

BOROUGH OF WATCHUNG

COUNCIL MINUTES

january 9, 2014- 7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:33 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

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

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

There were 5 members of the public present.

REPORT OF STANDING COMMITTEES:

- 1 Administration & Finance: Councilman Franklin reported that the PBA contract has been worked out and only needs to be finalized. He also said the Dispatchers have requested re-opening a meeting with the Administration & Finance Committee for some further discussions in regard to their contract. Councilman Franklin also said classifications within the Public Works Department are going to be discussed, with changes being implemented into the 2014 budget. He said the Library Ad-Hoc Committee met earlier this evening and he will report later on in this meeting. Councilman Franklin reported he attended the Library Advisory Committee meeting, and reported John Malchow is the Chair, and Colleen Mehegan is treasurer. Finally, he reported that all departments have been asked for their budget and Mr. Atkins said they have extended the deadline to January 17th. Councilman Nehls requested that the Administration & Finance Committee send information on the Public Works issues to the Public Works Committee for their review.
- 2 Police: Council President Nehls had no report but did mention a letter he received from Mr. Andy Shapiro, complementing our Police Department for assisting with his son's school assignment. He also reported the Committee is attempting to set up a schedule for regular monthly meetings.
- 3 Public Works/Buildings and Grounds: Council President Nehls reported he received a status from consulting Engineer John Black on the Johnston Drive sanitary sewer project. He said approximately 18% of the work is complete. Council President Nehls also reported the Public Works Department has had some issues with salt delivery, explaining the Contractor who supplies us is on both the Morris & Somerset County co-ops could not fill the commitment, and for this most recent storm the Borough had to purchase salt from another contractor at \$30 more per ton. Council President Nehls suggested that Mr. Atkins write a letter of complaint regarding this contractor to the Co-ops. Mayor Pote thanked the Public Works Department for a job well done during this most recent storm.

4. Public Affairs:

Open Space: Councilwoman Beck-Clemens had no report and said the first meeting of the year is scheduled for Monday, January 13th at 7 PM. She also asked if there was any update on the Ness Property and Council President Nehls there is no additional information to report..

Environmental: Councilman Gibbs reported he received the information from the November 25th meeting and has material to give to the Laws and Ordinance Committee regarding proposed changes to the tree ordinance. He said the Commission would like to tighten the enforcement of tree replacements, and he will give a list of recommended species native to New Jersey to Ms. DeRocco. He said the Commission also discussed fracking and they will support a resolution to ban this. Councilman Gibbs said the next meeting is January 27th at 7:30 PM.

Recreation: Councilwoman Beck–Clemens reported the next meeting is January 14th at 7:30 PM. She also reported the Commission is offering a Ski Trip on February 9th to Camel Back Mountain in Pennsylvania. She said the bus will leave from the Police Department parking lot at 7 AM and return at 7 PM. The cost, including the lift ticket, is \$65 per adult and \$60 for those 18 years and younger. Children must be accompanied by an adult.

Historical: Councilwoman Beck-Clemens reported the Committee had a reorganization meeting last evening and Sue Tucker was appointed to Chair, Barbara Diem as Vice Chair, and their newest member, Lynn Franklin, was appointed Treasurer. She also reported Justin Scalera is working on an Eagle Scout project on regarding “houses, then and now,” and Girl Scout Madalyn Quinn is doing a project on the Borough school’s history for her Gold Badge. She reported the Committee now has a list of volunteers willing to assist them. Councilwoman Beck-Clemens reminded everyone that the Historical Museum is open the 1st and 3rd Sunday of every month from 2-4 PM.

Board of Health- Councilman Black had no report but announced the next meeting is scheduled for January 15th at 7:00 P.M.

5. Fire: Councilman Black reported the Fire Department had a total of 279 calls in 2013 with 26 being in December. He also said nine members are attending the Ice Training and there are two members of the Fire Department who would like to take EMT training. Councilman Black said he spoke to Adam Wexler and was told the two members would have to be active Rescue Squad members. Councilman Black asked the Council to consider sending these two members for the training. Council President Nehls said the cost for EMT classes is approximately \$2,000 and the Rescue Squad paid for this with State funding, not by tax payer's dollars.
6. Laws/Ordinances: Councilwoman Joren reported the committee met in November and there are several ordinances being introduced this evening. She said the committee is discussing increasing the development fees to 2.5% and they also discussed a possible maintenance program with local landscaping companies for the Borough triangles. Councilwoman Joren said the grease trap letter went out and Ms. Hance is getting responses. She said the committee also discussed house sizes and it was decided to ask a planner to come to one of their meetings to explain options. Mayor Pote asked about the possibility of implementing parking restrictions by the lake and Councilwoman Joren said there is no clear cut solution to the problem and Council President Nehls said the Police Department has many concerns, but this issue will be addressed again.

REPORTS - OTHER:

7. Engineer: No report was submitted.
8. Police Chief: No report was submitted.
9. Fire Department: No report was submitted.
10. Rescue Squad: Denise Wilson gave a year end report for the Squad. She said there were a total of 411 calls and top responders for the years were Adam Wexler, Jess Ray and Denise Wilson. She reported the Squad gained 9 new members and most of them are progressing through to becoming full, active members. She said mutual aid to neighboring towns is down drastically due to the North Plainfield FD taking over EMS calls and JFK having an ambulance available for Plainfield. Ms. Wilson also said the Squad greatly appreciates the assistance they receive from our Police Department, with the police usually arriving prior to the Rescue Squad. She also said our dispatchers “are the best,” anticipating what is needed and getting things rolling before being asked.
11. Emergency Management: Administrator Tom Atkins reported that Gary Greves has been getting some annexes returned. Mayor Pote asked if he could get copies as soon as they come in so he can review them and not all at once. Council President Nehls asked when they were due back to the County and Mr. Atkins said Mid-February, however, the Borough would like them all back by January 20th.
12. Attorney: Mr. Cruz had no report other than there is an Executive Session this evening.
13. Clerk: Mrs. DeRocco reported Ms. Hance would like all newsletter articles by February 14th no exceptions to this deadline. Ms. DeRocco would like to schedule the photographer to come to take the Council photo for February 13th. She also mentioned that dog license renewals are due by January 31st.
14. Administrator: Mr. Atkins had no report.

Councilman Black reported on a recent meeting of the Green Brook Flood Control Commission. Councilman Black said the Commission asked for seven million dollars of Federal funding, but only received three million. He also said the upper basin was again discussed as a future solution, and Councilman Black said he suggested the Army Corps of Engineers review the old plans out, and also discussed was the New Providence gorge. Councilman Black said former Mayor Tony Addario was at the meeting and asked to meet with him and the Mayor and to get a consensus of how the Council would like them to proceed with the matter. Mayor Pote asked when the next meeting was, and Councilman Black said in March.

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PUBLIC PORTION / AGENDA ITEMS ONLY

Mr. McWade, Valley Road wished to discuss several concerns which were not related to agenda items and Mayor Pote asked him if he could wait until the public portion at the end of the meeting and he said he would.

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UNFINISHED BUSINESS

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NEW BUSINESS

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

Approval of the following Council minutes:
December 12, 2013

Acknowledging Receipt of the following Borough Reports:
Recreation Commission Minutes - November 13, 2013
Board of Adjustment Minutes - October 3, December 19, 2013
Police Activity Report - November, 2013
Building Department Report - December, 2013

Acknowledging Receipt of the following Correspondence:

- #1 - Kathleen Davies 12/17/13 Letter of retirement from her position of Administrative Assistant to the Police Chief, after 35 years of service c: M & C, TEA, JC
- #2 - Catherine Hammel 12/16/13 Letter of resignation from her position as Assistant Tax Collector c: M & C, TEA, JC

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

- R1:01/09/14 Purchases Over \$2,000. - The Rodgers Group; Orchard Holdings, LLC, N. Plainfield Auto Rebuilders
- R2: Authorize Treasurer to Issue Tax Sale Redemption #13-01 - 11 Kappelman Drive
- R3: Authorize Treasurer to Issue Tax Sale Redemption #12-008 - 107 Johnston Drive
- R4: Authorize Clerk to Issue Raffle License - Sisters of Mercy of the Americas
- R5: Authorize Final Payment of Accumulated Benefits - Kathleen Davies

- R6: Authorize Final Payment of Accumulated Benefits - Catherine Hammel
R7: Designation of Depositories (Revision)
R8: 2013 Budget Transfers
R9: Appointment to Traffic and Beautification Commission - Jeannette Kayel

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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.

Proposed Ordinance OR:14/01 entitled: "AN ORDINANCE ACCEPTING A DEED OF DEDICATION FOR A PORTION OF PROPERTY LOCATED AT 915 JOHNSTON DRIVE AND KNOWN ON THE TAX MAPS OF THE BOROUGH OF WATCHUNG AS BLOCK 69.06, LOTS 3.01 and 3.02 TO THE BOROUGH OF WATCHUNG" was introduced. Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk to publish the ordinance and notice of public hearing.

Mr. Cruz explained this Ordinance grants the town a right of way for that portion of the property along the road on Johnston Drive.

R10:01/09/14 Introduction of OR:14/01 - Accepting a Deed of Dedication - 915 Johnston Drive

The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, "aye". Public Hearing to be held on January 23, 2014.

Proposed Ordinance OR:14/02 entitled: "AN ORDINANCE ACCEPTING A SIGHT RIGHT EASEMENT AND A CONSERVATION EASEMENT FOR PROPERTY LOCATED AT 25 CENTURY LANE AND KNOWN ON THE TAX MAPS OF THE BOROUGH OF WATCHUNG AS BLOCK 43.09, LOT 13.01, FROM ELITE HOMEBUILDING, L.L.C. TO THE BOROUGH OF WATCHUNG." was introduced. Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk to publish the ordinance and notice of public hearing.

Mr. Cruz explained certain part of the properties be conserved and this is an easement between Century Lane and Valley.

R11: Introduction of OR:14/02 - Accept Sight Right Easement and Conservation Easement

The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, "aye". Public Hearing to be held on January 23, 2014.

Proposed Ordinance OR:14/03 entitled: "AN ORDINANCE AUTHORIZING THE VACATION OF PROPERTY INCORRECTLY DEDICATED TO THE BOROUGH OF WATCHUNG SHOWN AS BLOCK 52.01, LOTS 1.03 AND 1.04 ON THE BOROUGH OF WATCHUNG TAX MAP AND PROPERTY SHOWN AS BLOCK 64.02, LOT 14 ON THE BOROUGH OF NORTH PLAINFIELD TAX MAP." was introduced. Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk to publish the ordinance and notice of public hearing.

Mr. Cruz explained the Laws and Ordinance committee was asked to correct an error which occurred in 2010 incorrectly conveying the property to the Borough. This is a Quick Claim Deed to give rights back to NJ American Water Company.

R12: Introduction of OR:14/03 - Authorize Vacation of Property

The motion was seconded by Councilman Nehls and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, "aye". Public Hearing to be held on January 23, 2014.

Councilman Black moved the following resolution with a second by Councilman Franklin and prior to the vote Councilwoman Beck-Clemens recused herself and stepped down from the dais. The roll call vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, "aye."

R13: Appointment to Board of Adjustment – James Clemens/Alternate #2

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

R14: Waive Chapter 2-25 – Gray's Florist & Greenhouse

A Council Ad-Hoc Committee/Library Study meeting was held this evening prior to the Council meeting. Councilman Franklin reported there is one new option which will involve engineering with some expenditures. The Committee would like to ask the Council for a budget of approximately \$15,000 for this committee. Councilman Franklin said some options have already been addressed by the study committee and the Ad-Hoc committee would like to meet with the study committee. Council President Nehls said he agrees that there is a need for some funds to move forward and asked if funding could come from the Mayor and Council's budget. Councilman Gibbs said this is a modest budget and if new options are considered the costs could be greater than the requested \$15,000 and this would have to be re-addressed by Mayor and Council. Mayor Pote said this is a reasonable amount and Administrator Atkins said monies can be transferred between November 1 to March 31st. Administrator Atkins said possibly there could be an amendment to the temporary budget. Councilman Franklin would like to have a meeting scheduled with the Library Study Committee for January 27th.

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PUBLIC PORTION - GENERAL DISCUSSION

Mr. McWade, Valley Road, asked who he would be able to contact regarding his Optimum Cable bill. He said the company has substantially increased his fees, with little or no explanation. Mr. Cruz said the increase is for the franchise fees and explained the company opted to use a state wide franchise, with fees set by State statute. Mr. Cruz said he will try to assist by contacting our Government Affairs representative for to see if he can get an answer. Mr. Cruz asked Mr. McWade to Mr. Cruz explained the Laws and Ordinance committee was asked to correct an error which occurred in 2010 incorrectly conveying the property to the Borough. This is a Quick Claim Deed to give rights back to NJ American Water Company. provide his contact information and he will ask the Rep to contact him directly.

Lynda Goldschein, Sherwood Drive, asked about the status of the deer management program, and what was the total number of deer as of this date. She also wanted to know the survey results and if the Borough had any additional sites for the hunt. Mr. Atkins said the number of deer as of this morning was 24 total. As far as the number of surveys returned, Councilman Franklin said they do not have a count, but thought there were slightly less than the previous survey but that most returns support continuing the culling. He also reported many support cross-bow hunting but this could not move forward without an amendment to the Borough Ordinance. Mayor Pote said he would like a formal report on the survey results and have this report by the next meeting. Ms. Goldschein would also like the old political signs removed on Bonnie Burn Road. Council President Nehls said the Public Works Department is very busy but he will mention this to them.

With no other public wishing to be heard Mayor Pote closed the public portion.

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

R15:01/09/14 Executive Session: Personnel-Municipal Attorney

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

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:48 P.M. to the Call of the Chair, and to the next scheduled Council meeting to be held on January 23, 2014

7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk