BOROUGH OF WATCHUNG

MINUTES

JULY 18, 2013 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:30 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] Nehls [P] Gibbs [P] Beck-Clemens [P]

Also present were Administrator Tom Atkins, Deputy Clerk MaryAnn Hance, Engineer Tom Herits, Police Chief Tim Wenzel, Lieutenant Joe Cina, and Public Works Supervisor Bob Burns. Attorney Albert Cruz was not present, Attorney Michael Cresitello was present sitting in for Mr. Cruz.

There were 18 members of the public present.

At this time Mayor Pote deviated from the agenda and asked Council President Joren to read Resolution R2 for Police Chief Tim Wenzel.

Council President Joren moved the following Resolution with a second by Councilman Black and upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

R2: Commending Chief Tim Wenzel on a superlative law enforcement career.

Mayor Pote commented on Tim's leadership, professionalism, and commitment to the Council and the public at large and said he will be greatly missed. Council President Joren remarked that it has been a great experience working with Tim and under his leadership, the Police Department is the best. She said when there were police department consolidation talks that Borough residents came out in full force against it even if it meant the taxes would increase. She also stated the accreditation of the Police Department is an amazing accomplishment. Councilman Black wished Tim and his family well and stated he will be missed. Councilman Franklin stated that Tim has always tried to "strike" a balance between the Borough and members of the Police Department and he wished him and his family much luck. Councilman Nehls thanked Tim for all his service to the Community and stated his leadership "was out of this world." Councilwoman Beck-Clemens wished Tim and his family luck and Councilman Gibbs wished him and his family the best. Administrator Tom Atkins commented that Tim always responded thoroughly and quickly to any request sent to him..

Chief Wenzel came forward and thanked the Mayor and Council and commented that he has had the best team at the Police Department, and the Administrator, Mayor and Council to work with.

Lt. Joe Cina thanked Tim for being his mentor and friend and he will miss him.

Council President Joren moved the following resolution with a second from Councilman Nehls and upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

R3: Appointment of Acting Police Chief – Joseph Cina

REPORT OF STANDING COMMITTEES:

1. Administration & Finance: Councilman Franklin reported the Borough received and deposited $210,000 from FEMA and is anticipating additional amounts to follow. Councilman Franklin also wished to recognize and commend our OEM Coordinator Gary Greves compiling the paper work needed to complete the application for FEMA. Councilman Franklin also briefly discussed an email received from Bob Burns, Public Works Supervisor regarding the possibility of basing Public Works salaries on skill levels. This will be further discussed with the Administrator and a meeting will be scheduled with the Finance Committee and include Councilman Nehls who is Chair of the Public Works Committee.

2. Police: Council President Joren received a report from Acting Chief Joe Cina on Police Activity for the Month. The accreditation inspection was completed July 7th -8th and it is anticipated that the Commission will recommend accreditation when they meet in the fall. Officer Peter LaVecchia did some great work on a 2010 cold case involving overbilling by an employee of Liccardi Ford who was charged with theft by deception.

3. Public Works / Buildings and Grounds: Councilman Nehls reported the Public Works department received 2 requests for mulch deliveries and 2 for wood chip deliveries. He also reported that on July 3rd Tom Herits and Bob Burns assisted the Humane Society on Route 22 West in the Vitamin Shoppe parking lot with the rescue of 9 ducklings trapped in a storm sewer, the ducklings were returned to the mother who was nearby. On July 10th there was a sewer blockage on Knightsbridge which was cleared by PARSA and the Public Works Department. Councilman Nehls also reported as of July 17th all wood debris from Super Storm Sandy has been shredded into mulch. Councilman Nehls said that Alamo trimmed roadside vegetation on July 9th on Washington Rock Road and Somerset County (shared service) sent their Vac Truck to clean out three catch basin pipes on Scott Drive which were clogged with debris. He also reported Predator removed two dead trees on Rock Road East on July 9th. Councilman Nehls said the Public Works summer employees attended a JIF Seasonal Safety Class. The summer employees mulched the Triangles, bushes were trimmed, and weeding of the flower beds at Borough Hall was completed.

   Councilman Nehls reported that Bob Burns, Public Works Supervisor, met with the DEP at the Ness property temporary dump site where the storm debris from "Sandy" is being stored. The DEP had some suggestions for making the site more secure, which Bob and his crew acted on and now the sight is completely secure. Councilman Nehls said the Borough has received another extension (the 3rd one) from the DEP for the temporary dump site.

4. Public Affairs:

   Open Space: Councilwoman Beck-Clemens reported that if the Barn on the Ness Property cannot be saved, it is hoped some of the wood could be salvaged. She said Lynda Goldschein found a company that would come out, dismantle and possibly make one or two tables from the wood for the Borough. The only cost would be for a four wheel fork lift, possibly someone would donate the use of one, otherwise the cost would be around $400/day. Mayor Pote said the Open Space Committee should discuss with Councilman Nehls through the Buildings and Grounds Committee and Engineer Tom Herits. Councilman Nehls stated that before anyone goes into the barn the Borough would need Mr. Bennett to look at it to make sure the structure is safe to enter. Mayor Pote also said before anything is done the committee must go through Administration.

   Environmental: Councilman Gibbs had no report for Environmental, but that there was a

   9-11 Memorial Committee meeting this evening and he will have a report for the next Council meeting.

   Recreation – Councilwoman Beck-Clemens reported the Commission met last evening and said they are looking to get fifty (50) tickets for the Yankee game for Friday, August 30th. The cost for these tickets will be $50.00 each. John Pennett will be in charge of the Mobus Fishing Derby which will be held Saturday, September 21st with a rain date of September 22nd. The cost for the fish is $1,000 for 300 lbs. The Commission also suggested repairs to the Pavilion are needed and the possibility of rebuilding the ice rink with macadam which could also be used for a roller rink. There have been complaints from residents about the Mobus Field playground equipment being in need of repair and also about the goose droppings. The Commission suggested the possibility of hiring a company on a seasonal basis to maintain the equipment. Bob Burns stated Public Works can clean up the area of the goose droppings and in a very short time it is a mess again. It is very hard to keep up with the cleanup. Mayor Pote suggested the Commission prioritize their requests and send them to the Building and Grounds Committee.

   Historical - Councilwoman Beck-Clemens reported the Committee had a work session this past Tuesday. Next Saturday appraisers are coming to the Texier House to give instructions to the Commission on how to organize and proceed with their cataloging. A donation letter was sent to residents and there has been some response already. Items are being delivered to the Texier House. The Commission has requested Public Works check the first floor and second floor ceilings as the tiles are water stained and they don't want water leaking on any of their items.

   Board of Health – No report was submitted. The next meeting is scheduled for September 18th.

5. Fire: Councilman Black reported the Committee met July 17th and it was determined they will prioritize their list with "needs vs wants." Mayor Pote requested they give copies to Buildings and Grounds, Finance Committee and the Engineer. He stressed that we have a budget and the Borough will not exceed that amount this year.

6. Laws/Ordinances: Council President Joren reported Mr. Cresitello is working on several Ordinances which have been previously discussed. He is preparing a draft prohibiting smoking on Municipal property, specifically recreation areas, and also some clarification on the language

in our current Towing Ordinance to have a limit on the time frame for submitting applications for a license. The Borough's Cable Franchise is soon to expire and Mr. Cresitello will be helping with that. He is also working on either a resolution or ordinance in terms of the possibility of hiring a landscape maintenance company to maintain the Borough islands. The Committee is discussing the request to look at no parking around the lake and finally the possibility of hiring a landscape maintenance firms to take over the maintenance of the islands and having a small sign posted for the company who does the maintenance. The Committee will also be looking at the possibility of no parking around the lake area and Washington Drive. Council President Joren said they will be working on these and she hopes to have more to report at the next meeting. Mayor Pote said this was a good agenda.

REPORTS - OTHER:

7. Engineer – Tom Herits reported there are Resolutions on the agenda this evening to award contracts to Jo-Med Contracting for the Mountain Drive Drainage Improvement Project and one to L & S Contracting Inc. for the Transport and Disposal only of Mulched and Grinded Tree Debris. He also reported the tennis court materials have been ordered but the fencing does take longer to prepare but it is hoped the project will start before the end of this month. He said there was a meeting last Tuesday with residents of Cedar/Lake View to discuss a DOT project for curbing assessment and there were about 10-12 residents in attendance (there are about 40 properties involved) and he thought the meeting went well. A letter was sent to all the residents regarding the assessment for the curbing and the Borough will have to wait for the response. Mr. Herits said the survey work is done but he would have to know if the Borough is going to go forward with the curbing because it makes a difference on how the project is designed. Mr. Herits also said there have been discussions about the generators for the Police Department, Fire Department and the Municipal Building and also putting out an alternate for Valley View School. He did speak with Eric Schwartz of the Board of Education and he will check with him tomorrow and if they come up with the money, this could be included. This would be a big project for a company and it would be more cost effective. Tom said DOT applications are due September 20th and he would like the Public Works Committee to come up with a plan to apply for some money this year. Tom Atkins asked Mr. Herits if prior to the meeting with residents from Cedar/Lake View did any of the residents who could not attend call to say they were against the curbing and Tom said none had. Mr. Atkins also asked if Mr. Herits was going to have a pre-construction meeting with the contractor on the Mountain Drive Project. Mr. Herits said as soon as he received the certified resolutions he would get the contract out to the Contractor and would set up a meeting in the next couple of weeks. Mr. Atkins also questioned the time frame for the project once it commences and Mr. Herits said approximately 60 days. Councilman Nehls said there should be a meeting with the residents to update them on what will be occurring, they may have no place to park and may have to park on East Drive.

8. Police Chief: No report was submitted

9. Fire Department: No report was submitted

10. Rescue Squad: Denise Wilson reported the Squad sent an ambulance to Watchung Hills to support Squad members Noah Monetti, Eddie Chang and Mario Calazans at their High School graduation. The Squad hosted an EMT Recertification Class for 33 EMTs from around the area, including 5 Watchung members and they also provided EMS coverage for the Doc & Sok Triathlon. She reported top responders for the month were Adam Wexler, Denise Wilson, Jess Ray and Alison Diecke.

11. Attorney: Attorney Cresitello said he received and reviewed the three low bids for Mountain Drive and the low bid from Jo-Med Contracting is acceptable from a legal standpoint. The one remaining Valley Drive easement was signed and he would like to get a consensus from the Council to authorize the Mayor and Clerk to sign the agreement so a Resolution can be prepared for the next meeting. He also said he had heard from Levin's attorney today that the changes made to the agreement are acceptable to them agreement and the agreement has been finalized and the exhibits have been collated and the agreement and easement will be signed. Mr. Cresitello would also like a consensus from the Council to go authorize the Mayor and Clerk to sign those agreements because he does anticipate getting them within the next couple of days from Levin. He also reported that John Black informed him that Melick and Tulley started the boring process for soil samples on Johnston Drive. There are three items for discussion in Executive Session.

12. Clerk: Deputy Clerk, Ms. Hance had no report other than to remind the Mayor and Council to sign the bill payment Resolution.

13. Administrator: Tom mentioned Resolution R11 is for waiving Tax interest to August 19th but this may have to be modified at the August 15th meeting. Tom wished to clarify that the Mr. Black Attorney was referring to is not Councilman Black it is Mr. John Black who is an Associate with our consultant engineer firm. He is no relation to Councilman Black. Tom thanked Mr. Cresitello for preparing the COAH Resolution R15. Mayor Pote will have to

sign a certification tonight, pending the Council's approval of R15, and then this will be sent to COAH. Mayor Pote questioned if this affects the decision making process and if these numbers are factual and Mr. Atkins replied these are accurate numbers and it does not affect decision making, and whatever the expenses and reserves might have been, the intent of the resolution does not change.

Mayor Pote wished to thank Gary Greves for all the time and effort he put in to getting the paperwork completed for FEMA. He also said he had attended the Doc & Soc event on June 30th and mentioned that our Police Department, Rescue Squad were there in full force. There were no incidents and 100% of the entrants completed the event. Gary Greves and five members of our new "CERT" team were also in attendance and assisted with the traffic. Mayor Pote reminded all that the deadline for articles for the newsletter is July 31st. He is planning to include a lot of preparedness information in this newsletter. Mayor Pote said he met with Dr. Resko last week and they discussed the re-registration process for elementary and middle school children and to date it has been going well. This is to certify that the families are residents of Watchung and therefore eligible to attend our schools. Mayor Pote also mentioned the Planning Board met this week and people representing the Avalon property came to request the possibility of removing the requirement of a guard at the gate and instead using an electronic gate and cameras. He said this will be discussed further at the Planning Board meeting in September. Mayor Pote also said he had performed a wedding ceremony on June 30th at Borough Hall and there were 55 people in attendance. The Bride and Groom told him they wanted to have their ceremony in Watchung because of the beauty of Borough and its environment. They wanted to have their wedding photos taken at the gazebo but unfortunately it poured that day.

UNFINISHED BUSINESS

A public hearing for Ordinance OR:13/09 entitled: "**AN ORDINANCE PROVIDING FOR THE INSTALLATION AND ACQUISITION OF RADIO COMMUNICATIONS EQUIPMENT FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY AND APPROPRIATING $90,000.00 THEREFOR FROM THE CAPITAL RESERVE FOR COMMUNICATIONS EQUIPMENT.**" was held.

Council President Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

With no one from the public wishing to be heard Council President Joren closed the public hearing and moved the following resolution with a second by Councilman Nehls and upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

R1:07/18/13 Adoption of Ordinance OR:13/09 – Capital Reserve/Radio Communications Equipment

NEW BUSINESS

CONSENT AGENDA: The Consent Agenda items listed below were unanimously accepted, following a motion by Council President Joren, and a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

Approval of the following Council minutes:
June 27, 2013

Acknowledging Receipt of the following Borough Reports:
Tax Collector's Report – June, 2013
Police Activity Report – May, 2013
Historical Committee Minutes – June 12, 2013
Building Department Report – June, 2013

Acknowledging Receipt of the following Correspondence:

#51 - Al and Cathrine Gionta 7/5/13 Expressing their displeasure and dissatisfaction with the installation of the new monopoles by PSE&G which are now located close to the edge of Johnston Drive and requesting this eyesore be addressed c: M & C, EK, TH

#52 - Request for approval from the Historical Committee – for October 5, 2013 Civil War re-enactment ceremony involving the discharge of unloaded muskets c: M & C

CONSENT AGENDA RESOLUTIONS: The Consent Agenda resolutions listed below were unanimously adopted following a motion by Council President Joren and a second by Councilman Nehls and upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

R4: Certify General Fund 2013 - 2014 Tax Levy: Watchung Board of Education

R5: Certify General Fund 2013 - 2014 Tax Levy: Watchung Hills Regional Board of Education

R6: Purchases Over $2,000. - Winner Ford; Carman Chrysler, Jeep, Dodge

R7: Authorize Towing License - Berkeley Collision Repair, Inc.

R8: Award of Bid - Transport and Disposal Only of Mulched and Grinded Tree Debris from the property located at 666 Mountain Boulevard - L & S Contracting Inc.

R9: Authorize Treasurer to Refund 2013 2nd Qtr. Tax Overpayment - Block 6908, Lot 17 115 Skyline Drive

R10: Award of Bid - Mountain Drive Drainage Improvements – Jo-Med Contracting

R11: Authorize Extension of Due Date 3rd Quarter 2013 Taxes/August 19, 2013

R12: Authorize the Borough Engineer to prepare plans and specifications for generator improvements in various Borough buildings.

R13: Authorize Lee T. Purcell Associates to advertise and receive bids for the installation of Sanitary sewers on portions of Johnston Drive and Valley Drive.

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.

Introduction of Proposed Ordinance OR:13/10 entitled "AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG CH. 5-12.76 ET SEQ., THEREOF, AND TO FIX AND DETERMINE MINIMUM AND MAXIMUM SALARIES AND COMPENSATION TO BE PAID TO CERTAIN EMPLOYEES." Public Hearing to be held on August 15, 2013.

Council President Joren moved the following Resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

R14: Introduction of Ordinance OR:13/10 - Min/Max Salary Ordinance

Councilman Franklin moved the following Resolution with a second by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

R15 Authorize Mayor to Execute Certification to Council on Affordable Housing (COAH) regarding the Borough's Affordable Housing Trust Fund

Councilman Franklin moved the following Resolution with a second by Councilwoman Beck-Clemens and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

R16: Payment of Bills

PUBLIC PORTION

Resident Cathrine Gionta - Johnston Drive, wished to address the Towers which have been erected on Johnston Drive by PSE&G specifically the location. She said they are an eyesore and questioned why they are so close to the road. Mayor Pote asked if the placement of the poles is different from the previous ones and Engineer Tom Herits responded they are in the same location and he produced old photos of the previous tower's location. Public Service owns the property where the towers are located and the Borough had no say as to where they would be placed. Councilman Gibbs first stated that he is employed by Public Service but was not part of that project. He stated that Board of Public Utilities authorizes the towers and looks at the placement but the utility company does not have a choice. He also stated that the towers will oxidize over time and blend in more with the environment. Councilman Gibbs said he can supply Ms. Gionta with contact phone numbers if she has further questions. Administrator Tom Atkins said he did look at the location to be sure they were not on anyone's property which they are not. The State Board of Public Utilities not the Borough authorized the locations of the towers. Terrain, and stress loads where the main factors for determining location. Tom Herits stated he will check with Rich Dwyer of PSE&G to see if something can be done with landscaping the area.

George Stafford, New Jersey Highlands Coalition, wished to present a resolution to the Mayor and Council for their review and request their support/endorsement. Councilman Nehls requested this be given to the Environmental Commission for review.

Council President Joren moved the following Resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

R17: Executive Session: Attorney/Client Privilege – COAH
Property Acquisition – Block 440, Lot 6
-Johnston Drive Sanitary Sewer Easement

Upon return to the regular session at 10:40 P.M., all Council Members previously in attendance were again in attendance.

Councilman Nehls moved to authorize Attorney Cresitello to move forward with presenting the appraisal figure to the 1316 Johnston Drive property owner so that the 14 day legal process could commence with a second by Council President Joren and by consensus vote as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:50 P.M. to the Call of the Chair, and to the next scheduled Council meeting to be held on August 15, 2013 at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk