

**BOROUGH OF WATCHUNG
MAYOR AND COUNCIL
MINUTES**

OCTOBER 18, 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 a MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD.

ROLL CALL:

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

Although not present at Roll Call, Councilman Sopko arrived at 8:45 P.M.

Also present were Attorney William Robertson, Deputy Clerk MaryAnn Hance, Administrative Assistant Regina Angelo, Engineer Tom Herits and CFO Bill Hance.

There were 30 members of the public present.

PRESENTATION

2018 Summer Reading Awards

Amy Behr Shields presented the Summer Reading Awards to the top readers with Mayor Pote and Peggy Ellis assisting with the medals and certificates. The winners were as follows: Thomas Hauck, Magdalena Matinho, Miguel Matinho, Mateus Matinho, Lyla Murray, Inchara Sarjapuram. Not present were Emily Hauck, Haden Murray, Amy Banks, Barbara Banks, and Emma Speeney.

REPORT OF STANDING COMMITTEES:

1. Administration and Finance - Councilman Mobus reported said he is in receipt of some of the Park and Ride Survey responses to date, 121 so far. He said RideWise, an organization at the County posted the survey on our webpage October 1st, and we are trying to assess the responses to determine the need. The survey will be open until November 15th. He said there have been continued discussions and reports on the progress of obtaining an agreement with the Exempt Firemen for the Exempt Hall in regard to converting the building into a Community Center. Councilman Mobus said we have presented a lease agreement which accommodates the needs of the Exempt Firemen, and we are optimistic that when Mr. Cruz returns from his vacation he will review the lease and put together a purchase agreement and we can finalize it. He noted that out in the lobby is an artist's concept rendering of what the building may look like, with potentially approximately 2000 sq. feet added on. He said they anticipate that the cost of this addition and improvements will cost in the area of a million dollars and we anticipate the funding would come from an existing bond ordinance, we will be pursuing grants from FEMA and have already been in conversation with a couple of residents who are interested in donating funds for the project. He said our main initiative is to complete this project without incurring any new debt to the taxpayers. Councilman Mobus added that the general purposes of this project would be to continue to serve the Exempt Firemen as discussed in the past – they will have the lower level of the building to continue to use for their meetings and continue to rent it out to the public. The second floor would be for the Community Center and we are working on configuring housing for our OEM (Office of Emergency Management) as well as our Recreation Department. He said it is their intention to have that facility available to our residents for a multitude of purposes and we don't anticipate the need for any personnel other than moving the Recreation Director there on a regular basis, we don't anticipate having to hire any additional staff so there would be no additional expenses incurred for payroll. He said the Community Center would be used for various children's programs and senior's programs, it will serve as an emergency shelter and warming/charging station, we are discussing the potential of a digital learning center, it would be a meeting location that could be used for tutoring, writer's groups, mahjong, and lots of other groups that meet regularly. Councilman Mobus announced that we are in the process of formulating a survey that will be posted on the website, the purpose will be to solicit feedback from the residents on anticipated needs. He called upon Recreation Commission member Amber Murad who was present and asked her to bring up the "draft" of the survey she has been working on, noting that she has received feedback from the "mom's club." Ms. Murad explained that some of the options on the survey are programs offered by the Somerset County Library System. She said the Recreation Commission would like residents to fill out the survey so that they can better evaluate the most useful and engaging programs for our residents. She said the programs will be tailored to our community so that our tax dollars will be put to the most efficient use. She said she has put out feelers to the mom's club to see what their visions are, whether

it's a Library or a Resource Center and a lot of them are saying they want a place that they can take their kids for programs, and that books are available on Amazon, and we do have access to other Libraries. So why not use our Resource Center in a more efficient manner. Councilman Mobus asked for a review of the survey and get back to Amber to finalize it. Councilman Mobus said he hopes this moves forward favorably and we can complete this project in 2019.

2. Police – Council President Gibbs said there has not been a Police Committee meeting scheduled yet but he is reporting on items from the Chief. He said the three new officers hired in the last few months have completed their field training. He reported Black Friday security discussions have started with Walmart and the local retailers. He said on Saturday, October 27th the Police Department will take part in the DEA's expired and unused medication program, and noted that it is really important for people to go through their inventory of medications. He said regarding Police activity for the month of September, there has been an increase in the amount of service calls from last year. Mayor Pote commented that there may be opportunity to reduce those numbers by asking the homeowners to do their part in trying to reduce the number of false alarms. Councilman Mobus asked if there has been any consideration of a mobile sub-station in the future down by the Sears redevelopment area and Council President Gibbs said not yet, however it can be discussed. He explained there may be some security concerns when the new theater opens, and noted that funds to cover police overtime were provided by the owner of the development. Council President Gibbs reported as liaison to the Board of Education that there is an upcoming meeting scheduled for October 31 and he will report back after. He said Monday's event at the golf course is not affiliated with the Council, it is strictly school related issues only. This is a privately sponsored event with the intent is to discuss school related events discussed by private individuals and he just wanted to let residents know this is not a borough function.

Councilman Black commented on the situation on Route 22 and the crime statistics. He said a previous comment was brought up by a resident to change our zip code from 07069 along the Rt. 22 corridor to another zip code and he looked into this process. He said the process may be easy to do and we could differentiate between these numbers which would change the crime statistics for our town.

3. Public Works / Buildings and Grounds- Councilman Nehls reported there is a new requirement from the DEP and we must have an A/B operator on staff for the fuel dispenser. He said we are trying to meet that requirement so four of our DPW employees attended the class and to date two have passed the license test. He said regarding the roads, pothole repairs are ongoing we are in the process of getting all the heating systems in the Borough's buildings turned on for the season.

4. Public Affairs:

Environmental – Councilwoman Alberto had no report and said their next meeting is scheduled for Monday, October 22nd.

Council President Gibbs reminded residents to please get tree permits if they are going to remove trees whether they are dead or alive. He said if they are living trees then you need a tree replacement plan which is filed with the Engineering Department, it is meant to make sure the erosion doesn't get worse in our town.

Recreation – Councilman Mobus said the Recreation Commission held the Harvest Festival Saturday and it was a very successful event. He said it was estimated that over 600 people attended the event. He thanked Linda Monetti for putting the event together and the Commission as well as the volunteers.

Historical – Councilman Mobus said the Historical Commission hosted the Somerset County's "Weekend Journey through the Past" at the Texier House and approximately 80 to 100 visitors came through. He encouraged the residents if they could to take time to visit the Texier House Museum. Mayor Pote commented the displays really are a piece of Watchung's history and are very well done.

Board of Health- Councilman Black said the town of Bound Brook withdrew from the Middlebrook Commission. He said there are several other towns right now showing interest to getting on board but we can only take on one more town to make sure Middle Brook is not spread too thin. He said the other item discussed at the meeting was cannabis, noting that the consensus of the board is they are not in favor of selling cannabis in our Borough and they plan to send a letter to the Mayor and Council asking us to support their recommendation. Councilman Black said that what is especially of concern is the fact that much of it is being sold as baked goods, and can be deceiving to people, especially young people. Council President Gibbs asked if the Board is recommending an ordinance or a resolution, and suggested that in the near future, we may want to ask Kevin Sumner or some of the professionals from our Board to talk about the long-term effects of marijuana use, and also the different types. Councilman Nehls noted that our Board of Health President Dr. Bruck Ruck has a great deal of expertise. Mayor Pote suggested we plan for this and include Chief Cina as his input is important as well.

5. Fire – Councilman Black said the Fire Committee met this morning and with Pete Martino and discussed some of his questions and concerns. He said right now we are brainstorming and absorbing the information discussed and we will get back to the council at the next meeting with answers to some of his questions.

6. Laws/Ordinances – Councilman Black commented that our attorney is still in the process of putting together the "airbnb" ordinance to preclude short term rentals. He said the short-term rentals are problematic and they need to be regulated. He said they also discussed removing the Village Center designation for the properties down by the triangle.

Council President Gibbs commented on the location of the Village Center. He said there is State law that authorizes us to designate a town center overlay which expires at the end of this year. He said we will not be renewing that for reasons Councilman Black has stated. He said the Borough Attorney and Committee feel confident all the types of requests that would go through the Village Center Preservation Committee will be handled through the Zoning Board. Councilman Black also the Committee is reviewing tightening up the property maintenance code and enforce stricter consequences, noting that since we've hired Lenny Young enforcement has improved. Mayor Pote said each circumstance can be uniquely different and sometimes are due to hardships, however we have to be aware of their neighbors and be able to protect their assets, ultimately we need to hold the bank accountable for homes that are still just sitting in neglect. Mayor Pote said we have been working with the Judge as well.

REPORTS - OTHER:

7. Engineer – Mr. Herits said the DOT applications have been submitted for next year. He said the miscellaneous drainage projects are scheduled to start on the 29th. He also said the area for the salt storage has been cleaned up. He mentioned the Theater is looking to open up by Valentine’s Day. He also said the townhouses that will be built on the old O’Conner’s property on Mountain Boulevard, will start soon.

8. Police Chief – No Report.

9. Fire Department - No Report.

10. Rescue Squad -No Report

11. Emergency Management -No report.

12. Attorney – No report

13. Clerk – Deputy Clerk MaryAnn Hance said absentee ballots applications are still available for pickup.

14. Administrator – No report

PUBLIC PORTION / AGENDA ITEMS ONLY

Peggy Ellis, Valley Road and Joe DeNicholas, Rock Road East, came to the microphone, however, were advised this public portion is for Agenda items only and they needed to hold their comments until the second public portion later in the evening.

UNFINISHED BUSINESS

NEW BUSINESS

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

Approval of the following Council minutes:

September 20, 2018
October 4, 2018

Acknowledging Receipt of the following Borough Reports:

Watchung Recreation Commission Minutes – September 5, 2018
Watchung Police Activity Report – August / September 2018
Board of Adjustment Minutes – September 13, 2018

Acknowledging Receipt of the following Correspondence:

#36- Township of Berkeley Heights Planning Board 10/10/18 Notice of Public Hearing on October 17, 2018 to review and act upon the application of the Connell Company c: M&C, TEA

#37 - Township of Bridgewater 10/15/18 Notice of Public Hearing on November 8, 2018 on Proposed Ordinance to Amend Code – Redevelopment, Specifically Allowing for Café and Restaurant Drive-Throughs c: M & C, TEA, Pl. Board

CONSENT AGENDA RESOLUTIONS: The Consent Agenda Resolutions listed below were unanimously adopted following a motion by Council President Gibbs and a second by Councilman Nehls and upon roll call the vote was as follows: Gibbs, Black, Nehls, Mobus, Alberto “aye.”

R1:10/18/18 Purchases over \$2,000 – Office Business Systems Inc. (PD – Phone Maint. Contract)
Atlantic Tactical (PD – Gear/Vests)
Pacific Law Sprinklers (B&G – Spratford Park Sprinklers)
Firefighter One (FD – Rescue Responder Pkg./Fan)

R2: Authorize Implementation of Halloween Curfew – October 30, 31, 2018

R3: Authorize Insertion of Special Item of Revenue 2018 Budget / Chapter 159 –
Somerset County Youth Athletic Grant

R4: Authorize Return of Escrow Fees – As Listed on Resolution

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

R5:10/18/18 Waive Chapter 2-25.10 of the Code - Gray’s Florist

R6: Payment of Bills

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, Alberto “aye.”

PUBLIC PORTION - GENERAL DISCUSSION

Peggy Ellis, Valley Road, said she saw the beautiful renderings of the proposed Community Center, at the Exempt Hall, first shown on Facebook at a political fundraising event, and asked who paid for the drawings stating that she felt it was inappropriate to show it at this event. Councilman Mobus said the rendering was pro bono and had just been received so they thought it would be a good time to make it public.

Joe DeNicholas, Rock Road East, asked about the 1500 calls and the 50 being for home alarms but inquired about the 1450 other calls. Councilman Gibbs said that was the year over year increase and explained that the calls covered various categories. Mr. DeNicholas said the results are startling to him and said we need to be concerned about this increase and it is only going to get worse. He said the idea of remote police presence at the malls should be considered, and it should have been made a requirement of the group that is doing the new project. Mr. DeNicholas said the idea of a separate zip code is a good idea but wasn’t sure if this would even be possible. Councilman Black said he believes it is do-able, however, he hasn’t been able to corroborate this with the Postmaster. He said it is his thought not to try to obtain a new zip code for that area, but to regress that area of town back to the 07060 zip code. Councilman Nehls commented that we do have a long-standing police presence on Route 22 corridor 24 hours a day. Councilman Black said Walmart had their own internal task force a while back and they alleviated a tremendous amount of these steps. Mr. DeNicholas said these statistics must change because this is what potential buyers look at. Councilwoman Alberto agreed that some type of police presence, even if it is a parked van, can make a difference.

Tina Kelly, Dogwood Lane, thanked all for their service, and said Watchung Hills High School is holding an informational session on November 13th at 6:30 P.M. regarding the cannabis not being favorable for Watchung. A doctor from the HoneyBee Foundation will be speaking and she is dedicated to educating parents on the opioid epidemic and the neurobiological substance use disorders. She thought this could be a good resource for everyone.

Angela Della Ventura, Upper Drive, said she would like to request an update on the status of the painting of the library. Councilman Nehls said there is no money to paint the building this year. He said it will be talked about for next year but as of this year there is no money. Ms. Della Ventura said the building hasn’t been painted for many years. She said it was promised to her the money would be found. Councilman Black commented he did get two quotes and went to the Department of Public Works but the funding was not there to provide the quotes. Councilman Black said now his only option left is he could go to the private sector for donations enough to raise enough money for any of these quotes. Ms. Della Ventura said this is a property that you are entrusted to maintain. Ms. Della Ventura said as a citizen of

this municipality it is expected that the Borough is to maintain the buildings that the Borough owns. If this was an individual home, under the Borough's property maintenance code, you wouldn't accept this as an excuse from a homeowner. Council President Gibbs advised we should get quotes, review them in Buildings and Grounds, and then it will come through to Administration and Finance to see if there is money available but we cannot make any promises. Councilman Mobus asked if we are closing the library why would we paint it. Ms. Della Ventura said the building is an embarrassment.

Amy Fiorilla, Washington Drive, said asked in regard to painting the building, what happened with the \$6,000 rebate the SCLS gives to the town? She said we should look into this for library maintenance since that is what we are getting this money for. Council President Gibbs said this is called unanticipated revenue and it goes to a general fund. She said the only towns that have closed library's in New Jersey in recent history are Camden and Trenton, so that is the category of municipality your putting us in when you talk about a losing a library. She said if you take the million dollars and go for the New Jersey State Library grant, dollar to dollar match you have the money for the library renovation which will be staffed forever. We will have to pay for staffing for the Exempt Hall. She said having the Library is a really good deal. She also said Watchung is a Library in need and would have a high priority for State grant matching money. She said Watchung is in a good position for this grant.

Lindsay Goodloe, Upper Drive, thanked the Council and Councilman Mobus for the information about the Community Center and however said there are still unanswered questions and thought it best if she just lists them: how will the Recreation Director be able to keep up the same amount of hours as the library does, which is about 61 hours and also keep up with her full time job; how people would get into the Community Center after hours and if there would be a key; what was the left over million dollars originally supposed to be used for and are the tax payers are currently paying interest on it; and what is the basis for the speaker from the Recreation Commission's conclusion that "programs would obviously be provided by the Somerset County Library System: given that the Director of the SCLS has stated that he is not promising any programs at all. Ms. Goodloe said she also takes issue with a previous comment about people getting books on Amazon which is neither an affordable solution or economically sustainable and it is much preferable for us to have a library.

Tamara Benc, Lakeview Avenue, said regarding the Resource Center wanted clarification that it was said that it will be staffed by the current Recreation Director, noting the current library staff are paid by the County not the Borough who are on duty about 60 hours a week. She asked if the current Recreation Director will be able to hold up the same amount of hours as the currently library staff does with no increase in salary? She asked if we are only planning one staff member for the center what happens when that one person staffing the building needs to take a sick day or go on vacation? She asked if there will be limited or no evening hours which will impact working people and school children. Councilwoman Alberto said we do have a library which is two miles down the road, and we are not replacing one for the other, we are building a Community Center, not replacing the Library.

Cori Haveson, Maple Street, said she is going to try to read a message which is a conglomerate of people's comments when they found out about the drawing, which is "hey, we want a Library" because when she goes canvassing 8 out of 9 people sign the petition to keep a library in Watchung, and the ratios of "yeses" to "nos" is somewhere between 8 to 1 and 20 to 1, depending upon how many people are home. She asked what happened to the great presentation Council President Gibbs gave regarding what size building we were going to build. She said we had some personnel changes and then it was said suddenly we were closing the library. She said instead acknowledging it was a mistake and looking into options and actual costs, you are going to spend \$1million on this building that nobody asked for was made, of She said she doesn't think the people they are representing would use the proposed Community Center, and said they don't want to take away your ball fields and the things that you appreciate.

Amber Murad, Glen Eagle Drive, said to clarify what she said earlier, the survey results will be what we use to identify what resources our center will provide because as Councilwoman Alberto pointed out, there is a Library two miles down the road. The survey will assess the needs as well as the times and specific programs the residents are looking for. She asked the residents to please go out and fill out the survey when it is posted. She reiterated that the "Weekend Journey through the Past" was a success.

Pete Martino, Sun Bright Road, said his vision for the building next store was as simple gathering hall. He said he is confused because now it has been expanded to full time employees. He thought it was going to be a place where if groups wanted to use they sign up and use it and bring their people to watch them. He asked if we are going into another area of a fully staffed establishment. He questioned the cost of this building now. He said we haven't even moved into the building yet and there is already a proposed addition on it and if we could go through this as a step by step process. He said this building was never supposed to take the place of a library. He asked if we cold acquire the building and try and keep expenses to a minimum. Councilman Nehls commented that this will be a step by step process. He said hopefully in time we will get donations from residents which will offset the costs and that's when things will occur but it will be a step by step process. Mr. Martino said a community committee could be put together to discuss and talk about it.

Tracey DiFrancesco, Templar Drive, said she wanted to show her support for the Community Center. She said her children are very excited to have something to do in town so they have a place to go and things to do.

Margaret Ellis, Valley Road, said she listened with interest regarding the Resource Center and it sounds lovely but everything we are discussing to put in the Community Center is part of a modern library. She said you are talking about putting \$1 million dollars into this Center which will not include the full services of a Library. She said they are talking about spending a million dollars on a a building which

won't include the full services of a Library when right now we can get dollar for dollar of a matching grant, put up a \$2 million-dollar library that includes everything you are talking about and it would cost us \$1 million dollars, the plan for the Community Center makes absolutely no sense. Councilman Nehls said there has never been a plan for a \$2 million-dollar library. He also said the last rendering that came to us was \$3.2 million dollars just for the building of the building and nothing else. He said \$ million dollars was never discussed.

Cori Haveson, Maple Street, said it doesn't explain why you suddenly decided to close the library in the middle of deciding what size building we should build. She said it was done without transparency and discussion. She asked if anyone can answer. Council President Gibbs advised we cannot respond regarding the library due to the lawsuit. Ms. Haveson asked what happened to the process that was happening. She said some of us feel a \$3 million-dollar library could work if we were provided with matching funds and there are also people out there who would like to donate money but it has been to confusing for them to sign up. She said we have falling test scores but we want to close a library. Councilwoman Alberto said we have a library in every school. Ms. Haveson said that the Library we've had is an institution.

Giacomo Cocchiara, Ellison Road, said his biggest concern as a resident for fifteen years is property values. He said his property values have gone down and not up in this town. He said the most important things about a town are the schools and property taxes and maybe community services. He said he is not quite sure he has ever spoken to someone and they have asked him what the Watchung Library is like. He commented on our focus being more on the town's taxes being high and the school systems being down. Council President Gibbs said there is an interesting statistic from the years 2000 to 2015, if we compare our tax increases from the surrounding towns, Watchung has had one of the lowest tax increases. Mr. Cocchiara said from fifteen years ago his taxes have remained pretty steady but he lost money in his property values.

Amy Fiorilla, Washington Drive, said the school libraries are open 180 days a year between the hours of 8:30 A.M. and 3:00 P.M. She said her children never used the library in the schools because there is no time. She said if you "google" the distance between our current Library and Warren's Library it is 2.7 miles and for the people who live on the opposite end of town, directions will take you to R78 - the Warren library is not a local library. She said the architect's renderings had four alternatives and the lowest one was 1.91 million dollars. Councilman Nehls said the architect said the only way he could build a library was for 3.2 million dollars. Mayor Pote said the residents said are looking for a solution. Councilman Nehls quoted a letter from the Library Study Committee where they requested a 12,000 square foot building to use as a library. Councilman Mobus commented that some of the residents do not feel it's necessary to spend 5 million dollars on a Library. He said you are talking about a million or two million and that is no where near the reality of what it would cost to build a Library. He said to build a 9000 sq. ft Library would cost a minimum of \$5 million dollars and this came from Somerset County Library Commissioner's Study. Ms. Fiorilla asked how she can get a copy of that and Councilman Mobus said he would give it to her.

Joe DeNicholas, Rock Road East, said we've had a Library and school scores are down, so having a Library does not affect the school scores. He said he's put 3 kids through the school system and they all have done very well, and they used the internet, not the Library.

Councilman Black said this past Sunday was Fire Prevention Sunday and he thanked Councilman Sopko, Councilwoman Alberto, and Mayor Pote for attending.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned to the Call of the Chair and to the next regularly scheduled meeting to be held on Thursday, November 1, 2018 at 7:30 P.M.

Respectfully submitted,

Regina Angelo, RMC
Administrative Assistant