

**BOROUGH OF WATCHUNG**

**COUNCIL MINUTES**

**DECEMBER 18, 2014**

**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 [A]    Gibbs [P]    Beck-Clemens [P]

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

There were 30 members of the public present.

**SPECIAL PRESENTATIONS**

**POLICE APPOINTMENTS**

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

R1:12/18/14    Appointment of Probationary Police Officer – Jordan Migliore

Police Commissioner Nehls gave a brief synopsis of Jordan's background.

Mayor Pote then administered the Oath of Office to Police Officer Jordan Migliore, as his brother Evan held the Bible.

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

R2:12/18/14    Appointment of Probationary Police Officer – Jonathan Cruz

Police Commissioner Nehls gave a brief synopsis of Jonathan's background.

Mayor Pote then administered the Oath of Office to Police Officer Jonathan Cruz, as his mother Donna held the Bible.

**GIRL SCOUT SILVER WARD RECIPIENTS / TROOP 63624**

Diana Churchill explained what is required to achieve the Silver Award which is the highest award a Cadet can earn. She said the project requires a minimum of 50 hours to complete and this is accomplished outside of their regular Girl Scout Meetings.

Girl Scout Silver Award Recipients / Troop 65624 – Alexandra Gilmore, Gwendolyn Kinder,  
Diana Sarrico, Danae Churchill

Each of the scouts gave a brief explanation of the project they undertook to achieve their Silver Award. Diana and Danae made activity boxes for children with chronic illnesses at Mountainside Hospital, and Alexandra and Gwendolyn volunteered at Brandywine Assisted Living, spending time with Seniors there by calling Bingo and assisting with crafts and recreational activities. Mayor Pote and Councilwoman Beck-Clemens then presented the Girl Scouts with their Silver Awards. Councilwoman Beck-Clemens said she was honored to help present these awards, as she is on the Board of Directors for the Girl Scouts. She praised the young ladies for contributing to society and explained that Scouting and projects like these help develop values. She said she was very proud of them.

**PROCLAMATION:** Radon Awareness Month / January (copy attached)

Mayor Pote read the proclamation for Radon Awareness Month.

**REPORT OF STANDING COMMITTEES**

1. Administration & Finance – Councilman Franklin reported the Committee reviewed the RFP’s for professional services that were received and have made their recommendations. He said the Board of Adjustment will have to review the RFP’s received for their Attorney and make their recommendation. Councilman Franklin also said the Department of Public Works and Fire Department co-op is set and training will start in February and be complete by June. He said the Committee will consult with the new Chief regarding the fire apparatus equipment. Councilman Franklin said the Committee also reviewed the three proposals received for Animal Control and are recommending St. Huberts. He said they offered the best fees and services. He said there is a resolution on the agenda this evening authorizing a three year contract for St. Huberts. Councilwoman Beck-Clemens added that the RFP’s are in the Clerk’s office for anyone who wishes to look at them.
2. Police – Council President Nehls had no report.
3. Public Works / Buildings and Grounds – Council President Nehls reported leaf pick up is now complete and pot holes have been repaired and will continue when needed. He also reported Public Works used 100 tons of salt for the November snow and has approximately 240 tons on hand. Council President Nehls also wanted to acknowledge Scott Otto for his volunteer work cleaning up at Mobus Field. He also reported the Library inspection by the Engineering firm was completed and they will be sending their report to the Borough, hopefully for the next regular Council meeting.
4. Public Affairs:
  - Open Space- Councilwoman Beck-Clemens had no report.
  - Recreation – Councilwoman Beck-Clemens had no report.
  - Historical – Councilwoman Beck-Clemens had no report.
  - Board of Health- No report was submitted.
5. Fire - Councilman Gibbs reported the architect is working to complete the plans for the renovations. He also reported the floor is complete and looks great and the ventilation system is also complete. Councilman Gibbs said the water tank on one of the trucks is rotting out and must be addressed when reviewing the fire apparatus. Administrator Atkins said he would like to meet with the Fire Committee and talk to the Chief elect to discuss some of these issues.
6. Laws/Ordinances- No report was submitted.

**REPORTS - OTHER:**

7. Engineer – Tom Herits reported all generators have been load tested and the next step is to switch over which will require coordinating with Public Service. He also reported the drainage issue on Acorn Drive was completed today and the “buffer plantings” were done for Mr. Olivio. Mr. Herits said the pole barns will hopefully be here in February and he will get a price for “buffer planting” for these. He also said the property on New Providence Road will be able to store a great deal of salt and he is looking to get pricing for some type of covering for the area. Councilwoman Beck-Clemens asked if Mr. Herits had a time line for the Ness Property and also the numbers for the remediation fund, he responded that he will get back to her.
8. Police Chief – Chief Cina reported that Black Friday went very well with no issues. He also reported on the Nixel upgrading for voice messaging. He said the former company has supplied the data of approximately 4000 phone numbers, saving the Borough the money to have this redone by Verizon. Chief Cina also gave a brief update on the emergency radio frequency and said Bill Stahl, the County Director of Communications has reached out to Congressman Lance but has not heard back. Mr. Stahl said he would be willing to meet with the Somerset County Mayors to discuss this issue. Mayor Pote said he will see if he can work with him to set something up for a meeting. Councilman Gibbs suggested the Police Department could possibly “latch” on to the Fire Departments’ frequency.

9. Fire Department – Chief Elect Jonathan Erber reported members are very pleased with the flooring and said Council should come and see it. He said you cannot slip of the surface and other fire departments in the area have said they will be looking at this for their departments also. Mr. Erber said evening response has been up with 15-19 showing up for calls with response time being approximately 4 minutes which is as good, if not better, than even paid departments. He said once the Department of Public Works men are trained for daytime hours it will be extremely helpful and also the two junior members will be going to school in the spring. Mr. Erber said the department is looking forward to getting the ice rescue equipment and all have been trained in its use. Mayor Pote said the Borough and Fire Department should work more closely with the High School and Mr. Erber said they have tried but suggests the Mayor and Council reach out to the High School to see if they can do some type of presentation. Councilman Gibbs reminded Mr. Erber that the Fire Committee members are always available and he can reach out to them at any time.
  
10. Rescue Squad – Denise Wilson gave the monthly statistics and also reported the Tree of Lights was a great success again and thanked all who assisted. She said one individual decided to sign up to become a member after attending the Tree of Lights ceremony.
  
11. Emergency Management – Skip Bell reported the Annexes have been completed and Mr. Greves submitted it to the County who will then send to the State. He also said they are looking into updating the 1610 radio station. He said they are hoping to start getting the conference room set up as the Emergency Control Room with computers and large monitors to view maps. There was a question regarding the ICS 402 Class and Mr. Bell said it is set for January 29<sup>th</sup> and is approximately a 2 hour program. He will get more information for the Mayor and Council. Mayor Pote asked about updating names for each Annex and Mr. Bell said if there is a change it can be send to the County who will then send to the State to update. Mayor Pote then asked for an update on the 9/11 Memorial and Mr. Bell said they have received some funds and the Committee needs more people. He said they are hoping to get it done next year. Mayor Pote reminded Mr. Bell that prior to starting the actual project it must go to the right Committees for review and approval.
  
12. Attorney – Mr. Cruz had no report.
  
13. Clerk – Ms. DeRocco reported the Borough received the Bronze Award from Sustainable Jersey at the League Conference this year and held it up for all to see. She said this goal must be achieved yearly to continue this status, and new projects and ideas need to be implemented. She announced there was an article in the League of Municipalities monthly magazine, submitted by Shelini Parikh, praising our Governing Body’s actions in regard to the Black Friday Ordinance change, and the success our Police Department is having with it. Ms. DeRocco also asked the Mayor and Council to review the tentative meeting schedule for 2015 and if there are any issues with dates to get them to her by next week. She then wished all a Happy Chanukah and Merry Christmas.
  
14. Administrator – Tom Atkins reported the Deer Management program started and there are eight sites this year, two more than last year, thanks to the surveys. He also thanked Michelle and Shelini for all the research they did for the Animal Control.

Mayor Pote thanked Jessica for the wonderful Holiday Party she organized. He said it was another huge success. He reminded everyone of the Re-Organization meeting 12 Noon on January 1<sup>st</sup> and said all are invited to the Mobus home after for refreshments.

Mayor Pote also gave a brief report on the two meetings held to discuss the Pilgrim Pipeline. The first one was held December 2<sup>nd</sup> with Kate Milsaps of the Sierra Club and the second one as a Mayors’ Round Table with Federal DOT Pipeline Safety Representative, Karen Gentiel speaking. They were both very well attending and it was clear that the overall opinion is to try to prevent this pipeline from coming to our communities. He said this gathering of Officials from the affected communities has jump-started future meetings and actions to be taken.

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**PUBLIC PORTION**

Virginia Hartmann, Ellisen Road, asked when Mr. Auger would be coming to a Council meeting. She said she would like answers on why the local program budgets have been cut when they are hiring people for marketing, etc. Ms. DeRocco said he is scheduled to come to the February 5<sup>th</sup> Council Meeting. Ms. Hartmann said Mr. McCoy from Somerset County has been at several Library Advisory Meetings and does not contribute anything. She also wants to know what the Borough gets for the tax payers' money paid to the County Library System and suggested someone contact Mr. Auger with questions prior to his attending the Council meeting.

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**UNFINISHED BUSINESS**

A public hearing on 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 held.

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

With no one from the public wishing to be heard Councilman Gibbs closed the public portion and moved the following resolution.

R3: Adoption 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, Gibbs, Beck-Clemens, "aye."

A public hearing on 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 held.

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

With no one from the public wishing to be heard Councilman Gibbs closed the public portion and moved the following resolution.

R4: Adoption 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, Gibbs, Beck-Clemens, "aye."

A public hearing on 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 held.

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

With no one from the public wishing to be heard Councilman Gibbs closed the public portion and moved the following resolution.

R5: Adoption 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, Gibbs, Beck-Clemens, "aye."

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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 Councilman Gibbs.

Prior to the vote Clerk Michelle DeRocco requested the Executive Session Minutes for October 27, 2014 be removed for revisions.

Council President Nehls then moved the Consent Agenda Items be approved as amended with a second by Councilman Gibbs and upon roll call the vote was as follows: Nehls, Franklin, Gibbs, Beck-Clemens, “aye.”

Approval of the following Council minutes:  
October 27, 2014 – Executive Session  
November 24, 2014 – Regular and Executive Sessions

Acknowledging Receipt of the following Borough Reports:  
Environmental Commission Minutes – October 27, 2014  
Building Department Report – November, 2014  
Recreation Commission Minutes – October 1, 2014  
Historical Committee Minutes – April 15, May 12, June 11, Sept. 10, and Oct. 8, 2014  
Finance Department Revenue Reports – October, November, 2014

Acknowledging Receipt of the following Correspondence:

- #34 - Township of Warren 11/24/14 Notice of Public Hearing on Proposed Land Use Amendment – “Procedures and Development” on December 11, 2014 c: M & C, TEA, Pl. Board
- #35 - JCP&L 11/18/14 Notice of Proposed Increase in Non-Utility Generation Charge and Public Hearings c: M & C, TEA

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**CONSENT AGENDA RESOLUTIONS**

Council President Nehls moved the following resolutions with a second by Councilman Gibbs.

- R6:12/18/14 Purchases Over \$2,000. – Caffrey Tree & Landscape – Tree, Debris Removal  
Nixle LLC – Emergency Messaging System  
East Coast Emergency Lighting – PD Vehicle Equip  
NJ Fire Equipment – Cylinders and & Valves  
Lifeguard Systems – Ice Rescue Equipment  
Oswald Enterprises, Inc. – Cleaning Wet Well
- R7: Setting Fee for Mailbox Reimbursement - \$55.00
- R8: Authorize Tax Sale Certificate Redemption #14-05 / 115 Parlin Lane
- R9: Authorize Tax Sale Certificate Redemption #12-005 / 137 Mountain Boulevard
- R10: Authorize Request from Weldon Materials to extend Quarry Zone be reviewed by the Planning Board
- R11: Authorize the Appointment of Temporary Public Works Laborer – Lane Solon
- R12: Authorize Return of Escrow – As listed
- R13: Authorize 3-year Contract / Animal Control Services – St. Hubert’s
- R14: Authorize Police Department Online Access Program – NJ Motor Vehicle Commission
- R15: Accept Project, Authorize Change Order and Final Payment / Johnston Drive and Valley Drive Sanitary Sewer Improvement Project – MSP Construction
- R16: Authorize 2015 Recycling Contract – Somerset County

Councilwoman Beck-Clemens requested R7 be pulled for further discussion.

Councilman Nehls moved R1-R6, and R8-16 be approved with a second by Councilman Gibbs and upon roll call the vote was as follows: Nehls, Franklin, Gibbs, Beck-Clemens, “aye.”

Councilwoman Beck-Clemens said she did not agree with the amount to be set at \$55.00 reimbursement on R7 since many residents have very expensive mailboxes. She suggested it should be on a case by case basis. Council President Nehls explained this is not possible and also said the Committee checked with other towns and many do not even offer a reimbursement. He said if it were on a case by case basis and one resident received more than another there could be many complaints. Councilman Gibbs concurred and summarized some committee discussions.

Council President Nehls then moved R7 with a second by Councilman Gibbs and upon roll call the vote was as follows: Nehls, Franklin, Gibbs, “aye”, Beck-Clemens, “nay.”

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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.

Councilman Franklin moved the following resolution:

R17:12/18/14            Payment of Bills

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

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**PUBLIC PORTION – GENERAL DISCUSSION**

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 9:22 P.M. to the Call of the Chair.

The next scheduled Council meeting will be the Annual Re-Organization Meeting and will be held on Thursday, January 1, 2015 and begin at 12:00 Noon.

Respectfully submitted,

*MaryAnn Hance*  
*Deputy Clerk*