BOROUGH OF WATCHUNG

MINUTES

AUGUST 15, 2013 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:32 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

ROLL CALL

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

Also present were Administrator Tom Atkins, Attorney Albert Cruz, Engineer Tom Herits, Clerk Michelle DeRocco, and Chief Finance Officer Bill Hance.

There were 15 members of the public present.

SPECIAL PRESENTATIONS

Watchung Hills Regional High School - Superintendent Elizabeth Jewett
Business Administrator - Tim Stys

WHRHS Board of Education Member Sondra Fechner introduced the High School's new Superintendent, Elizabeth Jewett who spoke about the upcoming Referendum Project. She explained the facilities are in dire need of repairs with the South Building being 57 years old and the North Building 41 years old, and that many hours of discussion and planning have gone into this proposal. School business Administrator Tim Stys added that the school has many needs and there is a long list of concerns that need to be addressed, however, this proposal addresses the critical projects that are health and safety issues. He also announced that the Administration was notified of a Debt Service Award from the State that will cover 40% of the total debt cost, and this award will assist in the financing. The projects proposed are as follows: steam pipe replacement; roof replacement; window/wall replacement; exhaust fan Replacement; Redesign of Food Service Kitchen; New Emergency Access Driveway; and the Repavement of the Front and Rear Parking Lots. Ms. Jewett and Mr. Stys answered questions first from the Mayor and Council and then the public. Mrs. Fechner said she was present this evening to represent the children and added that it is important to know that the community appreciates the education that is provided, and that we need to provide a safe environment for our children and need to maintain a school that will serve us for many years to come. Mayor Pote said historically Watchung has always paid a higher share of the costs, and would like to see a maintenance plan. He thanked Ms. Jewett, Mr. Stys, and Mrs. Fechner for coming this evening, and he reminded all that the special referendum will be held on September 24th.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin reminded all that the deadline for the 3rd quarter taxes was extended to August 19th. He noted on tonight's agenda is the award of a $5,000. grant for the Youth Services Commission; the introduction of a Bond Ordinance for the purchase of Police and Fire Equipment; and the appointment of Jonathan Erber as a Public Works employee. Councilman Franklin said the Administration and Finance Committee intends to do a survey to be used to evaluate current salaries for Public Works.

2. Police - Council President Joren announced the Department responded to over 900 call during the month of August. She said by now everyone has heard about the robbery at Game Stop in Watchung Square Mall, which after a two day investigation by our Detectives, was found to be an inside job. She also said there was a bank robbery in Cranford this week, and it appears that it was done by the same person who robbed the bank in Watchung. Councilwoman Joren said she attended the "good bye" luncheon for Chief Wenzel, and wished him luck in his future endeavors.

3. Public Works / Buildings and Grounds - Councilman Nehls reported the Department fielded 23 service calls and 55 work orders. He also reported the PARSA was called in to to clear a blocked sewer on Mountain Boulevard, and thanked Engineer Tom Herits who was able to call in a contractor and have the sewer line excavated and repaired that same evening. Councilman Nehls said our summer employees, Walter Pennet and Connor Tucciarone, have been a great help and will be leaving us soon; the old senior room at the Library has been painted and new flooring has been installed; two new doors have been installed at the Fire House; and two new air conditioning units have been installed at the Police Facility. Councilman Nehls said the DEP had an unexpected inspection of the Ness Property and have extended our permit for an additional 60 days. Mayor Pote said he was happy to hear that the new truck has been delivered in time for the upcoming winter weather.

4. Public Affairs:

Open Space - Councilwoman Beck-Clemens said the Committee was at the Ness Property today and after inspection by the professionals, it has been determined that the wood from the Barn is not salvagable.

Environmental - Councilman Gibbs said the Commission is meeting on August 26th and he will have a report after that meeting. He said he will be discussing the proposed resolution from the Highlands Commission at that meeting. He said the 911 Memorial Committee is meeting tonight, therefore, he was unable to attend, but reported fund-raising will begin shortly. He explained a new memorial will be constructed with the piece of steel we received that was part of the World Trade Center. Councilwoman Beck-Clemens said she had not seen the plans and Mayor Pote said he would like to discuss the placement of the Memorial at the Village Green so that all are in agreement. Clerk DeRocco said she would e-mail the plans to Councilwoman Beck-Clemens.

Recreation - Councilwoman Beck-Clemens reported the Commission is running a bus trip to Yankee Stadium on August 30th and there are a few tickets left. She said the cost is $50. and includes the ticket and bus ride, and added that the bus will depart at 4:00 P.M. from the Police Department parking lot.

Historical - Councilwoman Beck-Clemens announced the Committee is busy working almost every day towards the grand opening of the Historical Museum. She reminded all to save the date of October 5th, when the festivities will begin with a Civil War re-enactment. She said the taping of the oral histories has begun, and she personally interviewed Ray Adams who lived and wrote a book about Hillcrest Avenue. Councilwoman Beck-Clemens said the Moldenke family has been very accessible and are a big part of the Borough's history.

Board of Health - Councilman Black said the Board will be meeting again on September 18th.

5. Fire - Councilman Black said that last week a report was submitted by Chief Carlucci and Charles Pivnichny, President of the Chemical Engine Co., relative to requests that are being made for facility improvements at the Fire Department. This report was given to the Mayor, each member of the Council, the Borough Engineer, Public Works Manager, and Construction Official. These requests will be evaluated by the Fire Committee, and also the Facilities Committee. These requests will be carefully considered so that appropriate recommendations can be made to Mayor and entire Council. It is anticipated that as the evaluation continues, there will be more dialogue with Chief Carlucci and Mr. Pivnichny so that a plan of action can be finalized for implementation. Councilman Black said these requests are an excellent starting point.

6. Laws/Ordinances - Council President Joren said she has no report, but said she was very glad that Albert Cruz was back.

REPORTS - OTHER:

7. Engineer - Mr. Herits reported the tennis courts are substantially completed, and just need the final color coating and nets. He explained underdrains were installed and it has already made a difference in the playground area. He said the contracts for the Mountain Drive drainage improvements are being signed and he is waiting for the questionnaires to come back from the residents on Cedar and Lakeview regarding curbing. Mr. Herits said after the last Council meeting and listening to a resident's concerns, he reached out to Art Ondish and an arborist for PSE&G is working on plans that may be able to provide buffering. He reported there was a lateral break in front of 215 Mountain Boulevard, which is now fixed, however, had been caused by a contractor error. He said the costs incurred will be charged back to the contractor. Mr. Herits said he is working on the DOT grant applications and will Try to combine Knollwood and Deer Run. He said the notice to bidders for the generators will be published soon, and he is getting quotes for the storage building for Public Works. He asked that the 911 Committee check with Assistant Engineer Arlene McCoy before deciding on placement of the memorial as she is familiar with the topography on the Village Green.

8. Police Chief - No report was presented.

9. Fire Department - Chief Carlucci reported he was glad that the letter and packet addressing their needs and requests for improvements to the Fire House was received. He said the building really needs repairs and the membership is looking forward to the improvements. The Chief reported the Department responded to 180 calls to date. He said repairs were needed to W3 which took a big chunk of his budget. He thanked the Governing Body for the new doors on the Fire House. He said they are getting quotes for radios. Chief Carlucci reminded all that their meetings are the 1st Monday of every month and the Department would welcome their attendance.

10. Rescue Squad - Vice President Denise Wilson reported the Squad currently has 3 Cadet members completing their final weeks in EMT class, a fourth Cadet member will begin EMT classes in the fall. She said at their last business meeting newest member, Sreya Doddakashi. Sreya, was read in. Sreya is from Warren and will be entering her senior year of high school, and is currently attending EMT school. Ms. Wilson announced preparations for the 23rd annual Tree of Lights have begun, and said members from the Squad will be attending the 9/11 ceremony. She read the statistics for July, that included 44 calls, 32 transports. This month's top responders were Adam Wexler, Denise Wilson, and Noah Monetti.

11. Attorney - Mr. Cruz said he had two items for discussion in Executive Session. He took a moment to thank all for their thoughtful wishes and prayers while he was recovering from his surgery and said he was happy to be back.

12. Clerk - Mrs. DeRocco announced Watchung's baseball star Anthony Volpe and his family will be attending the September 12th Council meeting, and he will be presented with a resolution. She said his family was surprised and grateful to the Mayor and Council for the banner that congratulates Anthony on making the international baseball team, "Team USA" and traveling to Chinese Taipei where they won the World Cup. Mrs. DeRocco announced our Health Officer Kevin Sumner said Middle-Brook is now offering a voluntary swimming pool inspection program to protect health and improve safety. She said this program aims to prevent drownings, chemical related injuries, entrapment and electrocution. Additional information will be posted on our website. Mrs. DeRocco informed the Governing Body the NJSLOM conference information is in their mailboxes.

13. Administrator - Mr. Atkins noted Resolutions R5 and R6 on the agenda and said they refer to the Borough's annual audit. He said he and Bill Hance met with the Auditors from Suplee Clooney for the exit conference and overall, it was a good audit. Mr. Atkins noted Resolution R7 pertaining to revisions to the Personnel Policy and explained that these were clarifications regarding vacation time, contact information, sick time, and protocol. He explained that the Capital Ordinance that will be introduced, OR:13/11 will fund equipment for the Fire Department, such as turn-out gear, and servers for the Police Department. He noted Resolution R9 was a refund of a property tax that had been overbilled. Mr. Atkins announced that OEM Co-ordinator called a meeting this week to discuss storm preparations, since we are in hurricane season.

Mayor Pote explained that, in an effort to promote transparency, he has elected to include an additional "public portion" section to the meeting agenda. He said this portion will be dedicated to questions and/or comments from the public on agenda items only, and the meeting will be opened to the public again at the end of the meeting for general questions and/or comments.

PUBLIC PORTION / AGENDA ITEMS

Lynda Goldschein, Sherwood Drive, asked Mr. Cruz why the subject of property acquisition is listed on the agenda under "Executive Session" and Mr. Cruz explained that it is one of 8 items that are authorized to be discussed under "Executive Session" as per the Open Public Meetings Act.

UNFINISHED BUSINESS

Public Hearing on 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."** Councilwoman 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 Councilwoman Joren closed the Public Hearing and moved the following resolution:

R1:08/15/13 Adoption of Ordinance OR:13/10 - Min/Max Salary Ordinance

Councilman Nehls seconded the motion ad upon roll call as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye."

NEW BUSINESS

CONSENT AGENDA: The Consent Agenda items listed below with the exception of #54, were unanimously accepted, 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". Councilman Gibbs requested removal of #54 for separate consideration.

Approval of the following Council minutes:
July 18, 2013 Regular
June 27, July 18, 2013 Executive Sessions
July 16, 2013 Bid Opening

Acknowledging Receipt of the following Borough Reports:
Board of Adjustment Minutes - June 6, 2013
Recreation Commission Minutes - June 5, 2013
Police Activity - June, 2013
Tax Collector Report - July, 2013

Acknowledging Receipt of the following Correspondence:

#53 - Diane Sherry Buono 7/23/13 Letter of resignation as a member of the Municipal Alliance, as she is relocating c: M & C, TEA

#55 - JCP&L 7/24/13 Notice of filing and schedule of Public Hearings for rate increases c: M & C, TEA, WH

#56 County of Somerset, Dept. of Human Services 7/31/13 Notice of Y2013 grant award - $5,000. - Youth Services "Girls on the Run" and "Girls on Track" programs c: M & C, TEA, WH, LM

#57 - Lynda Goldschein 8/1/13 Thanking Mayor and Council for getting the Somerset Street/ Watchung Avenue overpass repaired c: M & C

#58 - Sharon Orlando, Watchung Library Youth Services Librarian 7/31/13 Thanking the Mayor and Council for authorizing the use of Clean Communities monies to fund a summer program "Digging NJ Wildlife" c: M & C, TEA, WH

Council President Joren moved to accept the following Corresponence:

#54 - PSE&G 7/22/13 Notice of filing of 4 petitions to the BPU for rate increases, decreases, and schedule of Public Hearings c: M & C, TEA, WH

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

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

R2:08/15/13 Authorize Treasurer to issue Tax Sale Certificate Redemption #12-001 - Block 301, Lot 33

R3: Authorize Clerk to Issue Raffle (5) Licenses - Rawhide Rescue (2)
PTO Thomas P. Hughes (2)
PTO Watchung, Inc. (1)

R4: Purchases Over $2,000. - N. Plainfield Auto Rebuilders; Pinto Brothers; Predator Tree Service; Ditschman /Flemington Ford; NY Yankees: S.E. Rose Trucking; KCG, Inc

R5: Acceptance of 2012 Annual Audit Report

R6: Approval of Corrective Action Plan

R7: Amending the Borough Personnel Policy - Clarification of Vacation Time, Sick Leave Policies, etc.

R8: Appointment to Public Works Department - Jonathan Erber

R9: Authorize Treasurer to Issue Property Tax Refund - Block 1702, Lot 7.02

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.

Proposed Ordinance **OR:13/11** entitled **"BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE USE OF THE POLICE AND FIRE DEPARTMENTS IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY, TO APPROPRIATE THE SUM OF $62,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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. Council President Joren moved the ordinance be adopted on first reading and the Clerk be directed to publish the ordinance and notice of public hearing.

R10: Introduction of Capital OR:13/11 - Various Equipment / Police and Fire Department

The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye". Public Hearing to be held on September 12, 2013.

Field Modification Application - Watchung Little League / Ost Field

Councilman Nehls explained the Borough has received a request from the Watchung Little League for permission to convert Ost Field at Phillips Field from a 40/60 configuration to a 50/70 configuration to accommodate the older baseball players, known as the Majors. The application has been reviewed by the appropriate Borough Departments and approved, and now the next step is to forward the application to the Board of Education for their review and authorization. When the Board of Education sends us their resolution, the work can be done.

Councilman Nehls moved the following resolution:

R11: Authorize Field Modification Form - Phillips Field / Ost Field

The motion was seconded by Councilwoman Joren and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

Councilman Nehls said the following resolution was a long time coming, and thanked Engineer Herits for pulling it all together. He said Superstorm Sandy demonstrated the need for natural gas generators and thanked the Committee for their input.

Councilman Nehls moved the following resolution:

R12: Authorize Clerk to Advertise for Bids - Generators for Municipal Buildings

The motion was seconded by Councilwoman Joren and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

Councilman Franklin moved the following resolution:

R13: Payment of Bills

The motion was seconded by Councilwoman Beck-Clemens and upon roll call the vote was as follows: Joren, Black, Franklin, Nehls, Gibbs, Beck-Clemens, "aye".

PUBLIC PORTION - GENERAL DISCUSSION

Lynda Goldschein, Sherwood Drive, suggested that the Governing Body review their personnel policy, because she feels that after expensive training is provided, the employee uses that education to leave and find other employment. Mayor Pote said these policies are being reviewed.

Pete Martino, Assistant Fire Chief, said the cracks that have been in the Fire House 32 years ago are now bigger. He said dealing with Superstorm Sandy was rough, and noted that morale and membership go hand in hand. He asked the Governing Body for a "time line" or calendar that they could use to anticipate the improvements, and he invited all of the Council to stop by a monthly meeting. Mr.

Martino asked for a status on the annex revisions, and Administrator Atkins said OEM Co-ordinator Gary Greves has been working on them, however, there are still sections that need to be reviewed. Mr. Martino said he has an emergency preparedness pamphlet that could easily be adapted to the Borough and distributed to residents. Mayor Pote told Mr. Martino that the Fire Department is deserving of a time line and it will be provided. Engineer Tom Herits told Mr. Martino that he has updated the County's pre-disaster mitigation annex, which is part of the County's annex and it is available on line.

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

R14: Executive Session: Property Acquisition - 20 Stirling Road, Block 4401, Lot 6
Property Acquisition - 1316 Johnston Drive, Block 6403, Lot 14

Upon return to the regular session at 11:21 P.M., all Council Members previously in attendance, with the exception of Councilman Black, were again in attendance.

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned to the call of the Chair at 11:21 P.M. and to the next Council meeting scheduled to be held on September 13, 2013 at 7:30 P.M.

Respectfully submitted,

Michelle DeRocco, RMC
Clerk