

BOROUGH OF WATCHUNG

COUNCIL MINUTES

November 24, 2014 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order 7:32 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 [A] Franklin [P] Joren [P] Gibbs [P] Beck-Clemens [P]

Also present were Administrator Tom Atkins, Attorney Albert Cruz, Engineer Tom Herits, Police Chief Joe Cina, CFO Bill Hance, Clerk Michelle DeRocco and Deputy Clerk Mary Ann Hance.

There was 1 member of the public present.

REPORT OF STANDING COMMITTEES

1. Administration & Finance – Councilman Franklin reported the Committee met on November 10th and discussed the work load in the tax/construction office. He said the Committee also discussed the sanitary sewer billing for two bedroom units and it was the Committee's consensus to leave the Ordinance as is and the owners of the two bedroom units will receive a credit for their 2014 bill, Going forward the bills will be correct. Councilwoman Joren questioned if it would be better to change the Ordinance and Mr. Cruz said the Ordinance is clear but he is not sure if it is mandated by Statute. He would have to check this. Councilman Franklin also said the Committee discussed the daytime coverage for the Volunteer Fire Department and the Committee thinks it would be to our advantage to make this part of the Public Works job description. He said the Committee discussed unused sick leave and the disability issue and said the Police Department members would have to agree to this which they would not except through collective bargaining. Councilman Franklin would like the Councils' permission to contact Representative Bramnick and others to further research this issue and possibly have the State look into this issue.
2. Police - Council President Nehls reported the Committee met on November 17th. He said the hiring has been completed with two new Patrolmen scheduled to be sworn in on December 18th to begin employment effective January 1, 2015. Council President Nehls also said the contract the Borough was sharing with Warren for the Reverse 911 has expired and Chief Cina will be discussing a new contract for Nixel. The Committee is recommending moving forward with this. Council President Nehls said the Police Department, and Public Works will be losing the current radio band and the Borough has until 2018 to get a new one. He said Chief Cina and OEM will keep on top of this.
3. Public Works / Buildings and Grounds – Council President Nehls reported there is a resolution on the agenda to replace the electrical conduit at the Police Department Parking Lot which was damaged from the rock fall. He also said the drainage issues on Guinard and Acorn Drive will be addressed and the funds will be coming from a 2014 Ordinance. Council President Nehls said two pole barns have been ordered, one for equipment storage and the other for salt. He also said the Borough may be checking with Weldon for the possibility of using some of their property to store additional salt. Council President Nehls also reported the generators at Police Headquarters are in and just about ready to go. Mr. Herits said Public Service Electric and Gas employees were pulled off the installation at Borough Hall and the Fire Department due to the company boosting pressure in gas lines and the ensuing gas leak caused by this on Cedar Road. Council President Nehls reported the need to replace two of the Public Works trucks and Mr. Atkins said there is an insurance payment of \$41,000 coming back to the Borough. Mayor Pote questioned if Public Works will have a problem this winter without these vehicles and Council President said barring no other vehicle problems there would not be a problem. Council President Nehls then reported that leaf bag pickup will end December 1st, Washington Rock Road and Anderson Road have been milled, paved and lined, and dead trees have been removed from four locations by Caffrey Tree Service. He also reported that PEOSHA did an inspection at the DPW Garage and found three items that needed to be corrected of which two have been corrected already and the third will be completed on December 5th. Painting at Borough Hall is almost complete, as is the playground with only the ramp to finish in the spring.

4. Public Affairs:

Open Space- Councilwoman Beck-Clemens had no report.

Environmental – Councilman Gibbs had no report.

Recreation – Councilwoman Beck-Clemens reported the next meeting is scheduled for December 3rd. She also reported that travel basketball and High School basketball registration is ongoing, and Green Brook is scheduling a joint ski trip with Watchung residents welcome.

Historical – Councilwoman Beck-Clemens reported the Museum will not be open the month of December and she also said there is a special meeting scheduled for tomorrow, Nov. 25th.

Board of Health- No report was submitted

5. Fire – In Councilman Black’s absence, Councilman Franklin said there is a resolution on the agenda this evening for the stipends for members of the Fire Department. He said the stipend program is very complicated and difficult to understand. Councilman Franklin suggests the Administration/Finance Committee and Fire Committee discuss how these stipends are determined and then make any suggestions to the Laws and Ordinance Committee for a possible Ordinance to set procedures for the future. Councilman Gibbs suggested possibly having a professional company come and look at the Fire Department structure. Mayor Pote suggested putting an approach together for further discussion.
6. Laws/Ordinances- Councilwoman Joren reported the Committee met on November 6th. She said Administrative Assistant Shelini Parikh researched the use of drones and it was the determination of the Committee to wait until the FAA makes any final decisions. Councilwoman Joren also said Ms. Parikh researched Social Media Policies and the Committee reviewed the proposed policy, and determined that is more a tool of the employee personnel manual and they recommend this issue be reviewed by Administrative/Finance Committee. Councilwoman Joren said the Committee had discussions on several snow issues. She said there is an Ordinance being introduced this evening addressing snow removal around the fire hydrants which will require the Fire Department to clear the snow – not residents. She also said the Committee is recommending a resolution for reimbursement of \$55.00 to residents if a mailbox is damaged due to snow plowing. The Council then discussed the issue of snow removal on sidewalks and Councilwoman Joren said the Ordinance addresses this and all residents must shovel their walkways. She said there should be a strong educational process for homeowners and what their responsibility is. Information can be put on the Borough Website and Facebook. Councilman Gibbs stressed that if a person has a sidewalk they must clear it of snow. Mayor Pote said the Borough must then be prepared to enforce this issue. Council President Nehls said unless the Ordinance is changed sidewalks must be shoveled. Councilwoman Joren said we could do a placard for this like we are doing for the driveway plowing. The Committee discussed possible changes to the Property Maintenance Code especially for those foreclosed or abandoned properties. Mr. Cruz will be working on a draft Ordinance for the changes and also a possible Ordinance for a Registry for vacant homes including fees. Mr. Cruz said a property could have liens on the properties if they don’t register.

REPORTS - OTHER:

7. Engineer – Mr. Herits reiterated items previously reported by Council President Nehls, including the PEOSHA inspection, the work on Anderson/Washington Rock Rd., and the generators at Police Headquarters, which were run today and tomorrow will be the load test. Mr. Herits said the apron, flooring and air work is complete at the Fire House. He explained that the \$100,000. FEMA Grant must be used for generators, and cannot be applied toward the generators already purchased. This grant could be used to install at the Public Works Building and the East End Fire House. Mayor Pote questioned if there was a time limit to use these monies and asked if it could be used in the library. Mr. Herits said he must give the locations when he submits the application. Councilwoman Beck-Clemens questioned the status of the East End Fire House since the property is not owned by the Borough before putting a generator there. Mr. Atkins said it is a plus for the Fire Insurance Rating alone to have the Fire House located there, for geographical reasons. Mayor Pote asked about the drainage issue on Glen Eagle Drive and Mr. Herits said he does not see a problem now but he will keep an eye on it. Councilwoman Beck-Clemens questioned the Ness Property and Mr. Herits did not have anything new to report.

8. Police Chief – Chief Cina gave a brief explanation regarding the need to purchase of a high powered rifle. He also reported there are new traffic signs for Hillcrest Road, and some will be permanent while others will only be temporary on Valley Road. He said the Department is still trying to get the DOT to install signs on Route 78 East to exclude the truck traffic turning right onto Hillcrest Road. Chief Cina also explained the Reverse 911 issue. He said the Borough was sharing with system with Warren, who no longer used Code Red. He has researched other companies and Nixel 360 seems to have the best dollar deal now with a one year unlimited messaging. Mayor Pote asked if this would go to cell phones as well and Chief Cina said it would include cell and regular phones as well as email. Council President Nehls said there are time constraints for this and Chief Cina said this special cost expires by the end of the year. Council President Nehls requested the Mayor get the consensus of the entire Council. Mayor Pote asked each member of the Council present and the consensus was unanimous. Chief Cina then discussed the radio frequency and the loss of what the Borough currently has due to the HR Bill 3630 being passed into law. He said the Borough must have a plan in place by 2018 and the available frequency licenses are limited. Councilman Gibbs said even though the Bill has been signed into law that maybe it can be repealed. Councilwoman Joren said the Borough should contact Representative Lance for his assistance and Councilwoman Beck-Clemens suggested contacting the League of Municipalities. Mr. Cruz said if there is a limited number of frequencies available should the Borough possibly get the license in advance. Chief Cina said it is not easy to get a license. Mayor Pote said we should contact Representative Lance and also check with surrounding areas regarding this. Chief Cina said he will check to see which towns are affected by this Bill, and he will also touch base with radio communications personnel at Somerset County.
9. Fire Department – no report was submitted.
10. Rescue Squad – Denise Wilson gave a statistical report for the month. She also reported the Tree of Lights is ready for Saturday, December 6th at 5:30 PM. Ms. Wilson said the Mass Casualty Drill event went very well even though two towns pulled out at the last minute and there was an actual emergency call during the drill. She said these drills should be held frequently. Mayor Pote thanked the Rescue Squad for the Tree of Lights.
11. Emergency Management – No report was submitted.
12. Attorney – Mr. Cruz reported there is one item for Executive Session
13. Clerk – Ms. DeRocco reminded everyone there is a Pipeline forum for interested residents on December 2nd at 7:30 pm with Kate Millsaps of the Sierra Club and Matt Smith of the Food, Water and Watch group. She said Mayor Pote will also host a Mayors' Round Table meeting on December 10th at 7:30 pm. Ms. DeRocco reported the Borough Office Staff participates annually in the "Hearts of Watchung" collection each year, and commented that resident Cindy Homer does an amazing job putting together the collected items. She also said that Shelini Parikh has set up a mini farmers market at the Police Department Parking Lot for tomorrow from 1-4 pm, for last minute Thanksgiving orders.
14. Administrator – Tom Atkins reported on the Deer Management program which will begin on December 1st with the season ending February 14, 2015. He said the site locations will be posted on the Borough Website.

Mayor Pote asked CFO Mr. Hance if he had anything to report and Mr. Hance said there was nothing to report.

Mayor Pote said he attended a meeting last week with the Transportation Commissioner Jamie Fox and thanked him for the work on Route 22 toward Bridgewater. Mayor Pote said the DOT is looking at projects along Route 22 and hopefully will include better lighting, etc. He also said he brought up Exit 43 again but that Berkeley Heights Mayor Bruno is adamantly against any changes at that exit. Mayor Pote also said there is a meeting at the Weldon office tomorrow at 9:00 am to thank them for their help with the rock wall remediation.

PUBLIC PORTION/AGENDA ITEMS ONLY

NEW BUSINESS

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

Approval of the following Council minutes:
November 6, 2014

Acknowledging Receipt of the following Borough Reports:
Board of Health Minutes – September 17, 2014
Police Activity Report – October, 2014

Acknowledging Receipt of the following Correspondence:

#33 - Borough of Raritan 11/6/14 Resolution supporting action to prevent undocumented immigrants into our Country c: M & C, TEA

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

- R1:11/24/14 Purchases Over \$2,000. – SA & Sons (Asphalt for Roads)
Assessor Services, LLC (Revaluation Assistance)
PMC Associates (2 Chairs – PD)
CSM (Tough Book Docking Stations for PD)
CSM (Tough Books for PD)
Winner Ford (2015 Interceptor SUV)
OSI Equipment (Mobile Data for Vehicles)
Office Business Systems (Software, etc. for PD)
Bold Electric LLC (Exterior Lighting – Firehouse)
Bold Electric LLC (Exterior Lighting – Police Dept)
A & J Contractors (Storm Drain – Acorn Road)
A & J Contractors (Storm Drain – Guinard Dr)
KCG Inc. (Thermostat – PD)
- R2: Authorize Transfer of Titles - Surplus Vehicle Auction
- R3: Authorize Clerk to Advertise for 2015 Professional Service Proposals
- R4: Authorize Stipulation of Settlement – 580 Phillip Lane
- R5: Appointment to Fire Department – Laura DiNardo-Smith, Richard Sloyan
- R6: Authorize 2014 Stipend Program – Volunteer Fighters
- R7: Authorize Return of Escrow – As Listed
- R8: Authorize Clerk to Issue Raffle License – Sisters of Mercy of the Americas
- R9: Waive Chapter 2.25-10 – Sparta Discount Tire, Inc.

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.

Councilman Franklin moved the following resolution:

R10:11/24/14 Authorize Budget Transfer

With a second by Councilwoman Beck-Clemens and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

Councilwoman Beck-Clemens moved the following resolution:

R11: Waive Chapter 2.25-10 - Gray’s Florist & Greenhouse (1 Purchase Order)

With a second by Councilman Franklin and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

Council President Nehls moved the following resolution

R12: Authorize Separation and Release Agreement – Andrew Baldassarre

With a second by Councilwoman Joren and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

Proposed Ordinance OR:14/18 entitled "AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG CH. 5-12.76 ET SEQ., THEREOF, "PERSONNEL POLICY," AND TO FIX AND DETERMINE MINIMUM AND MAXIMUM SALARIES AND COMPENSATION TO BE PAID TO CERTAIN EMPLOYEES" was introduced. Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk to publish the ordinance and notice of Public Hearing.

R13: Introduction of Ordinance OR:14/18 – Amend Min/Max Ordinance

The motion was seconded by Council President Nehls and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, “aye.” Public Hearing to be held December 18, 2014.

Proposed Ordinance OR:14/19 entitled: “AN ORDINANCE REPEALING AND REPLACING SECTION 14-45.1, TITLED “SNOW AND ICE REMOVAL FROM SIDEWALKS, DRIVEWAYS AND FIRE HYDRANTS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG WITH A NEW SECTION 14-45.1 TITLED “SNOW AND ICE REMOVAL FROM SIDEWALKS AND DRIVEWAYS.” was introduced. Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk to publish the ordinance and notice of Public Hearing.

R14: Introduction of Ordinance OR:14/19 – Amend Code / Snow and Ice Removal

The motion was seconded by Council President Nehls and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, “aye.” Public Hearing to be held December 18, 2014.

Proposed Ordinance OR:14/20 entitled: “AN ORDINANCE OF THE BOROUGH OF WATCHUNG ACCEPTING A QUITCLAIM DEED FROM THE ESTATE OF HERMES O. SANTIAGO, DECEASED, BY HIS EXECUTRIX, MARIA I. SANTIAGO, AND MARIA I. SANTIAGO, INDIVIDUALLY, FOR BLOCK 70.08, LOT 31.03 AS SHOWN ON THE BOROUGH OF WATCHUNG TAX MAP, AND FORGING THE REAL ESTATE TAXES FOR 2014.” was introduced. Councilwoman Joren moved the ordinance be adopted on first reading and directed the Clerk to publish the ordinance and notice of Public Hearing.

R15: Introduction of Ordinance OR:14/20 – Acceptance of Quitclaim Deed

The motion was seconded by Council President Nehls and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, “aye.” Public Hearing to be held December 18, 2014.

Councilman Franklin moved the following resolution:

R16: Payment of Bills

With a second by Councilwoman Beck-Clemens and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

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PUBLIC PORTION – GENERAL DISCUSSION
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No one from the public wished to speak.

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

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

R17: Executive Session: PBA Grievance on behalf of Officer Sean Bouchard

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

Mayor Pote said the Council has reviewed the grievance that has been filed on behalf of Sean Bouchard and asked if there is a motion on the table. Council President Nehls made a motion to deny the grievance from the PBA regarding sick leave with a second by Councilwoman Beck-Clemens. Councilman Franklin stated an affirmative vote means the Council is denying the grievance. Being no other discussion roll call was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, "aye."

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:35 PM to the Call of the Chair, and to the next scheduled meeting to be held on December 18, 2014 at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk