

# **BOROUGH OF WATCHUNG**

## **MINUTES**

**DECEMBER 8, 2011 - 7:30 P.M.**

**MAYOR'S STATEMENT:** Mayor Gerald Mobus called the meeting to order at 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 TROOPS**

### **ROLL CALL**

Joren [ A ] Black [ P ] Franklin [ P ] Pote [ P ] Nehls [ P ] Cassidy [ P ]

Also present were Administrator Tom Atkins, Attorney Albert Cruz, and Clerk Michelle DeRocco. Although not present at roll call, Council President Joren arrived at 8:20 P.M., and Councilman Black excused himself from the meeting at 9:16 P.M. Consulting Engineer Lee Purcell was also present for the Public Hearing of Proposed Ordinance OR:11/15.

There were 23 members of the public present.

### **SPECIAL PRESENTATION**

Michael V. Kerwin, Somerset County Business Partnership / Comprehensive Economic Development Strategies

Mr. Kerwin presented the highlights of the State's Strategic Plan: "New Jersey's Development and Redevelopment Plan," and Somerset County's Strategic Plan - "Sustainable Somerset" and explained how the County's plan will compliment the State's plan. He spoke of "CEDS," Comprehensive Economic Development Strategies that will include job creation and steps the County plans to take to achieve this process. Mr. Kerwin said the State has made it clear that support on the local level is needed to achieve these visions. He asked for the Governing Body's support of this initiative. Mayor Mobus thanked Mr. Kerwin for his presentation.

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

1. Administration & Finance - Councilman Franklin announced the Administration and Finance Committee met and discussed some personnel issues and will be making some recommendations. He asked all Council members to return their budget books, as the budget process has begun and said he hopes to have preliminary figures soon.

2. Police - No report was presented.

3. Public Works - Councilman Nehls noted the two public hearings on bond ordinances on tonight's agenda, one is for the purchase of a Mason Dump Truck for Public Works, and the other is for the engineering and design fees for a sanitary sewer project on Johnston Drive and Valley Drive. Councilman Nehls reported the Borough's efforts to assist residents in the branch clean-up after the October snow event is ongoing, and said 26 streets have been completed. He said the Borough has hired an outside contractor, Predator, to assist in this effort. Councilman Franklin asked if the County is cleaning-up on Mountain Boulevard and Councilman Nehls said he doesn't believe so, but will have Bob Burns call the County.

4. Buildings and Grounds; Recreation - Councilwoman Cassidy reported the new doors have been installed at the Fire House, and said this should reduce some heating costs. She said the painting of the interior of the Texier House will begin shortly, and at last night's Recreation Commission meeting the proposed budget was discussed.

5. Public Affairs - No report was presented.

6. Fire - No report was presented.

7. Laws/Ordinances - Councilman Pote said he will be reviewing the summary report received from the architect for the preliminary design plan for the Library. He said he will soon be scheduling a meeting for the Laws and Ordinance Committee.

8. Engineer - No report was presented.
9. Police Chief - No report was presented.
10. Fire Department - No report was presented.
11. Rescue Squad - Noah Monetti reported a great turnout at the Tree of Lights celebration, and thanked the Mayor and Council for their support. He said the Squad's biggest call for November was the search and rescue, with more than 10 members responding. He said the Squad recently hosted a "Get to know the Rescue Squad" event for the Watchung Girl Scouts, and provided a tour of the ambulances & equipment. He said the Squad is ready to transition into the new year, and reported the November statistics - a total of 35 calls, 5 mutual aid, and the top responders for the month were Adam Wexler (16), Noah Monetti (13), Lysandra Plotkin (12) and Denise Wilson and Alby DeSandolo (10).
12. Attorney - Mr. Cruz said he has one item for discussion in Executive Session.
13. Clerk - Mrs. DeRocco said she had nothing to report this evening.
14. Administrator - Mr. Atkins said he held a kick-off meeting with the Department Heads to begin the budget process, and asked that 2012 budget requests be submitted by December 29th.

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**UNFINISHED BUSINESS**

Councilwoman Cassidy recused herself from the Public Hearing of Ordinance OR:11/15.

A Public Hearing on Proposed Bond Assessment Ordinance OR:11/15 entitled "BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$70,000 FOR ENGINEERING AND DESIGN PHASE IN CONNECTION WITH SANITARY SEWER IMPROVEMENTS TO A PORTION OF JOHNSTON DRIVE FOR AND BY THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY, DIRECTING A SPECIAL ASSESSMENT OF THE COST THEREOF IN THE AMOUNT OF \$35,000 AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF." was held. Councilman Pote moved a public hearing be held with a second by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, "aye."

Gary Repace, Johnston Drive, said when he first received the questionnaire in regard to whether or not he was in support of the proposed sewer project, the letter implied that the only cost that would be assessed to the homeowner was the \$17,000. cost of the project. He said he was now informed that there will be many other expenses involved, such as the cost of hiring a plumber to run a pipe from his home to the sewer, and possibly a pump. He said his septic is only 7 years old and working quite well, and does not believe the costs of this project were properly explained. Mr. Repace said he was unable to attend any of the 3 public information meetings that were held. He said he is not necessarily against the project but is against the requirement to hook-up.

George Sayan, Johnston Drive, asked if it is a state law that residents must hook up, and cited a state statute, NJSA 7:9-A1.6e. Mr. Cruz said he would review the statute Mr. Sayan spoke of and advise the Governing Body.

Councilman Nehls informed the public that the Board of Health is looking into possible amendments to the Borough's sewer ordinance to include some exclusions. He said they will be meeting in January to discuss this.

Mr. Cruz explained to the public that they have the right to change their vote, and explained it was mailed out as a way to ascertain the sentiments of the property owners, however, the Council has made a policy to sewer the Borough in the best interests of the health, safety and well being of its residents. Mr. Cruz said this Governing Body has held 3 public meetings for residents involved in this project and provided the opportunity to ask questions, comment, request explanations, or to voice concerns.

Guennadi Kharkorski, Johnston Drive, said he just moved into his home, and asked why the Borough requires residents to hook-up within 6 months of the completion of the project, and Councilman Nehls explained that the Board of Health is also reviewing that requirement.

Brad DeLamielleure, Valley Drive, said his street is going to be added to this project and the residents of Valley Drive want sewers, however, he understands the concerns of those who may have a new septic.

Jeff Cain, Valley Drive, said he supports this project, and that his septic is only 8 years old, but believes this is the right thing to do.

Ben Toscano, Bonnie Burn Road, asked if the estimated costs include any stipulation for rock and Mr. Cruz explained this project has not yet been designed.

Doris Fine, Johnston Drive, said she supports this project.

With no one else from the public desiring to be heard, Councilman Pote closed the public hearing.

R1:12/8/11 Adoption of Bond Assessment Ordinance OR:11/15 - Engineering and Design for Johnston Drive Sanitary Sewer Improvement Project

Councilman Pote offered R1:12/08/11, Councilman Black seconded the motion, and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, "aye." Councilman Pote directed the Clerk to publish the notice of adoption.

Councilwoman Cassidy returned to the meeting.

A Public Hearing on Proposed Bond Ordinance OR:11/16 entitled "BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$73,000 FOR ACQUISITION OF A MASON DUMP TRUCK WITH ATTACHMENTS FOR AND BY THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$69,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION." was held. Councilman Pote moved a public hearing be held with a second by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye."

With no one from the public desiring to be heard, Councilman Pote closed the public hearing.

R2: Adoption of Bond Ordinance OR:11/16 - Purchase of DPW Vehicle / Mason Dump

Councilman Pote offered R2:12/08/11, Councilman Nehls seconded the motion, and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye." Councilman Pote directed the Clerk to publish the notice of adoption.

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## NEW BUSINESS

**CONSENT AGENDA:** The Consent Agenda items listed below, with the exception of #72, were unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy "aye".

Approval of the following Council minutes:

Regular Meeting of November 28, 2011  
Executive Sessions - August 18, September 8, and October 13, 2011

Acknowledging Receipt of the following Borough Reports:

Recreation Commission Minutes - September 7, 2011  
Revenue Report - October, 2011  
Tax Collector's Report - October, 2011  
Building Department Report - November, 2011  
Historical Committee Minutes - October 19, 2011  
Open Space Advisory Committee Minutes - October 17, 2011

Acknowledging Receipt of the following Correspondence:

Councilman Franklin requested the following correspondence, #72, be removed for discussion:

#72 - Terrence O'Connor 12/5/11 Requesting assistance, on behalf of the residents of Prospect Avenue  
c: M & C, TEA, TH

Mayor Mobus said he has requested Borough Engineer Tom Herits look at the signage at the intersection of Prospect and Bonnie Burn Road, and if needed, take action before the DOT is done. Councilman Franklin said this request is a "no-brainer" as it is clearly misplaced and results in wrong turns being made down Prospect Street by people who think they are going to Newark.

Councilman Nehls moved for the return of #72 back to the Consent Agenda, Councilwoman Joren seconded the motion, and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, and Cassidy, "aye."

#73 - Somerset County Planning Board 11/22/11 Resolution of Adoption for Making Connections:

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**CONSENT AGENDA RESOLUTIONS:** The Consent Agenda resolutions listed below, with the exception of R4, were unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Black, and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye".

R3:12/08/11 Authorize Clerk to Issue Raffle License - Sister of Mercy of the America's

Councilman Nehls requested the R4 be removed for discussion:

R4: Authorize Expansion of Contract - Maser Consulting / LSRP Services, Ness Property and Authorize Mayor to sign DEP / LSRP Notification

Councilman Nehls explained this is remediation work that needs to be done on the Ness property in order to comply with DEP regulations and will enable the Borough to move forward with this property.

Councilman Nehls moved for the adoption of R4, Councilwoman Cassidy seconded the motion, and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, and Cassidy, "aye."

R5: Authorize Appointment of Police Department Part-Time Employee - Michael Sugalski

R6: Authorize Treasurer to Issue Tax Appeal Refund - 80 Knollwood Drive

R7: Purchases Over \$2,000. - Flaherty & Burke Interior/Exterior Painting

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**NON-CONSENT AGENDA:** 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.

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**NON-CONSENT AGENDA RESOLUTIONS**

R8:12/08/11 Waive Chapter 2-25 of the Code of the Borough - Gray's Florist & Greenhouse

Councilman Pote moved R8, a second was made by Councilman Franklin and upon roll call the vote was as follows: Joren, Franklin, Pote, Nehls, Cassidy, "aye"; Black, "abstain."

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**PUBLIC PORTION**

Doris Fine, Johnston Drive, spoke of what she believes is a dangerous condition at the intersection of Bonnie Burn Road and Johnston Drive. She explained when approaching Bonnie Burn from Johnston Drive it is almost impossible to make a left and she has seen almost three "head-on" collisions and that she hopes it doesn't take an accident for changes to be made. Mayor Mobus said the Borough can provide a "punch-list" to the DOT before this project is completed, and may also make a recommendation in regard to the speed limit.

R9:12/08/11 Executive Session: Contract Negotiations: Shared Services Agreements with Borough of North Plainfield

Councilwoman Joren moved R9, a second was made by Councilman Nehls and upon roll call the vote was as follows: Joren, Franklin, Pote, Nehls, Cassidy, "aye".

Upon return to regular session, all Council members previously in attendance were again in attendance.

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**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 9:52 P.M. to the call of the Chair and the next scheduled meeting to be held at 7:30 P.M. on Thursday, December 22, 2011.

Respectfully submitted,

Michelle DeRocco, RMC

