

BOROUGH OF WATCHUNG

COUNCIL MINUTES

DECEMBER 17, 2015

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:30 PM and made the following statement: Under the provision 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 [A] Gibbs [P] Mobus [P]

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

There were 2 members of the public present

PROCLAMATION: Radon Awareness Month / January

Mayor Pote read the Proclamation proclaiming January Radon Awareness Month (copy attached.)

REPORT OF STANDING COMMITTEES:

1. Administration & Finance – Councilman Franklin said there was no formal meeting this month but the Committee did meet to review the RFP's for Professional Services. He also said there will be items pending for the new year including billing for special assessments, grant writing, and banking services. Councilman Franklin also said there are resolutions on tonight's agenda for payroll services, Police Chief's salary, and the hiring of a new sub-code official for a probational term. Administrator Tom Atkins said action will be taken on the January 1, 2016 agenda for the Banking Services.

2. Police – Council President Nehls had no report but said there is a resolution on the agenda appointing two dispatchers.

3. Public Works / Buildings and Grounds – Council President Nehls reported all plows are prepped for snow; leaf bag pickup was completed on November 30th; pothole repairs and catch basin rebuilds are in progress. He also said lighting repairs were done at buildings by the electrician, a new gutter was installed on the firehouse and Public Works assisted T&B with holiday decorations.

4. Public Affairs:

Open Space – No report was submitted.

Environmental – Councilman Gibbs had no report but said he will have one for the January 21st meeting. He also said there was a nice article in the Echoes Sentinel on the 911 memorial. He said the 911 Committee has asked if they could have \$350 to place an ad in the Echoes Sentinel for a fundraising flier asking for donations. Councilman Gibbs asked Council Members if they would agree to this request and it was the consensus of the Council to approve this request. Mayor Pote said it would be great to take advantage of this and include both monetary and service related donations in the ad.

Recreation – Councilman Mobus had no report but said the Commission still needs two alternate members.

Historical – Councilman Mobus said the Commission met on November 30th and their first priority is the interior lighting and said they are anticipating a decision from the Council as to whether they will get funding for this.

Board of Health - Councilman Black reported the next meeting will be January 20, 2016 at 7 PM.

5. Fire – Councilman Black said there is much to address but prefers to discuss with the new Committee members in January. He reported that Jon Erber was re-elected as Chief, Charles Pivnichny as Assistant Chief, and Paul Ost is President. Council President Nehls asked if the Rodgers Group will come to discuss their reports, and Mr. Atkins said they would come to talk with the Mayor and Council, Fire Committee, or at a Public meeting, and Councilman Black suggested waiting until the new Committee is formed in 2016.

6. Laws/Ordinances – Councilman Gibbs had no report but would like to ask the Laws and Ordinance Committee to look at the possibility of banning the sale of baby bumpers for cribs. He said medical studies have shown these do not decrease injuries, and reported a 67% increase in SIDS that is possibly attributed to the bumper. Councilman Gibbs said Chicago and Maryland have already banned the sale of these and the Borough could be the first in New Jersey to do this. Councilman Franklin said if the Council endorses this then maybe there could be a resolution to the State asking that it be done Statewide.

REPORTS - OTHER:

7. Engineer – Tom Herits reported the Knollwood/Deer Run project will start after the first of the year.

8. Police Chief – Chief Cina reported Black Friday went smoothly this year. He also reported two dispatchers were offered the positions, Christopher Beam and Brenden Gaiser and are on tonight's agenda for appointment, with a start date of January 1, 2016, pending completion of their physicals. Chief Cina said an ad has been placed for a Police Officer and they will accept resumes until December 31, 2015.

9. Fire Department – No report.

10. Rescue Squad – Denise Wilson reported the monthly statistics for November. She also reported the Annual Tree of Lights this year was dedicated to Tony Addario and Claire Ohl and it was fortunate that Tony was able to make the event and he was elated and humbled by such a wonderful celebration. Ms. Wilson said the fireworks display was amazing. She also reported Squad members again participated in the Adopt A Family, which is sponsored by Hearts of Watchung. No Squad monies are used for this, just personal funds from the members. She gave a special thanks to Don Monetti and Adam Wexler for taking the lead on this project. Ms. Wilson said she did not run for any position for next year and this will be her last monthly Council report, she will present her outgoing President's Report next month. She then thanked the Mayor and Council for letting her enlighten them each month for the past 3 years and she feels privileged to have been part of this and wishes the new crew the best of luck.

11. Emergency Management – No report, however Mayor Pote said Gary Greves was very helpful with the recent power outage.

12. Attorney – Mr. Cruz had no report but said there is an item for Executive Session.

13. Clerk – Ms. DeRocco reported that most of the Borough employees also participated in the Hearts of Watchung Adopt a Family program. She also said the holiday appreciation dinner went extremely well and there have been positive comments on the location of the event. The consensus of the Council was to continue to have the event at the same location. Mayor Pote wished to thank Jessica Rutishauser for planning the event. Ms. DeRocco then wished all a Merry Christmas and Happy New Year.

14. Administrator – Mr. Atkins noted correspondence #39 regarding the closing of the Lee T. Purcell Associates business as of March 31, 2016. He also reported that all Borough employees, and several from the Police Department attended the Violence in the Work Place/Active Shooter training on Tuesday, which lasted for about an hour and twenty minutes. There was then an additional training for the Supervisors. The training for the Mayor and Council will be held on February 4, 2016 at 6 PM. Mayor Pote thanked Chief Cina and Mr. Atkins for scheduling this event. He also thanked the Rescue Squad and Borough employees for participation in the Hearts of Watchung.

Mayor Pote asked CFO Bill Hance if he had anything to report and he said not at this time.

Mayor Pote reported that 15-16 Mayors met December 16th in Florham Park to talk about the Pilgrim Pipe Line which would impact approximately 32 towns and almost all of them are in agreement that we need to do whatever they can to stop or at least delay allowing these pipelines to go through the towns. He said there may be the need to hire a litigator who has environmental experience and also an environmental specialist that would be a cost to the Borough.

PUBLIC PORTION / AGENDA ITEMS ONLY

No one from the Public wished to be heard.

UNFINISHED BUSINESS

A Public Hearing on Ordinance OR:15/14 entitled: **“AN ORDINANCE REPEALING AND REPLACING SECTION 18-11, TITLED “GREASE TRAPS”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG.”** 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, Black, Franklin, Gibbs, Mobus, “aye.”

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

R1:12/17/15 Adoption of OR:15/14 - Amend Code / Revise and clarify regulations pertaining to Grease Traps

Council President Nehls seconded the motion and upon roll call the vote was as follows: Nehls, Black, Franklin, Gibbs, Mobus, “aye.”

A Public Hearing on Ordinance OR:15/15 entitled: **“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG, CHAPTER XI, ENTITLED “GENERAL LICENSING” BY INCREASING CERTAIN FEES.”** 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, Black, Franklin, Gibbs, Mobus, “aye.”

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

R2: Adoption of OR:15/15 - Amend Code / Various Fee Revisions

Council President Nehls seconded the motion and upon roll call the vote was as follows: Nehls, Black, Franklin, Gibbs, Mobus, “aye.”

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 call the vote was as follows: Nehls, Black, Franklin, Gibbs, Mobus, “aye.”

Approval of the following Council minutes:
November 5, 2015, Executive Session
November 23, 2015

Acknowledging Receipt of the following Borough Reports:
Police Department Activity Report – October, 2015
Building Department Report – November, 2015

Acknowledging Receipt of the following Correspondence:

#38- Township of Warren 11/23/15 Notice of Public Hearing on December 14, 2015 in regard to a Master Plan Revision / Amendment to Land Use Element c: M & C, TEA, Pl. Board

#39 - Lee T. Purcell 11/20/15 Announcement of the closing of Lee T. Purcell Associates, effective March 31, 2016 c: M & C, TEA, AC, TH

- #40 - Scott Tallmadge 11/24/15 Letter of Resignation addressed to Chief Cina from his position as a Police Officer, effective December 7, 2015 c: M & C, TEA, JR
- #41 - Anthony Saccaro 12/10/15 Letter of Resignation as Fire Sub-Code Official, effective December 15, 2015, due to retirement c: M & C, TEA, EB
- #42 - Township of Bridgewater 12/14/15 Notice of Public Hearing on Proposed “Bridgewater-Sanofi Redevelopment” Plan and Amendment to Master Plan Land Use Element and Housing Element on December 22, 2015 at 7:00 P.M. c: M & C, TEA, TH, Pl. Bd.
- #43 - Dave Mobus 12/16/15 Letter of Resignation, effective December 31, 2015, from his October 1, 2015 appointment to the Council that filled unexpired term vacated by Dianna Beck-Clemens c: M & C, TEA

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CONSENT AGENDA RESOLUTIONS:

The Consent Agenda Resolutions R4-R17 were unanimously adopted following a motion by Council President Nehls and a second by Councilman Gibbs and upon roll call the vote was as follows: Nehls, Black, Franklin, Gibbs, Mobus, “aye.”

Prior to the vote Councilman Black requested that R3 be pulled for separate vote.

- R3:12/17/15 Commending Councilman Tom Franklin on Years of Service
- R4: Purchases Over \$2,000. – L-3 Communications Mobile Vision Inc. (Camera, etc for Police Vehicle)
L-3 Communications Mobile Vision Inc. (PD Software Maintenance Agreement)
Dell Inc. (PD Computer Server & Equipment)
Gold Type Business Machine Inc. (PD License Renewal)
Medcom (Payroll/Affordable Care Act Reporting Service)
- R5: Authorize Tax Sale Redemption – Certificate 12-011 / 40 Nottingham Drive
- R6: Authorize Clerk to Issue Raffle License- Sisters of Mercy of The Americas
- R7: Appointment of Interim Fire Sub-Code Official – Bill Donnerstag
- R8: Appointment of Police Department Dispatchers – Christopher Beam
- R9: Authorize the Insertion of Special Items of Revenue / 2015 Municipal Budget
-Alcohol Education and Rehabilitation
-Somerset County Tour of Duty
-Distracted Driving Grant
-Click It or Ticket
-Somerset County Youth Services Grant
- R10: Authorize Final Payment for Accumulated Benefits / Scott Tallmadge
- R11: Authorizing Execution of Professional Service Agreement for 2016 Risk Management Consultants / Meeker Sharkey & Hurley
- R12: Appointment of Fire Department Member – Adrian Klige
- R13: Authorize 2016 Recycling Contract – Somerset County
- R14: Authorize 2-Year Contract / Payroll Services - ADS
- R15: Authorizing 2015 & 2016 Salary – Police Chief
- R16: Authorizing Expansion of Contract / Maser Consulting – Continuing Housing Advisory Services
- R17: Authorizing Expansion of Contract / Arcari Iovino – Watchung Library Design Study

Councilman Black then read Resolution R3.

Members of the Council commented on Councilman Franklin’s years of service.

Councilman Gibbs said when he thinks of a Public Servant he thinks of Tom who has dedicated a significant amount of his time over the years and shown that Public Service can be fun and meaningful. He said he has learned a lot from him since he has been on the Council especially on Finance and Administration. Councilman Gibbs wished him good luck and hopes to continue to see him around.

Council President Nehls thanked Tom for all he has done for the Borough and the community. He said Tom has done more for the Borough and its residents than many have done in their entire lifetime. He said he will be missed and thanked him for his time and service.

Councilman Mobus thanked Tom for his service to the community and it has been a pleasure working with him since he has been on the Council and said he has learned a lot from him in the few short months he has been on the Council. Councilman Mobus said he appreciates Tom's friendship and looks forward to seeing him around town.

Councilman Black mentioned Tom had run against an incumbent as a Democrat and soon after being elected decided to change his affiliation and join the Republican Party. He also has shown he is very versatile. Councilman Black wished him and Lynn many years of enjoyment.

Clerk Michelle DeRocco said Tom interviewed her 13 years ago for this position, and said he has always been supportive of her and all the Borough staff. She said he has always encouraged and supported the staff to go for further education to benefit what we would be doing in our particular jobs. She said she speaks, not only for herself but the entire staff that they appreciate he was always there for us and that he will be missed. She said told Tom he is always welcome to stop by her office for a snack when he is in the neighborhood.

Mr. Cruz said he shares sentiments of Ms. DeRocco and said he has enjoyed working with him and his service to the Community will be missed. Mr. Cruz wished him and Lynn the best, and the dogs too.

MaryAnn Hance said she has always felt Tom has been fair and supportive of all the staff and that she has enjoyed working with him. She said he will be missed. She also said she will miss when he would come in for a "cookie" stop.

Tom Herits said he has enjoyed working with him.

Bill Hance said it has been a pleasure working on all the budgets with Tom. He said Tom has taught him a lot with all his experience with all the school boards and said he will be missed.

Mr. Atkins said the resolution speaks for itself – Tom is a very, very hard worker. He said Tom has been one of our bosses, but also thinks of him as a friend, but that friendship never got in the way of accountability to the residents and taxpayers, he made certain the Borough was held accountable. Mr. Atkins said Tom never "micro-managed" and he always was willing to support us and never criticized without offering his help. He said Tom has the highest levels of integrity and his love for animals is well known. Watchung has truly been blessed with Tom's presence, participation and involvement. A sincere thank you is not good enough but it is all he has to give right now.

Mayor Pote said words can't express how he feels certainly as a Councilman, a person, and a friend, as stated by everyone you have been a tremendous asset to this Council and to the public. He said Tom's contributions are far too many to mention, dedicated fifteen years to the Borough with great dedication, ability, and skill and that will definitely be missed. Mayor Pote also said Tom has been a reason so much has been accomplished with all his work on various Committees. He should be proud of his work on the Administrative/Finance Committee. Mayor Pote said he is very sorry to see Tom go and said several people got him into politics and he was one of them but it has been him who has mentored him over these years. He said Tom is a man of great intellect and a fantastic memory, a great communicator, a person of great principals and integrity.

Tom Franklin thanked all for their comments and said it means a lot to him that he is well thought of by his colleagues. He also said he has worked with four Mayors during his tenure on the Council. He said serving on the Council has been fun, the position has to be fun when you serve. He said they have been through tough times together since 2010 budget revenue issues but got through them all. He thanked all and said he would be around and would drop by.

Council President Nehls moved Resolution R3 with a second by Councilman Gibbs and upon roll call the vote was as follows: Nehls, Black, "aye", Franklin, "abstain", Gibbs, Mobus, "aye."

Mayor Pote then presented the Resolution to Councilman Franklin.

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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 with a second by Councilman Nehls and upon roll call the vote was as follows: Nehls, “aye”, Black, “abstain” Franklin, Gibbs, Mobus, “aye.”

R18: Waive Chapter 2-25.10 of the Code / Gray’s Florist

Councilman Gibbs introduced Resolution R19, and made the following statement: “I am voting in the affirmative for all items on the Bill List, but recusing myself on the purchase of energy commodity, due to his employment with an energy commodity supplier...” Council President Nehls seconded the motion and upon Roll Call the vote was as follows: Nehls, Black, Franklin, Gibbs, Mobus, “aye.”

R19: Payment of Bills

Councilman Gibbs said he invites all residents to look at all budgets not just the local budget and they should approach both the School Boards and the County since those budgets also affect the local tax rates.

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PUBLIC PORTION – GENERAL DISCUSSION

No one from the Public desired to be heard.

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Council President Nehls moved the following Resolution with a second by Councilman Gibbs and upon roll call the vote was as follows: Nehls, Black, Franklin, Gibbs, Mobus, “aye.”

R20: Executive Session: Litigation – In the Matter of the Borough of Watchung for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan, Docket No. SOM-L-902-15

Upon return to regular session all council members previously in attendance with the exception of Councilman Black were again present.

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

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:20 PM to the Call of the Chair.

The next meeting of the Mayor and Council is the annual Reorganization Meeting to be held on Friday, January 1, 2016, at 12:00 Noon.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk