

# BOROUGH OF WATCHUNG

## COUNCIL MINUTES

JANUARY 15, 2015

**MAYOR'S STATEMENT:** Mayor Pote called the meeting to order 7:32 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 [A]    Joren [P]    Gibbs [P]    Beck-Clemens [P]

Also present were Administrator Tom Atkins, Attorney Albert Cruz, CFO Bill Hance, Police Chief Joe Cina, Engineer Tom Herits, Clerk Michelle DeRocco and Deputy Clerk Mary Ann Hance.

There were 8 members of the public present.

### REPORT OF STANDING COMMITTEES

1. Administration & Finance – In Councilman Franklin's absence, Mr. Atkins reported the Committee meeting scheduled for this morning was cancelled and said it will be re-scheduled as soon as possible. There were no pressing issues for the committee to discuss at this time.
2. Police – Council President Nehls had no report but said there is a meeting scheduled for next Tuesday.
3. Public Works/Buildings and Grounds – Council President Nehls reported the Public Works Committee met on January 9<sup>th</sup> and discussed priorities for this year. He said a grant for \$190,000 has been received for the Knollwood Drive/Deer Run project. Council President Nehls explained this would include reconstruction, paving, stormwater drainage and Belgium block curbing and the total for the project would be approximately \$1,000,000 (one million dollars) and it is hoped some of the cost could be offset with some of the Boroughs' older bond ordinances. The project would have to be awarded by September 1<sup>st</sup> or the grant will be lost. He also mentioned several other projects which have to be addressed including drainage projects on Glen Eagle and Guinard, and manhole repairs on lower Orchard and Valley Roads. Council President Nehls asked Mr. Herits about the status of the grant application for Valley Drive, and Mr. Herits said he has not heard anything yet. Council President Nehls said the Committee also discussed a request received from Tiger Reality regarding his property on Mountain Boulevard requesting a sanitary sewer hook-up. While the Committee recommended authorization, Mayor Pote said he would like to discuss some concerns with Mr. Herits before proceeding. Council President Nehls then discussed the report received from the structural engineer, Lortech, Inc., on the Library and said that with some structural corrections, renovations can be made to the current building. Council President Nehls would like to go forward with hiring an architect to design renovations. Councilman Gibbs said if the current Library is structurally sound and the renovations would give substantially more space, he would agree. Councilwoman Joren said at this time the library only uses the first floor but the renovations would include all four floors of the current building. Councilman Gibbs said this does not include any electrical or other problems that may surface during the renovations. He said he would like further information and he will submit his questions to Council President Nehls. Mayor Pote would like to meet with Lortech and Councilman Nehls said he would reach out to them to arrange a meeting. Council President Nehls reported the Texier House needs some repairs and Bob Burns will be getting quotes for the repairs.

#### 4. Public Affairs:

Open Space- Councilwoman Beck-Clemens had no report.

Environmental – Councilman Gibbs had no report and said the next meeting is scheduled for January 26<sup>th</sup>.

Recreation – Councilwoman Beck-Clemens gave the dates for the current year events, including the annual picnic on May 16<sup>th</sup>, the Harvest Festival is October 24<sup>th</sup>, the Fishing Derby September 12<sup>th</sup>, and a Basketball Show Case on Saturday, March 14<sup>th</sup>, at Valley View School.

Historical – Councilwoman Beck-Clemens reported the Museum is open the first and third Sunday of each month from 2 to 4 PM and also by special request.

Board of Health- Councilman Black had no report but said the next meeting is January 21<sup>st</sup> at 7:00 P.M.

5. Fire - Councilman Black said he met last week with Councilman Gibbs, Bob Burns, and the new Fire Chief Jon Erber. He said Chief Erber and Bob Burns gave input as to what direction the Department would like to take this year. Councilman Black said they also discussed the rescue boat and the fire apparatus evaluation. He said they are recommending the Rodgers Group for the evaluation. Mr. Atkins said he will speak to Councilman Black and Chief Erber about the evaluation of the apparatus.
6. Laws/Ordinances- Councilwoman Joren said the committee has not met this year but she is in the process of scheduling a meeting soon. She also mentioned previous discussions to merge the Planning Board and Board of Adjustment and distributed information that she has compiled for the Mayor and Council to review and possibly discuss any ideas they may have at the next Council meeting. Mr. Atkins thought there is a statutory provision that these boards cannot be combined if the population is more than 10,000, and Councilwoman Joren said it is a population of 15,000. There were questions on how many members would be on the combined board and Mr. Cruz said it would consist of nine members (7 plus 2 alternates).

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

7. Engineer – Mr. Herits reported there have been some closures on Johnston Drive due to water company work. He said the water company is replacing the line and he will get the company to pave ‘curb to curb’ where they have dug. Mr. Herits said the water breaks there were caused by a pressure valve being stuck open causing too much pressure. He also is waiting to hear from the DOT on the applications he submitted. Mr. Herits said the pole barns are scheduled to be delivered the beginning of March and also that Weldon has given the Borough a location to store additional salt. He said he met with Weldon and the Borough can put a cover over the salt and fence at the site. Councilwoman Beck-Clemens asked if this is a temporary site and Mr. Herits stated it can be used for anything. Councilman Black questioned the location because of the flooding possibility and Mr. Herits said he will look into that. Mr. Herits said the plans for the fire house are almost final and he will meet with the Fire Committee, then the Public Works Committee, and finally the Mayor and Council. Mayor Pote questioned the cost and Mr. Herits said it will depend on the final plans. He said the generators are all in and the Police Department and Fire Department are now completely hooked up and Borough Hall will be completed this weekend.
8. Police Chief – Chief Cina asked if the generators are load tested, and Mr. Herits said they have been load tested and just need the live test which will be done tomorrow. Chief Cina reported the new Officers are on field training until the early part of March, and said that six members of the department had Nixel training today, adding that they will train the other members. Chief Cina reported that he is in the process of fine tuning the department’s budget request.
9. Fire Department – No report was submitted

10. Rescue Squad – Denise Wilson read a report from the outgoing President Don Monetti for the year 2014. She said the Squad also welcomes Councilman Franklin as their new Council Liaison. Ms. Wilson said the annual dinner is scheduled for Friday, February 26<sup>th</sup>. Councilman Black said he has been working with Denise to prepare an informational packet for newcomers to the town and he suggested it would be a good idea to get each department to give some information for this. Mayor Pote said it would also be a good idea to put this information on the Borough website. He also questioned how long the delay will be before the rig is returned to the Squad and Ms. Wilson responded that they are almost finished and it should be ready very soon.
11. Emergency Management – Mr. Atkins reported that Gary Greves and Carolyn Solan were at a County OEM meeting and he said Ms. Solan attended because there were some discussions on CERT operations. He also said there will be a joint OEM drill on January 27<sup>th</sup> with Warren, Green Brook and Watchung which has been approved by the County. Mr. Atkins also said there will be another meeting with North Plainfield’s officials regarding a possible alternate route for emergency vehicle access when flooding occurs on Route 22.
12. Attorney – Albert Cruz – Had no report.
13. Clerk – Ms. DeRocco said she included a request from a company called Light Tower Fiber in the agenda packets to all. She said the company is requesting permission to install its cable on poles within the Borough’s right-of-way. Ms. DeRocco said in the past we invited companies to come to a meeting to present their request, and asked Mayor and Council if they would like her to invite the company representative to the next Council meeting. All were in agreement that she should do so. Ms. DeRocco then mentioned Mayor Pote will be proclaiming February 5<sup>th</sup> as the “Go Red for Women’s Health Day” in an effort to bring awareness the high number of deaths caused by heart disease. The Borough has participated in the program since 2010, and to date, have raised \$950.00 to help support the American Heart Association. She explained that all are asked to wear red on that day, and an optional donation to the American Heart Association. There will be two photo-ops on that day with the first at 8:30 am for the employees, and the second at 7:25 pm, prior to the Council meeting. Everyone is welcome to attend either or both sessions and anyone in the audience wishing to be included may do so. Ms. DeRocco also reminded everyone that January is Radon Awareness month and said there is information on the counter in the hallway.
14. Administrator – Mr. Atkins said there was an air quality study done at Borough Hall and he has been asked to reach out to Health Officer Kevin Sumner for information. He said Bob Burns will be getting quotes for cleaning air vents and ducts. He also said at the monthly Joint Insurance Fund (JIF) meeting safety in the workplace was stressed. In 2014 Watchung had a higher than normal accident rate because of the injury to one of our Police Officers who was rear ended at an accident site. Councilwoman Beck-Clemens asked if other towns who have higher incidents affects Watchung and Mr. Atkins said no and explained that each town has their own worker comp rating. Mr. Atkins then mentioned a correspondence from the League of Municipalities dated January 6<sup>th</sup> regarding Affordable Housing. He commented that this issue is in the same place as it was 30 years ago.

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PUBLIC PORTION/AGENDA ITEMS ONLY

Ms. Virginia Hartmann, Ellisen Road, in regard to the Lortech report, asked what the structural work was and Council President Nehls said it would be structural supports on each floor that would cover loading requirements where there will be books. He also said the structural engineer would be overseeing any renovation during the entire process.

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**NEW BUSINESS**

**CONSENT AGENDA:** Council President Nehls moved the following agenda items beginning with approval of Council minutes to correspondence received, item #3 with a second by Councilwoman Joren and upon roll the vote was as follows: Nehls, Black, Joren, Gibbs, Beck-Clemens, "aye."

Approval of the following Council minutes:  
October 27, 2014 – Executive Session  
December 18, 2014  
January 1, 2015 – Re-organization Meeting

Acknowledging Receipt of the following Borough Reports:  
Building Department Report – December, 2014  
Green Team Meeting Minutes – June 19, July 22, September 9, and December 9, 2014

Acknowledging Receipt of the following Correspondence:

- #1 - Borough of Fanwood 12/22/14 Resolution urging the Legislature to call a moratorium on the Pilgrim Pipeline proposal c: M & C, TEA
- #2 - Township of Warren 12/18/14 Notice of Adoption of Ordinance #14-28 re: Amendment to Land Use Procedures and Development c: M & C, TEA
- #3 - NJ American Water 1/9/15 Notice of filing of Petition for new rates seeking recovery of State's water and wastewater infrastructure c: M & C, TEA

Councilman Gibbs recused himself from voting on the following items:

Council President Nehls moved item #4 and #5 with a second by Councilwoman Joren and upon roll call the vote was as follows: Nehls, Black, Joren Beck-Clemens, "aye."

- #4 - JCP&L 1/8/14 Notice of Public Hearing for Basic Generation Service Charges and Recovery Costs c: M & C, TEA
- #5 - PSE&G 12/18/14 Notice of filing of Petition requesting increase of Remediation Adjustment Charges; and 1/5/15/ Notice of Public Hearing on Basic Generation Service Charges and Recovery Costs c: M & C, TEA

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**CONSENT AGENDA RESOLUTIONS:**

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

- R1:01/15/15 Authorize Return of Overpayment for Construction Permit #14-0478
- R2: Authorize Return of Tax Overpayment – 483 Ridge Road
- R3: Authorize Clerk to Issue Raffle License – Children's Tumor Foundation
- R4: Award Professional Service Contracts – Auditor / Suplee Clooney & Co.  
Bond Counsel / Rogut McCarthy, LLC  
Labor Attorney / Ruderman & Glickman, PC  
Engineer / Maser Consulting, PA  
Bd. of Adj. Atty. / McDonald & Rodgers, LLC  
Bd. of Adj. Engineer / David A. Stires Assoc.,  
LLC

- R5: Purchases Over \$2,000. – Gold Type Business Machines (Info-Cop Annual License)  
Lawsoft, Inc. (PD CAD/RMS Support & Maintenance)  
This and That (Uniforms – 2 new Police Officers)  
NJ Fire Equipment Co. (FD Coats & Pants)  
Fire & Safety Services (Vehicle Repairs & Maintenance)  
KLK Trucking Co. (Olivio & DPW Plantings)  
NJ Fire Equipment Co. (Hoses)  
The Rodgers Group (Accreditation Maintenance / 2<sup>nd</sup> yr)  
City Connections, LLC (Annual Web Service Agreement)
- R6: Authorize Labor Attorney to Represent Borough / PBA PERC Grievance Arbitration Proceedings
- R7: Endorsing the Submission of the Recycling Tonnage Grant Application to the State of New Jersey, and Designate Recycling Coordinator / MaryAnn Hance
- R8: Authorize Execution of Agreement with Somerset County / Certified Recycling Professional (CRP)
- R9: Authorize Appointments – Library Advisory Committee / Malchow  
Recreation Committee / Weber  
Traffic & Beautification / Weber  
Youth Services Commission / Malchow, Nunn
- R10: Supporting Phase 2 of Somerset County’s Priority Investment Study
- R11: Authorize Salary Adjustments - Implementation of Step Program / Public Works
- R12: Appointments to Fire Department – Arthur Wright, Anthony Vitelli, Anthony Nappe

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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 Gibbs recused himself from voting on Resolution R13.

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

- R13: Authorize Submission of Grant Application – Sustainable Jersey Small Grants Program/  
Green Team

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

- R14:01/15/15 Award Professional Service Contracts – Borough Attorney/ Albert E. Cruz  
Municipal Prosecutor / Richard J. Guss

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

- R15: Payment of Bills

Councilman Gibbs reminded taxpayers that \$.56 of every dollar goes to schools, \$.24 to the Borough and the balance to the County.

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Mayor Pote wished to express his appreciation to Dave and the entire Mobus family for opening their home to everyone for the January 1<sup>st</sup> Reorganization Meeting and said it was greatly appreciated. He then announced the Councilmanic Committee assignments for 2015 as follows: Administration & Finance: Franklin, Chair; Beck-Clemens, Gibbs; Public Works: Nehls, Chair; Franklin, Joren; Laws Ordinances: Joren, Chair; Black, Gibbs; Public Affairs: Black, Chair; Gibbs, Beck-Clemens; Police: Nehls, Chair; Beck-Clemens, Joren; Fire: Black, Chair; Franklin, Gibbs; Special Liaison to Rescue Squad: Franklin; and Youth Service Commission: Beck-Clemens. Mayor Pote also reminded everyone that Brian Auger of the County Library System will be at our February 5<sup>th</sup> meeting and if anyone has any questions to please submit them to Ms. DeRocco as soon as possible.

**PUBLIC PORTION – GENERAL DISCUSSION**

Mr. Olivio, Phillip Lane thanked Mr. Atkins and Mr. Herits for their assistance in resolving his tax reimbursement and also the plantings near the monopole by his property. He said he was very pleased with the outcome

Pete Martino, Sunbright Road distributed copies of a letter received by the Fire Department. Mr. Atkins said he had a meeting with the Fire Officials on Tuesday about this issue. Councilman Black said this was discussed at the Committee meeting.

Mr. Martino also questioned the stipend and said there were discrepancies. Councilman Black said this has been discussed with Chief Erber and CFO Bill Hance and this has been resolved. He said the Borough will be moving forward with an ordinance for future stipends. Mr. Atkins said he had a meeting earlier with Mayor Pote, Council President Nehls, and CFO Bill Hance discuss this issue and 2015 forward is important. He said there will be a meeting within the next two weeks with the Stipend Committee.

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**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 9:07 P.M. to the call of the Chair and to the next scheduled Council meeting on Thursday, February 5, 2015 at 7:30 P.M.

Respectfully submitted,

*Mary Ann Hance*  
*Deputy Clerk*