

BOROUGH OF WATCHUNG

MINUTES

APRIL 25, 2013 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:30 PM and read 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 AND ALSO A MOMENT OF SILENCE FOR THE VICTIMS AND FAMILIES OF THE MASSACHUSETTS BOMBING TRAGEDY AND ALSO THE FAMILY OF TRACY PENN, COUNCIL PRESIDENT JOREN'S BROTHER.

ROLL CALL

Joren [A] Black [A] Franklin [P] Nehls [P] Gibbs [P] Beck-Clemens [P]

Also present were Administrator Tom Atkins, Engineer Tom Herits, CFO Bill Hance, Clerk Michelle De-Rocco, Deputy Clerk MaryAnn Hance and Public Works Manager Bob Burns. Attorney Albert Cruz was not present, Attorney Michael Crisetello was present sitting in for Mr. Cruz.

There were 12 members of the public present

REPORT OF STANDING COMMITTEES:

- 1. Administration & Finance** – Councilman Franklin reported the revenue report still shows “red”, and said that our account balances at the end of the year were not very high, less than \$100,000 after the entire year expenditures for 2012. He explained it is not the appropriations allocated, it is more on the revenue side. He said returns on investments have decreased because interest rates are much lower. The Borough is working on a temporary budget until the current year budget is introduced on May 9th and hopefully will be adopted in June.
- 2. Police** – No report was presented.
- 3. Public Works / Buildings and Grounds** – Councilman Nehls reported the Public Works Department to date has collected \$4,250 for mulch deliveries. He said there are still some deliveries to make for those who have prepaid and until those are completed, no new requests are being accepted. Leaf bag pickup has begun and will be completed by May 3rd. The Borough has received an extension from the DEP for the Ness Farm site until May 31st for the temporary debris management for the storage of Super Storm Sandy tree parts. A new water line has been installed at Phillips Field and the ballfields were prepped and ready for opening day. The temporary repair of the Pump Pack Control System at Watchung Square pump station is finished and the system is operating on float backup. Councilman Nehls reported there was much build up of grease and other debris, and said the Board of Health will have to be more diligent checking that grease traps are installed and in working order. Councilman Nehls read a letter received from Watchung Board of Education thanking the Public Works Department for their quick response and assistance during the boring incident at Bayberry School on March 27th, and allowing Andy Baldassarre and Anthony Vitelli at the site to assist. Dr. Resko also sent a letter of appreciation to Electrical Inspector Joe Mareta.
- 4. Public Affairs:**
 - Open Space** – Councilwoman Beck-Clemens reported the committee will be having their reorganization meeting on May 20th and they need two more representatives from the community. She said anyone interested should complete a volunteer form which they can download from the Borough website or pick up or request a form from Borough Hall.
 - Environmental-** Councilman Gibbs had no report but stated the committee will be setting up a meeting shortly.
 - Recreation** – Councilwoman Beck-Clemens reported she has not been at a meeting since she was just appointed liaison to the Commission, however, she has been communicating with members and has been told the Commission is very proud to report they have made a reciprocal agreement with Warren offering them use of summer programs run on Borough Fields such as Mr. B's Baseball Camp and US Sports Camps. However, Warren residents will not be offered attendance to the Community Picnic, Harvest Festival or any trips the Borough may run. The Commission has also re-instated the Fishing Derby in honor of former Mayor Jerry Mobus. The Warren website welcomes the Borough residents to all their activities and this information is also available on the Borough's website. Councilman Gibbs mentioned a broken swing at Mobus Field and asked if it was going to be repaired, and Bob Burns responded it is on the list for repair.

Historical - Councilwoman Beck-Clemens reported she has not yet met with the Historical Committee but there is a meeting next week. She reported the Historical Commission has received a Grant from the State that will enable them to move forward with the appraisal of all their artifacts, newspapers, etc. She announced that if anyone has anything historical they wish to donate, to please let the Committee know. Councilwoman Beck-Clemens read a report from the Committee. Dorothy Addario and Sue Tucker attended a workshop on Digitization basics, and other members are signed up for future workshops. As a result of the Newsletter article, Barbara Diem has received numerous requests for the book on the Castle and many for the Watchung plates. Mary Ciccolella and Phyllis Juetter are working hard to restore the diorama. She reported that the Committee has also selected the Veterans to honor at the Memorial Day Ceremony, and that Walter Pennett's Eagle Scout Project has been approved by the Scouts and he will begin the work very soon.

Mayor Pote commented that the work done at the Texier House was done not only by the Committee members, but also many volunteers and the Public Works Department, all have helped to get the building in its current state. Councilman Franklin asked if the meat scale and dry goods scale, which was obtained from O'Connors auction, was ever located and Bob Burns responded in the affirmative.

Board of Health – No report was presented

5. **Fire** – No report was presented.

6. **Laws/Ordinances** – No report was presented.

REPORTS - OTHER:

7. **Engineer** – Engineer Tom Herits reported bid documents for the Tennis Court Renovations are at Borough Hall and the advertisement was in today's newspaper. Bids will be accepted and opened on Thursday, May 16th and he hopes the contract can be awarded at the May 23rd meeting. The Borough has received samples of blocks from the County for the Mountain Boulevard project and he would like input on which one is acceptable. He is also working on the Mountain Drive drainage project and plans to go out to bid for that shortly. The Public Works Committee has reviewed DOT projects that have to be awarded this year, Lakeview and Cedar. Regarding the pump station problem, he has spoken to Bob Burns and discussed the possibility of a surcharge for customers who feed into the system. At the rate grease and debris is accumulating at this station, we are having to clean it out once a month at a cost of \$2,000 per month. Administrator Atkins questioned if this is normal and Tom Herits responded it is not. Councilman Nehls said the Public Works Committee and Mr. Purcell will review this problem at their next meeting. He also stated this should be discussed with the Board of Health Commission to get them moving on grease trap inspections.

8. **Police Chief** – No report was presented.

9. **Fire Department** – No report was presented.

10. **Rescue Squad** – No report was presented.

11. **Attorney** – No report was presented.

12. **Clerk** – Mrs. DeRocco reported the Annual Financial Disclosures Statements will have to be submitted online. She is working with Bill Hance to get the correct information on how this is to be done. Administrator Atkins questioned where the reports go and Ms. DeRocco responded that one goes to the State and one to her. She also announced the need for more poll workers for the June primary and the November General election and said if anyone is interested they may contact the Somerset County Election Board or the county website for further information.

13. **Administrator** – Tom Atkins said the budget has taken up most of the time, and the Tuesday night workshop session was very good. Administrator Tom Atkins and Councilman Tom Franklin met with the two new council members, Robert Gibbs and Dianna Beck-Clemens to answer any questions they had regarding budget information. The Finance Committee wanted to introduce the budget this evening but due to unforeseen circumstances it was not possible and they intend to introduce at the next Council Meeting. Mr. Atkins gave an overview of the budget stating the approximate tax increase will be 2.6 cents and on a house assessed at \$640,000, amounting to about \$160 more per year. He explained this is only the Borough portion, it does not include the County or the Board of Education amounts. The Borough has been working on a temporary budget until the new budget is adopted. This included the emergency funding increase for storm related cleanup which was approved previously and 20% of this funding must be appropriated this year. Approximately 1/3 of the tax increase is related to "Sandy" and there was an increase in health insurance rates of about 11% and it also includes the health insurance for the four new retirees and costs for capital improvements to the Borough communications system and facility improvements. The budget must include additional funding for bids to grind and mulch the storm debris at the Ness Property, This includes large logs and stumps, not just branches and twigs. It will be stressed to all

bidders that there will be a pre-bid conference on site May 14th. The problems with the budget are related to the revenue side, as the Borough only has a balance of \$100,000 from last year and the amount we will receive from the State remains at \$700,000, the same as the last four years.

Mr. Atkins stressed the spending side of our budget is not a problem and the residents always pay their taxes on time. He is very worried about the 2014 year and the amount the Borough may or may not receive from the State. Mayor Pote thanked Administrator Atkins, CFO Bill Hance, Councilman Tom Franklin and the entire Council for their efforts to keep the budget as low as possible.

Mayor Pote also reported there was a meeting Tuesday night with the Police, Fire, and Public Works Departments to discuss their budget requests. There was much discussion and questions. Councilman Franklin said we are under a State imposed cap of 2%. He is concerned that when the economy starts to improve the inflation rate will also increase. This cap will be a problem for towns because expenses will increase. It will be impossible to work under the 2%. Councilman Nehls stated he would like to go below the cap but the Borough has some major projects and the aftermath of the Sandy storm to contend with. He added that the Council does do a good job, this is a good budget and he thanked the Administration, Finance and the Mayor. Councilman Gibbs said the answers he received from Administrator Tom Atkins and CFO Bill Hance made him very confident that they have done a great job. Mayor Pote thanked Councilman Gibbs and Councilwoman Beck-Clemens for their time getting familiar with the budget.

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UNFINISHED BUSINESS

A Public Hearing on Assessment Bond Ordinance OR:13/04 entitled: **“ASSESSMENT BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE CONSTRUCTION PHASE (INCLUDING ADDITIONAL ENGINEERING) FOR SANITARY SEWER EXTENSIONS TO PORTIONS OF JOHNSTON DRIVE AND VALLEY DRIVE IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, A LOCAL IMPROVEMENT, TO APPROPRIATE THE SUM OF \$1,173,000 TO PAY THE COST THEREOF, 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 held.

Councilman Franklin moved a public hearing be held with a second by Councilman Nehls and upon roll call as follows: Franklin, Nehls, Gibbs, Beck-Clemens, “aye”.

Planning Board Letter dated April 9, 2013 and Resolution PB-13-R6, supporting the Borough’s 2011 through 2013 Proposed Capital Projects .

Jeff Cain, Valley Drive questioned if there was any update on the timing of the project. Councilman Nehls responded that they are looking to keep to the schedule previously discussed prior to this hearing. The Borough is in the process of getting the final easements and it is hoped that the project will go out to bid in the spring or summer with work to start 2014 and be completed by 2015. Councilman Franklin said it is the policy of Watchung to only assess property owners 50% of the cost with the balance being picked up by the Borough. The Borough has about 80% of all properties sewerred.

With no one else from the Public wishing to be heard, Councilman Franklin closed the public hearing and moved the following resolution:

R1:04/25/13 Adoption of Assessment Bond Ordinance OR:13/04 - Sanitary Sewer Extension Project
a portion of Johnston Drive and Valley Drive

Councilman Nehls seconded the motion and upon roll call the vote was as follows: Franklin, Nehls, Gibbs, Beck-Clemens, “aye”.

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NEW BUSINESS

CONSENT AGENDA: The Consent Agenda items listed below were unanimously accepted, following a motion by Councilman Franklin, and a second by Councilman Nehls and upon roll call as follows: Franklin, Nehls, Gibbs, Beck-Clemens, “aye”.

Approval of the following Council minutes:
April 11, 2013

Acknowledging Receipt of the following Borough Reports:
Police Activity Report - February, 2013
Historical Committee Minutes - March 13, 2013
Finance Department Revenue Report - January, 2013
Planning Board Minutes - November 20, 2012, January 15, February 19, 2013

Acknowledging Receipt of the following Correspondence:

#30 - Township of Warren 4/8/13 Notice of ordinance introduction and public hearing OR:13-04, amending Land Use Procedure by removing the prerequisite of Bd. of Health and Sewerage Authority approvals for Planning Board and Bd. of Adjustment applications c: M & C, TEA, DS,TH

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CONSENT AGENDA RESOLUTIONS: The Consent Agenda resolutions listed below were unanimously adopted with the exception of R2 and R6 which were pulled for further discussion, were unanimously accepted, following a motion by Councilman Franklin, and a second by Councilman Nehls and upon roll call as follows: Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

- R2: Urging the State Legislature to Require Fire Districts, School Districts, and County Governments to Share in the Burden of Property Assessment Appeal Refunds
- R3: Accept Tree Replacement Plan and Surety Bond - 80 Century Lane
- R4: Authorize Return of 1st Qtr. Tax Overpayment - 114 Edgemont Road
- R5: Authorize Tax Sale Redemption - Certificate #222010 / 524 Ridge Road
- R6: Purchases Over \$2,000. - Mark Tinder Appraisals, CM Engineers, LLC
- R7: Authorize Clerk to Advertise for Bids - Mulching, Grinding, and Possible Removal of Tree Branches, Limbs, Logs, Stumps from Ness Property / Superstorm Sandy
- R8: Authorize Return of Unused Construction Department Fee - 35 Acorn Road
- R9: Authorize Temporary Waiver of Sewer Connection Fee - Watchung Associates

Councilman Franklin commented on R2. He stated tax appeals are a financial burden to the Borough. He explained this is an in-cap amount which means all other entities, Board of Education, and County get their full amount, the Borough does not.

Councilman Franklin then moved R2, with a second by Councilman Nehls and upon roll call as follows: Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

Councilwoman Beck-Clemens requested R6 be pulled for further discussion. She asked for an explanation regarding the cost this resolution which does not have a cap on the amount and it is not for a complete report. She highly recommended a maximum amount to be set and suggested we negotiate this. She also asked how many bids had been received and Councilman Nehls said they had received two and the Committee looked at both and the one chosen included both the Police Department and Fire Department. Councilman Franklin explained that the HVAC at the Police Department has never worked properly. When the building was erected the low bidder could not complete the project.

Councilman Nehls moved R6 with the inclusion clarifying a "not to exceed" dollar amount of \$14,961.00, with a second by Councilman Gibbs and upon roll call as follows: Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

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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.

Councilwoman Beck-Clemens offered the following resolution:

- R10: Payment of Bills

Councilman Franklin seconded the motion and upon roll call the vote was as follows: Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

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PUBLIC PORTION

No one from the public desired to be heard.

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:55 P.M. to the Call of the Chair, and to the next scheduled Council meeting will be held on May 9, 2013 at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk