

BOROUGH OF WATCHUNG

MINUTES

JUNE 28, 2012 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Gerald Mobus called the meeting to order at 7:37 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 [A] Black [P] Franklin [P] Pote [P] Nehls [P] Cassidy [P]

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

There were 5 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin advised the Council that a new procedure is being implemented this evening for paying bills. He explained that all the purchase orders are available in the Clerk's office for review, however, instead of signing each one individually, there will be one master sheet to sign off on. He said this will save a lot of time.

2. Police - No report was presented.

3. Public Works - Councilman Nehls reported an inspection of Borough buildings and grounds was conducted by the JIF, and he thanked the Township of Warren's Department of Public Works for storing 215 tons of our road salt. He said a stand-alone air conditioner was placed in the Police Department's computer room and is working well. He said potholes were repaired on 8 streets, and thanked Somerset County for the use of their machine. Councilman Nehls reported community service has been washing police vehicles and assisted with the shred event, in addition to roadside trash removal. Councilman Nehls said the Public Works Committee met on Tuesday morning to discuss the easements needed on Johnston Drive for the upcoming sewer project. He said he attended the Board of Health meeting, along with Attorney Cruz and liaison Councilman Black, and reported a good discussion ensued and he anticipates the first reading of a revised sewer ordinance in September.

4. Buildings and Grounds; Recreation - Councilwoman Cassidy announced the Recreation Commission met on Tuesday and will be recommending changes for fees, in particular the field use permits, use of the pavilion, and implementing a fee for the use of the gazebo for a wedding. She said Commission member Dave Mobus will be presenting an update on the tennis courts to the Governing Body at the July Council meeting. She reported that due to the cancellation of the summer park program, some credits from previous year's field trips may be used for some upcoming community events. In regard to Buildings and Grounds, Councilwoman Cassidy announced that the painting of the exterior of the Texier House is the next project to be considered.

5. Public Affairs

Open Space - Councilman Franklin announced the Open Space Advisory Committee will not be meeting during the summer, however, when they reconvene they intend to continue their review of the Open Space Inventory.

Environmental - Councilman Franklin reported the Committee met Monday evening and discussed tree removal on heavily wooded properties. He said it was the consensus of the Committee that requests for tree removal on properties with a very dense tree population should be decided on a case by case basis, and may need to appeal to the Council.

Board of Health - Councilman Black said last night's meeting went well, and amendments to the sewer ordinance were discussed.

6. Fire - Councilman Black had no report.

7. Laws/Ordinances - Councilman Pote reported the Library Study Committee met last night to work on creating the question for the referendum, and intend to pass it on to Mr. Cruz for his review. He said he is also working on the numbers with CFO Bill Hance and will be providing a draft to the Council shortly.

REPORTS - OTHER:

8. Engineer - In Mr. Herit's absence, Councilman Nehls read the following report. PARSA has installed a cell modem at the Plainfield Road Berkeley Height meter station, and they will b downloading the past flow history from the meter and hosting the data on their server. The bond ordinance for the 2012 road and drainage projects, i.e. Johnston Drive, Hill Hollow, Glen Eagles, is being introduced tonight and he is preparing the bid documents. He met with the NJ American Water Company and the County regarding the replacement of the water main on Mountain Boulevard, and noted this will be done simultaneously with the Mountain Boulevard Improvement Project. He reported the Borough's sanitary sewer information has been submitted for the County Wastewater Plan, and that the easement acquisition for the Mountain Drive drainage work and the Johnston Drive/Valley Drive sanitary sewer project has begun.

9. Police Chief - No report was presented.

10. Fire Department - No report was presented.

11. Rescue Squad - Councilman Nehls said he was in attendance when the Squad hosted the District meeting on Monday evening and said there was a very good turnout.

12. Attorney - Mr. Cruz had no report.

13. Clerk - Mrs. DeRocco reported the County held the shred event on Saturday, June 16th at the Police Department parking lot. She said it was very well attended and thanked Deputy Clerk MaryAnn Hance, Bob Burns, Bob Pittinger, the Environmental Commission, Mayor Mobus, and her husband Tom, for their assistance.

14. Administrator - Mr. Atkins reported that he and CFO William Hance met with the Borough's auditing firm, Suplee Clooney, and reviewed the audit report and their recommendations.

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UNFINISHED BUSINESS

A Public Hearing on Proposed Ordinance OR:12/08 entitled "**AN ORDINANCE AMENDING CHAPTER X, TITLED "ANIMAL CONTROL", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY AMENDING ARTICLE I, TITLED "DOGS."**" 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: Black, Franklin, Pote, Nehls, and Cassidy, "aye."

Councilman Franklin suggested this Ordinance be amended to exempt service dogs, police dogs, and guide dogs from the licensing fees. Mr. Cruz advised to proceed with this ordinance as introduced and refer Councilman Franklin's comments to Laws and Ordinance Committee for their review.

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

R1:06/28/12 Adoption of OR:12/08 - Amend Code - Animal Control

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

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NEW BUSINESS

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

Approval of the following Council minutes:
June 14, 2012

Acknowledging Receipt of the following Borough Reports:
Historical Committee Minutes - May 9, 2012
Board of Health Minutes - March 28, 2012

Acknowledging Receipt of the following Correspondence:

- #33 - Mayor Giordano, Borough of North Plainfield 6/15/12 Invitation to Governing Body to participate in their annual Independence Day Parade, "Honoring our Veterans and their
- #34 - Mary Ann Walker Martinez 6/22/12 Letter opposing Police Department merger, and supporting books in the Library vs. disks c: M & C, TEA
- #35 - Township of Warren 6/25/12 Notice of Public Hearing on Proposed Ordinance 12-15 amending LDO, specifically adding a new subsection entitled "Request for Rezoning" Public Hearing to be held on July 19, 2012 c: M & C, TH, DS

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CONSENT AGENDA RESOLUTIONS: The Consent Agenda items listed below were unanimously accepted, following a motion by Council Black, a second by Councilman Franklin and upon roll call as follows:

- R2:06/28/12 Supporting the amendments to the County's Wastewater Management Plan: Future Wastewater Service Areas
- R3: Authorize Appointment of Alternate Electrical Sub-Code Inspector - John McManus
- R4: Appointment of Junior Member to Fire Department - Nim Sten-Giladay

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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 Bond Ordinance OR:12/09 entitled "**BOND ORDINANCE TO AUTHORIZE THE 2012 ROAD AND DRAINAGE IMPROVEMENT PROGRAM IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY, TO APPROPRIATE THE SUM OF \$430,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A STATE GRANT, 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 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.

- R5: Introduction of Bond Ordinance OR:12/09 - 2012 Drainage and Road Improvements

The motion was seconded by Councilman Black and upon roll call the vote was as follows: Black, Franklin, Pote, Nehls, and Cassidy, "aye." Public Hearing to be held on July 19, 2012.

Councilman Nehls offered the following resolution:

- R6: Authorize Rights-of-Way Use Agreement - Fibertech

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

Council Franklin offered the following resolution

- R7: Waive Chapter 2-25.10 of the Borough Code - Gray's Florist & Greenhouse

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

~~R8: Authorize Execution of Employment Agreement - Dispatchers /FMBA Local 432
 Councilman Black seconded this motion and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, "aye." WITHDRAWN~~

Councilman Franklin offered the following resolution:

- R9: Payment of Bills

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

Council Franklin offered the following resolution

R10: Authorize Commitment of the Borough's Affordable Housing Trust Fund, as per Budget Resolution 1424

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

Mr. Cruz requested the following resolution be deferred until after the Executive Session.

R11: Authorize Clerk to Reject all Proposals Received and Re-advertise - Borough Property on East

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PUBLIC PORTION

Saul Seltzer, Ridge Road and Library Study Committee member, said the Committee met yesterday and further discussed questions pertaining to the future of the Library. He thanked Councilman Pote and the Committee members for the time they have devoted to the Library. He thanked the Mayor and Council for holding the public forum on June 18th, and said he was glad to see a large turnout.

Councilman Black offered the following resolution:

R12: Executive Session: Litigation: Melchionda v. Borough of Watchung
Contract Negotiations: Shared Services - Borough of North Plainfield/

Township of Green Brook

Contract Negotiations: RPM Development Group

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

The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

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

Councilman Franklin offered the following resolution.

R11: Authorize Clerk to Reject all Proposals Received and Re-advertise - Borough Property on East Drive, Block 6.01, Lot 57.01

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

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:10 P.M. to the call of the Chair and to the next scheduled meeting to be held at 7:30 P.M. on Thursday, July 19, 2012.

Respectfully submitted,

Michelle DeRocco, RMC
Clerk