing to be held on March 20, 2014.

Councilwoman Joren the following resolution:

R8: Introduction of Ordinance OR:14/07 – Increase in Liquor License Fees

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

---

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

Councilman Gibbs mentioned it was 17 years ago today that he became a living donor when he donated one of his kidneys to his mother and he is happy to report both he and his mother are still very healthy. He said now his brother is waiting for a kidney transplant. Councilman Gibbs urges anyone who can to register for the donor program to do so at [NJSharingnetwork.org](http://NJSharingnetwork.org).

Assistant Fire Chief Peter Martino read a prepared statement, expressing his concerns of using social media to communicate in place of in-person communication, saying it can have many damaging pitfalls.

With no other members of the public wishing to be heard Mayor Pote closed the public portion of the meeting.

---

---

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 9:40 P.M. to the Call of the Chair, and to the next scheduled Council meeting to be held on March 20, 2014, at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance  
Deputy Clerk