

BOROUGH OF WATCHUNG

MINUTES

MARCH 22, 2012 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Gerald Mobus called the meeting to order at 7:36 PM and made the following statement: Under the provisions of N.J.S.A.10:4-6 et seq., notice of the time and place of this meeting was given by way of annual notice to the Courier News, Echoes Sentinel, and Star Ledger, and posted at Borough Hall.

SALUTE TO THE FLAG and a MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD

ROLL CALL

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

Also present was Borough Administrator Tom Atkins, Attorney Albert Cruz, Police Chief Tim Wenzel, CFO Bill Hance, Engineer Tom Herits, and Clerk Michelle DeRocco.

There were 8 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin reported the Administration and Finance Committee met on Saturday morning and discussed the preliminary budget, capital appropriations, bonds, and some personnel issues. He said he attended a meeting of the Library Advisory Board and advised the Mayor that there are several inactive members and new appointments are needed.

2. Police - Council President Joren said the award of bid to the Rodgers Group for the Police Accreditation Services is on the agenda for approval. She said the Traffic and Beautification Commission has reviewed the options for colors on the new street signs and have recommended green as their first choice, and the deep red as their second choice. Councilwoman Joren said she will ask the Police Committee for their color recommendation.

3. Public Works - Councilman Nehls noted the public hearing of an assessment bond ordinance on tonight's agenda for the engineering costs of the Johnston Drive sewer project. He explained that this ordinance amends an ordinance that was approved last November, by adding the additional properties on Valley Drive. He said that while DPW Supervisor Bob Burns is out nursing an infection in his knee, Andy Baldassarre has been taking care of things in his absence.

4. Buildings and Grounds; Recreation - Councilwoman Cassidy said the Recreation Commission met last week, and will be having another session to follow-up on the discussion of the summer park program.. She said the Commission is looking to revise the roles of the counselors. She reported that Buildings and Grounds has been working to get the fields in shape for opening day and spring sports. In regard to the 911 Committee, Councilwoman Cassidy reported that two meetings were held recently and a decision on a new memorial is getting closer. She said she is extremely proud to be a part of this committee.

5. Public Affairs - Councilman Franklin said Open Space Committee will be meeting on April 16th, and Councilman Black said the next Board of Health meeting will be held on March 28th.

6. Fire - Councilman Black announced the next tentative meeting date for the Fire Committee is Monday evening.

7. Laws/Ordinances - Councilman Pote noted the introduction of an ordinance is on tonight's agenda that will amend the Borough's code pertaining to flag lots, in particular pole size and driveway size. He said at the last Planning Board meeting, an application by AT&T to put cellular communication connections on a tower, was approved, however, the tower was not approved. Councilman Pote said another Library Study meeting will be held in April, however, there are still communication issues with the architect.

REPORTS - OTHER:

8. Engineer - Mr. Herits said he met with the Public Works Committee to finalize the summer roadwork project. He said the DOT is removing dirt from the mound at Bonnie Burn Road to eliminate sight issues, and that we are still waiting for the signage by Prospect Street. He said a meeting was held for Mountain Drive residents and a concept plan was presented. Mr. Herits said the easements are being discussed. He reminded all that the County’s public hearing for the Mountain Boulevard project is scheduled for May 14th at the Municipal Court in Watchung.

9. Police Chief - No report was presented.

10. Fire Department - No report was presented.

11. Rescue Squad - No report was presented.

12. Attorney - Attorney Cruz addressed item #12 on the non-consent agenda. He said he was in receipt of a letter from the Villa Domenico homeowners association, and explained that last year the Borough did declare the developer in default of their agreement. He explained that he has been speaking with the bonding company to try to get them to come back and finish the road and the landscaping. He said he has been informed that the adjuster he had been working with is retiring and he will not know who the new adjuster is for 7 - 10 days. The surety company said they would not undertake the work unless the cash surety deposit is released. Mr. Cruz said he has advised them that the Borough is considering releasing the cash security so that the work might be satisfactorily completed.

13. Clerk - Mrs. DeRocco announced that Watchung has been chosen to host a “shred event” and the tentative date will be Saturday, June 16th. She said she will provide more details once this is confirmed.

14. Administrator - Mr. Atkins said he spoke with Bob Burns this afternoon, and said he is home now and in good spirits after his surgery. Mr. Atkins complemented the Council and the professional staff for receiving the JIF safety incentive, awarded for 100 % compliance credit, and noted Watchung was in the top two of all participating towns.

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UNFINISHED BUSINESS

Councilwoman Cassidy recused herself at this time and stepped down from the dais.

A Public Hearing on Proposed Assessment Bond Ordinance OR:12/02 entitled: “BOND ORDINANCE TO AMEND THE TITLE AND SECTIONS 1, 2, 3, 6, 8 AND 11 OF THE BOND ORDINANCE (ORD. 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", ADOPTED ON DECEMBER 8, 2011.” 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.”

Ben Tuscano, Bonnie Burn Road, questioned if this new ordinance increases the engineering costs due to the additional Valley Drive properties being added. Councilman Nehls explained that the Borough is working on “projected” engineering costs, and the amounts may change as the Borough proceeds with this project. He said when the project is completed an assessment committee reviews the costs associated with the project and 50% is paid by the property owner and 50% is paid by the Borough. He explained the homeowner will still be responsible for the tie-in fees. Mr. Cruz explained that when the engineering design for this project is completed, the project will then go out to bid, and at that time the residents involved will receive another notice of a public hearing. Councilman Nehls announced that on May 8th, another public hearing will also be held, as required by the New Jersey DEP.

Guennadi Kharkorski, Johnston Drive, asked if any progress is being made in regard to possible exclusions to the mandatory hook-up requirement. Councilman Nehls said the Board of Health will be discussing this at their next meeting, and said the meeting is open to the public. Mr. Kharkorski asked if the Board of Health’s regulations can override the State’s, and Councilman Nehls advised that local laws prevail.

With no one else from the public desiring to be heard, Councilman Pote closed the public hearing and moved the following resolution:

R1:03/22/12 Adoption of Assessment Bond Ordinance OR:12/02 - Amendment to Assessment Bond Ordinance OR:11/15 - Engineering and Design / Sanitary Sewer Improvement Project

Councilman Nehls seconded the motion and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, "aye."

Councilwoman Cassidy return to the dais.

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NEW BUSINESS

CONSENT AGENDA: The Consent Agenda items listed below were unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Black and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye".

Approval of the following Council minutes:
March 8, 2012

Acknowledging Receipt of the following Borough Reports:
Building Department Report - February, 2012
Police Activity Report - February, 2012
Tax Collector Monthly Report - February, March, 2012
Recreation Commission Minutes - February 1, 2012

Acknowledging Receipt of the following Correspondence:

- #10 - Suburban JIF 3/9/12 Letter commending the Borough on completing 100% of the JIF's Safety Requirements, and notification of \$800. in incentive awards c: M & C, TEA, BB
- #11 - Gerald Mobus, Mayor 3/20/12 Authorizing the appointment of Virginia Hartmann to the Library Study Advisory Board c: M & C

Mayor Mobus clarified that this appointment is to the Library Study Committee, not the Advisory Board.

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CONSENT AGENDA RESOLUTIONS: The Consent Agenda items listed below were unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye".

- R2: Purchases Over \$2000. - NJ Fire Equipment Co.
- R3: Authorize 2012 - 1st Qtr. Tax Overpayment Refund - 115 Hill Place
- R4: Authorize Discharge of Liens - Payment of Curb Agreements
- R5: Appointment of Junior Member / Fire Department - Noah Monetti
- R6: Authorize Return of Escrow Funds - As Listed
- R7: Award of Proposal - Police Accreditation Services / The Rodgers Group, LLC

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NON-CONSENT AGENDA ITEMS AND RESOLUTIONS: 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 Ordinance OR:12/03 entitled "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO MODIFY THE REQUIREMENTS FOR FLAG LOT POLES AND DRIVEWAYS CONTAINED IN SECTION 28-40 1.V." was introduced. Councilman Pote moved the ordinance be given its first reading. So ordered. Councilman Pote moved the ordinance be adopted on first reading and the Clerk be directed to publish the ordinance and notice of public hearing.

R8: Introduction of Ordinance OR:12/03 - Amendment to the Borough Code / Flag Lots

The motion was seconded by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye". Public Hearing to be held on April 26, 2012.

R9: Payment of Bills

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

Council President Joren read the following proclamation on behalf of the Mayor: (copy attached)

Proclamation : Honoring Violetta DuPont / 100th Birthday

#12 - Michael Polulak, Esq. 3/19/12 Letter on behalf of the residents of Villa Domenico regarding the status of the condition of the community's property c: M & C, TEA, AC, TH

Mr. Cruz addressed item #12 in his report.

#13 - Richard Dwyer, PSE&G 3/13/12 E-mail requesting exemption of Borough Code / Noise Regulations - requesting permission for Saturday

Construction when replacing towers as part of the North Central Reliability Project c: M & C, TEA, AC

Councilman Nehls explained that this request is to allow PSE&G to work between the hours of 7:00 AM and 7:00 PM on Saturdays. Council President Joren asked how long the duration of this project will be, and Mayor Mobus suggested that the Governing Body considers authorization of the Saturday hours from 7:00 AM to possibly 3:30 PM. Councilman Nehls asked the Clerk to obtain more details from PSE&G and requested that this request be tabled.

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PUBLIC PORTION
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No one from the public desired to be heard.

Councilman Nehls reminded all that the local school board will be introducing their budget on March 2

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ADJOURNMENT
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There being no further business to come before the Council, the meeting was adjourned at 8:34 P.M. to the call of the Chair and to the next scheduled meeting to be held at 7:30 P.M. on Thursday, April 12, 2012.

Respectfully submitted,

Michelle DeRocco, RMC
Clerk