

**BOROUGH OF WATCHUNG  
MAYOR AND COUNCIL  
MINUTES  
May 17, 2018  
7:30 P.M.**

**OPENING STATEMENT:** Mayor Stephen K. Pote called the meeting to order at 7:33 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 MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD.**

**ROLL CALL**

Gibbs [ P ] Black [ P ] Nehls [ P ] Mobus [ P ] Sopko [ P ] Alberto [ P ]

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

There were 50 members of the public present.

**PROCLAMATION:**

Mayor Pote read a proclamation declaring the Month of May as Municipal Clerks Month. (Copy attached)

Clerk Michelle DeRocco read the following:

*There are many more components to the job of Municipal Clerk, above and beyond the statutory duties. While many times this position can be challenging, it is also rewarding. I could never fulfill all of the demands, without the assistance of my co-workers in particular, my assistants Linda Monetti and Regina Angelo, and of course our Deputy Clerk MaryAnn Hance. We have been fortunate to work with a great governing body and Administrator, though some may have changed over the years they have all been a pleasure to work for.*

**SPECIAL PRESENTATIONS:**

Affordable Housing Plan (continued)

Prior to the start of the presentation Councilwoman Alberto reported that Assembly member Jon Bramnick will be in Watchung on June 5<sup>th</sup> at the Borough Courthouse at 7 PM to discuss the State's position on the Affordable Housing issue.

Mr. Cruz stated the following:

*Mr. Mayor, I thank you for letting me outline the procedure for tonight.*

- 1. I will provide background information regarding Watchung's Affordable Housing Plan.*
- 2. The Watchung Planners will present that Plan.*
- 3. Because vacant property along Bonnie Burn Road is part of Watchung's Plan, the contract purchaser will present a Concept Plan for the potential development of that property.*
- 4. Public comment.*

*With that understanding on proceeding tonight, I will present background information:*

*The New Jersey Supreme Court has held that municipalities may not, as a matter of constitutional obligation, engage in exclusionary zoning, which is zoning to exclude certain types of land uses from a municipality. In other words, municipal zoning laws must provide for a mix of residential housing uses.*

*That constitutional obligation is known as the Mt. Laurel doctrine and has been in effect since 1975.*

*During the forty-three (43) years that have passed since the original Mt. Laurel decision, the doctrine has been expanded to include a requirement that municipalities must provide a realistic development potential for affordable housing through zoning for multiple land uses and not solely single family homes.*

*In response to the Mt. Laurel decisions, in 1985, the New Jersey Legislature adopted and the Governor signed into law the Fair Housing Act.*

*The purpose of the Fair Housing Act was to remove litigation regarding the planning for affordable housing from the judiciary and place that process into an administrative agency, known as the Council on Affordable Housing or COAH.*

*Part of COAH's function was to adopt regulations municipalities could follow to plan for realistic development potential for affordable housing. COAH succeeded in adopting two (2) rounds of regulations, the last expiring in 1999.*

*Since 1999 until now, COAH failed to adopt legally valid third round regulations to administer affordable housing.*

*In 2015, the New Jersey Supreme Court concluded that COAH was after sixteen (16) years dysfunctional and transferred the administration of affordable housing back to the judiciary.*

*Notwithstanding the New Jersey Supreme Court taking this action, the Court implored the Executive Branch – the Governor – and the Legislature – New Jersey Senate and Assembly - to take action to address affordable housing in New Jersey. The Court on the last page concluded:*

*..., we note again that the action taken herein does not prevent either COAH or the Legislature from taking steps to restore a viable administrative remedy that towns can use in satisfaction of their constitutional obligation. In enacting the [Fair Housing Act], the Legislature clearly signaled, and we recognized, that an administrative remedy that culminates in voluntary municipal compliance with constitutional affordable housing obligations is preferred to litigation that results in compelled rezoning. It is our hope that an administrative remedy will again become an option for those proactive municipalities that wish to use such means to obtain a determination of their housing obligations and the manner in which those obligations can be satisfied.*

*So, since 2015, many municipalities, including Watchung, have been engaged in litigation to address how each municipality will provide zoning alternatives for affordable housing.*

*Because this matter involves litigation with adverse parties, many of the Watchung Council discussions have occurred in Council Executive Session and in conferences with the Superior Court Judge and Special Court Master. Additionally, the Watchung Affordable Housing Subcommittee has been consulted. Because the New Jersey Supreme Court in 2015 granted an affordable housing advocate standing in these cases, the Fair Share Housing Center has also been a part of the discussions.*

*Tonight, the Watchung Planners Marcia Shiffman and Mark Healey will present for a second time the Borough's affordable housing plan as developed in conjunction with the Fair Share Housing Center under the supervision of the Superior Court.*

*The Watchung Planners will describe Watchung's fair share affordable housing obligations, as adjusted downward, the components of the affordable housing plan, and the steps to proceed forward.*

*A contract purchaser of land on Bonnie Burn Road which has the legal, technical and financial capacity to construct multi-family housing, which is one (1) component of Watchung's Plan, will also present a Concept Plan for this property and a proposed Payment in Lieu of Taxes Program.*

*Tonight, the Watchung Council will not take any action and listen to the presentations, and public comment.*

*As stated by the Mayor, on June 5, 2018, the Borough will sponsor a public forum on affordable housing presented by Assembly Member and Minority Leader Jon Bramnick.*

*That forum will be at the Municipal Court on Somerset Street starting at 7:00 P.M.*

*On June 7, 2018, the next regular meeting of the Mayor and Council, the Council will consider approving the proposed plan, settlement of the pending litigation, referring the Bonnie Burn Road property to the Planning Board to conduct a study to determine whether the property is an area of non-condemnation redevelopment, approved an Escrow Agreement with BNE and appointing professionals to conduct the study.*

*If the Watchung Council decides to proceed forward on June 7, 2018, a process will follow where:*

- 1. The settlement is reviewed by the Superior Court in a public hearing known as a Fairness Hearing. This hearing will be on public notice, open to the public and the public allowed to comment.*
- 2. The Planning Board will consider an amendment to the Housing Element and Fair Share Plan, a portion of the Master Plan.*
- 3. The Planning Board will consider whether the Bonnie Burn Road property is an area-in-need of redevelopment. This will be on public notice, open to the public and the public allowed to comment.*
- 4. If the property is deemed an area-in-need of redevelopment, then a Redevelopment Plan or zoning ordinance will be prepared.*
- 5. Both of the prior steps will require hearings that will be on public notice, open to the public and the public allowed to comment.*
- 6. If the area-in-need of redevelopment is found and Redevelopment Plan is completed, then a Redevelopment Agreement, Financial or PILOT Agreement, and an Ordinance adopting the PILOT Program will be considered by the Watchung Council, with many of these actions requiring public hearings and participation.*
- 7. If all of the above occurs, the Bonnie Burn Road developer will still require Planning Board approval for the development of the property in the same form as any other development. This hearing will be on public notice, open to the public and the public allowed to comment.*

*With this background, I defer to the Council President, followed by the Watchung Planners, Ms. Shiffman and Mr. Healey to make their presentation.*

*Then the developer will make their presentation, followed by public comment.*

Council President Gibbs said this presentation is basically a repeat of the May 3<sup>rd</sup> meeting to give those who were not present at that time to give their comments and any concerns prior to the Council voting on this plan. He said the Borough's temporary immunity will expire on June 30<sup>th</sup> and there is no guarantee the Judge will give an extension past this date. If this would be transferred to the Judiciary for a decision the possibility of a greater number of units could be assigned to the Borough and with no immunity the Borough would be open to Builders Remedy lawsuits. Council President Gibbs also said the Council must act on the resolutions and it is anticipated, based on the questions and answers this evening, this will be done at the June 7<sup>th</sup> meeting.

Borough Planner Marcia Shiffman gave a power point presentation, which is a repeat of the last meeting, explaining the four elements of the Fair Share Housing, present need, prior obligation (1997-1999), 3<sup>rd</sup> round (1999-2025), and unmet need and the number of affordable housing units the Borough is obligated to meet from all rounds. She said the Borough's Housing Element and Fair Share Plan, Ordinances and Redevelopment Plan for the proposed BNE development will require review and approval by the Borough Council, Planning Board and Superior Court. Ms. Shiffman said the Borough has a set aside Ordinance which would require any project with 5 or more units at a density above 6 units per acre to set aside an affordable unit.

Planner Mark Healey provided an explanation of the future unmet need.

Katharine Coffey, Attorney from Day Pitney and representing BNE then presented the general concept plans. This would all be contingent on the Mayor and Council, Planning Board, County Planning Board and approval of all permits. She explained there would be a total of 230 units with 184 being 40% one bedroom and 60% two bedroom. The balance, 46 units would be affordable housing broken down as 10-one bedroom, 26-two bedroom, and 10-three bedroom. The affordable units will be dispersed in all buildings. The buildings will be from 2 story to 4 story with the 3-4 story buildings on the lower land elevations. The area consists of 41 acres and 26 ½ of these will remain vacant.

Ms. Coffey also said although there is a long-term tax exemption the Borough would collect all their tax, all Open Space Tax and all Local and Regional School District Taxes. She also said the estimated number of school age children with these units would be 35.

Council President Gibbs questioned the anticipated number of children which he feels would be much higher and it is important to get as much funding as possible.

BNE – David Pantirer discussed the gross income is from all units, market and affordable, when determining the amount received by the Borough, Schools, etc. He said a one-bedroom market unit rent will be between \$1,800 - \$1,850 per month, and the two-bedroom would be \$2,600 per month. He said the amount for the affordable units is dictated by the State and is determined by income levels but he estimates approximately \$1,000 per month.

Councilman Black questioned the ingress/egress to the development. He said he is also concerned about flooding, the detention basins, and said the Borough does not have the fire equipment for the planned three and four-story buildings.

Ms. Coffey said BNE is in discussions with the DEP. She said as far as traffic, this is a County road and all will be discussed and comply with any requirements.

Councilwoman Alberto questioned the parking and cars per unit. Ms. Coffey they must comply with the Residential Site Improvement Standards set by the State and the required amount for this development would be 440 parking spaces. However, BNE has planned for 464 spaces.

Councilman Sopko asked if this will be a gated community and Mr. Pantirer said they are not sure at this time.

Councilwoman Alberto questioned security for this development and Mr. Pantirer said there will be a superintendent on site 24/7 but no outside security is planned at this time.

With no further questions from the Council, Mayor Pote opened the discussion to the public reminding everyone of the three-minute rule.

Arthur Santora, Oakwood Road, questioned some of the setbacks on the property, he also questioned the number of school age children. Mr. Santora said there are no sidewalks on Bonnie Burn Road, no public transportation and there is no playground on this site for children.

Ms. Coffey responded she did not have the exact number for setbacks and the answer to the transportation was this will all be worked out if this plan does get approved.

Michael Devine, Oakwood Road, said it is irresponsible for the Borough to even entertain any four-story buildings in the Bonnie Burn area. This project would cause property values to drop.

Virginia Olive, Valley Drive, asked how school buses would be able to enter and leave the property onto Bonnie Burn Road. She said whenever there is a traffic issue on Route 78 or 22 Bonnie Burn Road is completely backed up.

Hans Juette, Elsinore Road, said he still does not understand what the actual obligation is for the Borough. Mr. Cruz responded for the second round the obligation was 206 units, 18 not completed in this round; for the third round there are 37 remaining. Mr. Cruz said both experts came up with a total of 418 units and was reduced to 396 and then to 53. Mr. Cruz also explained there are caps in place, one which prevents municipalities doubling their occupants. Mr. Cruz suggested residents should speak with the legislator, Mr. Bramnick, on June 5<sup>th</sup>.

Council President Gibbs said the Council understands the resident's anxiety and the only way to change this is through a Constitutional Amendment but he does not see this being done in the near future. He said BNE is trying to assist the Borough in meeting their current obligation. He also said the judicial mandate is real and can be very harsh.

Councilman Black said constraints on this project are on the land and this will negatively impact residents. He said this should be kept on Route 22, we need to protect Watchung.

Mayor Pote asked if we reject this project what is the vulnerability on this parcel of land? Mr. Cruz responded the Borough would need to request an extension of the temporary immunity from Judge Miller. If the Judge does not extend it, the Borough loses protection against builders remedy lawsuits. Mr. Cruz explained part of this plan is for the Borough to have some control as to the number of units in a development.

Daryl Eisenberg Knegten, Oakwood Road, said it looks as though the Borough has had this plan since October 2017 but residents have not heard about this until May 3<sup>rd</sup> and yet are still unable to give us the setbacks on the western end of the properties.

Mr. Cruz explained what is seen tonight and at the last meeting is a culmination of many months of work. It required negotiations with many parties, Fair Share Housing Center, the Special Master Supervision, the Court Supervision and negotiation with BNE and can only be taken in steps. He also explained it would not be fair to residents to present a plan that still is still subject to negotiations. Mr. Cruz said part of what must happen now is a redevelopment plan and zoning plan and this is a "concept plan" and is not set in stone. He also said when and if the Borough approves this plan it is only approving the numbers and how the obligation is met. This is subject to a redevelopment plan, review by the Planning Board, review by the Council and once that redevelopment plan is finalized, it still does not give the developer approval. Mr. Cruz said it would still have to go to the Planning Board for site plan approval like any other development in the municipality. Mr. Cruz said the setback would be part of the review of the site development plan which the public would be able to participate in.

Victor Garber, Scott Drive, asked if the Borough had considered the Sears property. Mayor Pote said there was a recommendation from the Planning Board and the owners were approached. However, the owner would not consider residential they only wanted all commercial/retail.

Council President Gibbs explained that the Borough cannot force a property owner to put affordable housing on a property if it is all commercial development.

Denise Cohen, Hill Hollow Road, said she understands the Borough has this obligation but she disagrees with this location for all the reasons already stated this evening. She questioned how many trees will be removed there and what is the effect of the runoff of chemicals or pesticides used to maintain the property?

Mr. Cruz responded this would be part of the redevelopment plan including the reforestation including the amount of land that will be cleared and the number of trees that will be required to be planted. This would be part of the redevelopment plan and it would have its own redevelopment tree ordinance. Mr. Cruz also said the site plan and redevelopment plan will have to provide for storm water runoff. There are state water management rules and regulations that all builders must comply with.

Ms. Cohen also questioned the tax the Borough would receive since if a rental is vacant there would be no revenue. With 300 units being built in Berkeley Heights why would someone rent in Watchung when there is no public transportation and no train station.

Mr. Cruz explained the revenue is based on tax assessment value and commercial ventures the income is based on the total gross revenue and paid in the next year. This would be checked by our tax assessor.

Mr. Pantirer explained why Watchung is a desirable location, since it is close to New York, has access to major highways and the community itself. He also said they would expect the majority of renters would be empty nesters. These are luxury units with higher rents and all high-end finishes both interior and exterior, and many amenities including a pool and club house with exercise room.

Mr. Cruz asked how will BNE control who is coming to this development, is it by the rents?

Mr. Pantirer responded the rents would have an effect on who does apply but also the design, size and mix of the units which are all luxury units.

Mr. Cruz said both the interior and exterior designs will be part of the Ordinance for this property and the redevelopment plan should reflect luxury units.

Ms. Cohen asked if someone rents an affordable unit how is this controlled after they have been approved initially. She asked if this is determined annually and if so who does this.

Mr. Cruz explained said the answer is no but said at the beginning of the process people go through the application process and must show they are income eligible with three income levels, moderate, low, and very low. He said there is the normal screening a landlord does for any tenant for the market units plus for the affordable units they would screen for the income qualification. He said for one person applicant the moderate income level is \$59,024; for low income level it is \$36,890 and for very low it would be \$22,143. He also said once they are approved there is no requalification process.

Dorothy Addario, Rock Avenue, said she has seen the Council agonize over this for more than 20 years and no matter what happens it will hurt Watchung. She said there is no easy answer but would like the Borough to have some control.

Virginia Hartmann, Ellisen Road, said the number of children that get on the school bus from the Point is about 40 and she asked how many units are there. She also said it is to the developer's advantage to say there will be less children.

Mr. Cruz responded that the developer is comparing their experience at other developments they have completed with similar plans and locations and there is no need to compare this to The Point. They compare at similar developments in similar municipalities.

Ms. Hartmann said she would prefer making the comparison with the already developed apartments in Watchung. She thinks this would be more accurate than some development in some other town that was given to the Borough by the developer.

Council President Gibbs said The Point has about 300-400 units with 20% of those being in North Plainfield and the remainder is in Watchung so there are many more units in that development.

Another resident of Oakwood Road (name unclear) said he had concerns for endangered species in that area and also the number of additional vehicles that would be entering on to Bonnie Burn Road, especially during the rush hours.

Sondra Fechtner, Cardinal Drive, questioned the Master Plan High Density Plan and asked if the Borough now depending on our Master Plan to fulfill our obligation.

Mr. Cruz said the Master Plan has many elements with one being a Housing Element and Fair Share Plan, and explained that every Master Plan must address how affordable housing is dealt with in the Municipality. Mr. Cruz explained the Master Plan will have to be re-examined. He said the attempt is for the Borough to try to keep as much control as possible. The Borough's obligation is to zone for affordable housing and have a plan.

Martin Carroll, Valley Road, suggested buying property on Route 22 and rezone it for apartments and we would be done.

Ashley Cohen, Hill Hollow Road, asked if it would be possible to request that any vacant market rentals at the Point be converted to affordable units? Mr. Cruz stated this is not a possibility because the Borough does not have enough revenue to do that.

Rebecca Santora, Oakwood Road, asked if other properties have been considered.

Ms. Shiffman said a number of properties have been considered but none were feasible. She said the last one was the East Drive property, which was the largest, but due to the many constraints of the property it could not be developed. Ms. Shiffman said there must be a location with a minimum of .3 acres developable land. There is no other solution.

Michael Checchio, Century Lane, asked how the number of 230 units was determined. He also wanted to know why the Borough is dealing with future obligations. Mr. Cruz explained the Borough is still dealing with the third round which is 1999-2025. The surplus of 8 units would carry forward to the fourth round or applied to the unmet need. Mr. Cruz said those 8 units are applied to the accessory apartments and unmet need. Ms. Shiffman explained these 8 units could be used toward the future obligation or to meet the Borough's unmet need. She also explained the Borough has 10 accessory apartments but to date none have been built which is an issue that the Borough is trying to address.

Mr. Checchio then asked if in order to have a PILOT program, must it be a property in need of redevelopment? What are the requirements for the 40-acre property? Mr. Cruz said there are many criteria and this was what the preliminary investigation by the Planning Board was. Mr. Cruz explained if the Council takes this action does not designate this property as an area of redevelopment it just requests the Planning Board to review it and they will have at least one hearing to determine whether the property is in need of redevelopment. If it is then this plan works and if it isn't the Borough would have to go back to review it. The hearings will be public.

Louis Figueiredo, Johnston Drive, asked what impact this development would have on the Borough's first responders. Mayor Pote responded that any type of development of this size would have an impact on this and it will be reviewed by the Planning Board prior to any approval. Mr. Figueiredo then asked how the number of tenants controlled in these units. Mr. Pantirer explained all tenants are required to be on the lease and there are full time staff who would take action if there is someone in the unit who is not on the lease. Mr. Cruz also explained the affordable units would be interspersed within all the buildings not separated in only one building.

Mike DeParto, Orchard Road, asked if there is a law that the developer has to keep these as affordable units and Mr. Cruz said yes, for 30 years. Mr. Pardo suggested buying the land and building our own and collecting the rents. Mr. Cruz said that is why the call for a Legislative solution is the answer and he suggested everyone should talk to their Assemblyman on June 5<sup>th</sup> and see what he has to say.

Mayor Pote reminded everyone that Assemblyman Jon Bramnick will be at the Borough Courthouse on Somerset Street June 5<sup>th</sup> at 7 PM. And that at the June 7<sup>th</sup> Council meeting, action will be taken based on what we have heard this evening and in the past.

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**REPORT OF STANDING COMMITTEES:**

1. Administration & Finance – Councilman Mobus reported the Bond Ordinance this evening is for Public improvements, including roads, drainage, and a new computer system. Mr. Atkins said all items will be discussed in the near future with Councilmen Gibbs, Mobus, and Sopko. Councilman Mobus said the Farmers Market has been cancelled this year. He also reported inquiries are being made to video tape Council meetings. He said the Committee recommends summer hours for the Borough’s Office staff, closing at 1:00 pm on Fridays and only taking a half hour for lunch each day.
2. Police – Council President Gibbs said the Bond Ordinance item to upgrade the communication system is very costly and dual band radios for the Police Department and the possibility of a shared service for this area with Warren to dispatch is being explored.
3. Public Works / Buildings and Grounds – Councilman Nehls reported the branch pick up is almost complete. He also said the pumps at the lakes were turned off because of the storm, however, two of the pumps have burned out and the cost to replace them will be \$8,000. Councilman Nehls said there are eighteen streets in need of work at a cost of a little more than \$1,000,000 and the Public Works Committee will prioritize these projects. Council President Gibbs said the Bond Ordinance provides for these roads. Councilman Black said the Borough has a much better rate on our money and saved taxpayers a lot. Councilman Mobus explained that the Council was very cautious last year.

4. Public Affairs:

Open Space – (No longer a committee, Mayor Pote cross referenced the duties of this committee with the Environmental Committee.)

Environmental – Councilwoman Alberto reported there is a meeting scheduled for May 29<sup>th</sup>.

Recreation – Councilman Mobus reported the Community Picnic was postponed due to inclement weather and rescheduled to May 26<sup>th</sup>, noon to three p.m. at Mobus Field. Councilman Mobus also reported to date there are 57 children signed up for the summer camp, approximately 27 per week, which is the break even point.

Historical – Councilman Mobus reported the Memorial Day Service will be May 28<sup>th</sup> and the Texier House will be open and serving refreshment and baked goods. He also reported the plan to cut the Mural and affix it to wood would cost approximately \$8,000 and they would use the \$4,000 grant funds received. However, one of the Engineers came up with another plan which might cost much less. Councilman Mobus said the Committee may present a suggestion at the next Council meeting where to install this.

Board of Health – Councilman Black reported there was a meeting last evening and it was suggested to ask Councilman Nehls to come to a future meeting to discuss fracking, and also ask Wendy Robinson to attend. The next meeting will be September 19<sup>th</sup> at 7 PM.

5. Fire – Councilman Black said the Committee met last week. He said the renovations to the Fire House are just about complete, with a few small punch-list items to finish up. The building will require a new alarm system.

6. Laws/Ordinances – No report was submitted.

**REPORTS – OTHER:**

7. Engineer- Engineer Tom Herits reported Bob Burns did some tree trimming around the perimeter for the salt storage shed. He also said the Washington Road/Valley Drive DOT project is being closed out. Mr. Herits said he received a notice from the County that they will be paving Stirling Road from Route 78 to Verona Place this summer. He also said the hood for the Firehouse is on order; and he completed and submitted the annual Storm Water report to the DEP.

8. Police Chief – No report was submitted.

9. Fire Department – No report was submitted.

10. Rescue Squad – Dorothy Addario gave statistics for April. She also reported the cadets organized the spring clean-up of the building and grounds. She also reported the lights were removed from the tree on the Village Green. She said the tree and light strands sustained some storm damage but the tree is doing well and is in need of some trimming. Mrs. Addario said Nick Grieco took and passed the active test and is the newest full member.

11. Emergency Management – Councilman Black reported Gary received an extension for OEM manual until the end of the year. Mayor Pote asked if this is for all the annexes and Mr. Atkins said it is. Councilman Black said help will be needed to complete this update and suggested possibly hiring someone part time to help with this. Mayor Pote said this will have to be discussed in greater detail since so much more is now being required. Mr. Atkins said more demands are being placed on the Municipalities from the Federal and State levels and it is impossible for Gary to handle the whole thing.

12. Attorney – Mr. Cruz had no report.

13. Clerk – Ms. DeRocco had no report but acknowledged the receipt of a petition, Tuesday afternoon, May 15<sup>th</sup> which was in the Agenda Packet and a hard copy in each Council member’s mailbox. Mr. Cruz explained this was received and it will be up to the Council when and if they want to include this on a future agenda.

14. Administrator – Mr. Atkins said it is very sad the Farmers Market could not continue and mentioned the Somerville Market has also been cancelled. He also said the enforcement of the Property Maintenance Code has been transferred to another staff member. He will send a report to Mayor and Council in the next several days and ask Council action confirming this.

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**PUBLIC PORTION / AGENDA ITEMS ONLY**

Margaret Ellis, Valley Road, read, and supplied copies to the Council, of a letter received from James G. Neal, President of the American Library Association; and Pam Sandlian-Smith, President of the Public Library Association. (Letter on file in the Clerk’s Office)

Jacqueline Lee, Spencer Lane, said she has been going to this library since she was very young and has recently been teaching at the library doing eco-friendly crafts, and said the Library is an integral part of the Watchung Community.

Sophia Lee, Spencer Lane, said the Watchung Borough must provide a library to the residents, it is a basic service that is essential to the fabric of our community. Soon, dollar for dollar funding will soon be available from the State of New Jersey. The Petitioners are asking the Council to repeal the resolutions of April 19, 2018.

Dr. Richard Steinfield, Nottingham Drive, mentioned an article in the New York Times written by David Brooks. He said in the article Mr. Brooks stated a local library serves as many things with services such as AARP assisting with tax returns, and help with resume writing. Dr. Steinfield said the Library is essential to the identity to the Community of Watchung.

Tom Franklin, Wildwood Terrace, mentioned the Library Advisory Board Meeting. He said Council Liaison Steve Black was there and he was asked to explain his vote at the April 19<sup>th</sup> meeting. Mr. Franklin said Mr. Black explained this vote allows the Council to do exploratory work on a different site because he was not happy with the site this plan was for. Mr. Franklin said people will be judging Mr. Black and the rest of the Council who voted on what you voted for, and not on some exploratory plan. He said there are many more people for a library than against.

Martin Carroll, Valley Road, said when he told his sister about the vote to end the Watchung Library she asked why this decision was made, and he had no good answer for her. He said she lives in Roselle Park and they have a library. He asked everyone who voted on this to send him an email how he should have answered her.

Hans Juette, Elsinore Drive, asked what the Borough would be doing with the land? He also said the Council should come up with a clear statement of how each of their votes benefit Watchung and he suggested a referendum be put on the ballot this fall.

Sondra Fechtner, Cardinal Drive, said the town is not doing the right thing by not supporting a library. She said we need our own library.

Jay Stiles, Anderson Road, said he has only visited and checked out books a few times but still thinks the Borough needs a library and does not understand why the Borough is not even considering applying for the funding.

With no one else wishing to speak, Mayor Pote thanked everyone and Council will take everything under consideration.

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**UNFINISHED BUSINESS**

NONE

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**NEW BUSINESS**

Prior to discussing new business Council President Gibbs stepped out for a few minutes.

**CONSENT AGENDA:** The Consent Agenda Items listed below were unanimously accepted, following a motion by Councilman Nehls and a second by Councilman Sopko and upon roll call the vote was as follows: Black, Nehls, Mobus, Sopko, Alberto, “aye”.

Approval of the following Council minutes:

May 3, 2018- Regular Meeting

Acknowledging Receipt of the following Borough Reports:

Watchung Library Advisory Board- April 3, 2018  
Board of Adjustment Meeting Minutes– April 12, 2018  
Wildlife Management Advisory Committee Minutes- January 16, 2018

Acknowledging Receipt of the following Correspondence:

- #14 - Township of Bridgewater 7/14/18 Notice of Adoption of an Ordinance to Amend Chapter 126 Entitled “Land Use” and to Create a new Chapter 196 to Consolidate and Amend the Township’s Requirements Related to Certain Privacy Fences c: M & C, TEA, Pl. Bd
- #15- Al Carroll 5/15/18 Letter of Resignation as a member of the Wildlife Management Advisory Committee c: M & C, TEA

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**CONSENT AGENDA RESOLUTIONS**

Councilman Nehls moved the following resolutions with a second by Councilman Sopko and upon roll call the vote was as follows: Black, Nehls, Mobus, Sopko, Alberto, “aye”.

- R1:05/17/18 Purchases Over \$2,000 – Rescue Products International (FD -Training)  
Flemington Department Store (PW -Uniforms)  
Winner Ford (PD-Vehicles)  
Fun Services (Rec - Amusements and DJ)  
Appraisal Capital Services LLC (Brook Hill Swim Club)  
The NY Yankees (Rec – Tickets for Trip)
- R2: Certify General Fund 2018- 2019 Tax Levy: Watchung Board of Education
- R3: Certify General Fund 2018-2019 Tax Levy: Watchung Hills Regional Board of Education
- R4: Waive Chapter 2-25.10, and Section 2-25.13 of the Code – Replacement of Deck at Phillips Field / Steve Monetti Builder
- R5: Waive Municipal Portion of Construction Fees / Deck at Phillips Field
- R6: Authorizing Sale and Transfer of Title / Surplus Police Vehicles
- R7: Authorize Refund of Raffle/Bingo License/ Mt. St. Mary House of Prayer
- R8: Authorize Return of Farmers Market Fee/ Pamela Parlapiano
- R9: Authorize Return of Camp Enrollment Fee (Week #1/Cancelled) / C. Prinziwalli

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**NON CONSENT AGENDA ITEMS**

**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.

Proposed Bond Ordinance OR:18/12 – “BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,570,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.” was introduced.

Councilman Black moved Bond Ordinance OR:18/12 be given its first reading. So ordered. Councilman Black moved the Bond Ordinance be adopted on first reading and the Clerk be directed to publish the ordinance and notice of public hearing.

Councilman Black moved the following resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Gibbs, Black, Nehls, Mobus, Sopko, Alberto, “aye.” Public Hearing to be held June 7, 2018.

R10:05/17/18 Introduction of Bond OR:18/12 – Various Public Improvements, Technology Drainage & Road Improvements

Councilman Mobus moved the following resolution with a second by Councilman Black and upon roll call the vote was as follows: Gibbs, Black, Nehls, Mobus, Sopko, Alberto, “aye.”

R11: Payment of Bills

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**PUBLIC PORTION-GENERAL DISCUSSION**

Dorothy Addario, Rock Road, thanked the Mayor and Council for all the flack the Council has taken on COAH. Ms. Addario also said the Library proponents will not go away, there is a lot of interest.

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**ADJOURNMENT**

There being no further business to come before the Council the meeting was adjourned at 11:56 P.M. to the Call of the Chair and to the next scheduled Council meeting Thursday, June 7, 2018 at 7:30 P.M.

Respectfully Submitted,

MaryAnn Hance  
Deputy Clerk