

BOROUGH OF WATCHUNG

COUNCIL MINUTES

JULY 9, 2015

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:02 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, CFO Bill Hance, Police Chief Cina, Clerk Michelle DeRocco, and Deputy Clerk Mary Ann Hance.

Although not present at roll call Councilman Black arrived at 7:10 PM.

There were 7 members of the public present.

PUBLIC HEARING ON 2015 MUNICIPAL BUDGET

A Public Hearing on Proposed Ordinance OR:15/07 entitled: "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40a4-45.14)" was held.

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

With no one from the Public wishing to be heard, Councilwoman Joren closed the public hearing and moved the following resolution with a second by Council President Nehls and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, "aye."

R1:07/09/15 Adoption of Ordinance OR:15/07 – Cap Bank Ordinance

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."

R2A: Determining Budget to be Read by Title

Councilman Franklin moved a public hearing be held on the 2015 Municipal Budget with a second by Councilwoman Beck-Clemens and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, "aye."

Carolyn Solan, President of the Watchung CERT Team, Vice President Charlie Delaney, and OEM Coordinator Gary Greves provided comments. Ms. Solan gave a synopsis of what the Watchung CERT Team does and the training the members have completed to date. She said they are a very active group and have assisted at all Borough events when asked and have also assisted the Somerset County CERT representatives of the Borough of Watchung. She said the team is requesting funds to purchase clothing, t-shirts, sweatshirts, and jackets, for the active members and also equipment. Ms. Solan reported she has quotes on the clothing for \$2,900. Councilwoman Beck-Clemens asked that the CERT team supply the minutes of their meetings to the Council and have more information set up on the Borough website and Facebook. Councilman Gibbs asked Ms. Solan and Mr. Greves to give a detailed budget for 2016 and Councilwoman Joren said there was no budget until 2015. Ms. Solan said 2014 was actually the first year the Team was fully active, at which time they did not know what would be needed, and did not want to just purchase items that may not have been necessary. There were questions regarding radios and Mr. Delaney said the old radios they were hoping to use could not be reprogrammed. Council President Nehls asked how many radios would be needed for the CERT Team and Ms. Solan thought 2-3. Council President Nehls then suggested Mr. Greves meet with the Mayor and Council to discuss the 2016 budget. It was noted that CERT and Borough Administration had reached an administrative solution for the 2015 budget.

Mr. Greves told the Mayor and Council that CERT Team members were at Borough Hall for three hours this morning stuffing approximately 2500 envelopes with the OEM Newsletter and magnet for mailing. Mr. Greves thanked Shelini Parikh for putting the magnet design together and ordering them, and Mayor Pote and all of the Borough's emergency service departments for their newsletter articles, and MaryAnn Hance for putting it all together and printing it. Mayor Pote thanked the CERT team for all they have done and continue to do and the continued commitment of the team.

With no one else from the Public wishing to be heard, Councilman Franklin closed the public hearing and moved the following resolution with a second by Council President Nehls and upon roll call the vote was as follows: Nehls, Franklin, Joren, Gibbs, Beck-Clemens, "aye."

Councilman Black moved the following resolution with a second by Councilwoman Beck-Clemens.

Prior to the vote Councilman Franklin announced that the following are his comments only, and do not reflect those of the Administration/Finance Committee. He said the Budget presented to the Council was a "CAP" Budget but the Council wanted to cut line items which reduced the CAP to 1/4%. Councilman Franklin does not approve doing this because eventually this will cause problems and this will not help the Moodys' Bond rating and, in fact, may risk having the rating reduced. He said the Council has the responsibility to manage the finances effectively and maintain the necessary revenue to continue supplying services to the Borough residents. Councilman Franklin said when roll call is taken he will be voting "no" on the 2015 Budget Adoption. Councilman Gibbs noted there were no members of the public at this meeting to question or comment on the budget and he feels the Council has made the best decision possible under the current circumstances. Councilman Black mentioned the Board of Education used to come before the Mayor and Council to discuss their budget but they have not done this in years and he also asked Councilman Franklin to please reconsider when the roll call is taken, he suggests trying the budget like this and see how things go. Councilwoman Beck-Clemens said she also a member of the Administration and Finance Committee and has financial experience. She said it was her intent to cut \$100,000. from the operating expenses of this town because she saw and analyzed more than \$100,000. that could have been cut that various departments did not need, and had not used in the past. She said it had nothing to do with the levy cap, it was to cut operating expenses and to tighten our belts and to let every department in the Borough know that we are serious and fiscally responsible to the citizens and do not want to spend any money we do not have. Council President Nehls said he does not see reducing a "twelve million dollar" budget by \$100,000. will cause irreparable harm to the Borough. He said the Council must continue to find ways to reduce the tax burden on the residents and this Council will continue to do so. Mayor Pote said as a non-voting member he feels the budget that was put together is very good for the taxpayer but may have been too tight in terms to what it does not allow for such as expenditures for the unknown or emergencies. Mayor Pote said he is concerned the Borough may not be able to meet all the services the residents expect of us as a Municipality. He also agrees with Councilman Franklin regarding the ratings, and said this is not the way to do it. Councilwoman Joren said this is a lean budget and she is supporting it but she also stresses the Borough must begin looking at shared services again, including the dispatchers and the health department. Councilwoman Joren has a list of all possible shared services available through the county. Mayor Pote also spoke about hiring a grant writer on a trial basis to see what is available. There being no further discussion Mayor Pote requested a roll call vote: Nehls, Black, Joren, Gibbs, Beck-Clemens, "aye;" Franklin, "no."

R2B: Adoption of 2015 Municipal Budget

REPORT OF STANDING COMMITTEES

1. Administration & Finance – Councilman Franklin reported the Committee will be meeting next Monday and will be discussing the Min/Max Ordinance and will also be looking at the grant writing proposals which were received.
2. Police – Council President Nehls reported he will be setting up a Committee meeting within the next week or shortly thereafter.
3. Public Works / Buildings and Grounds – Council President Nehls reported Public Works employees attended two JIF classes at the firehouse for Lock Out/Tag Out and Personal Protective Equipment. The Department also repaired potholes on Ridge Road and Parlin Lane and a catch basin on Washington Drive. Council President Nehls also reported the Public Works Department also replaced an asphalt berm on Glen Eagle Drive, and installed drainage on Redmont Road as per Engineer Herits. He also reported a memorial bench was installed across from Rock Avenue and painting handrails at Borough Hall is almost completed.

Council President Nehls then gave a report for Engineer Tom Herits. He said the field survey work for Deer Run and Knollwood Drive has been done and design work will be now be prepared to move forward on the project. Mr. Herits is waiting to meet with NJOEM regarding the DPW generator grant and he also is recommending setting up a Department of Public Works Committee meeting to discuss milling and paving of several roads, updating the sanitary sewer maps, Washington Rock wall repair and the salt storage at Weldon. Council President Nehls also said the County repaired the sanitary sewer lateral for 399 Mountain Boulevard. Council President Nehls also reported there was a meeting with the Architect for the firehouse renovations and the plans that were presented will now go to the Mayor and Council for review, with much of the work being done in various phases. The first work will be to change the entry into the firehouse and making it ADA accessible with new ramps and curb modifications, handrails and new door hardware. The cost for this will be 22,250. The second floor will need showers installed, bathrooms and kitchen renovations to bring everything up to code at a cost of approximately \$130,000. Council President Nehls said he and Mr. Franklin were concerned about making the first floor a place for residents to use as a warming center in case of an emergency. He said they met with the architect to discuss making the bathrooms unisex bathrooms and ADA compliant and the cost would remain the same, \$35,000. The Fire Department members also requested renovations be done in the training room, which could be done in the future, would add another \$43,000. The Public Works Committee is recommending doing the bathrooms and do the training room at a later date. Council President Nehls reported the members would also like to have a movable wall installed at a cost of \$32,000 and the Front bay window extended costing \$30,000, but the Public Works Committee is not recommending this work be included. He said plans are available for the Mayor and Council for review. Mayor Pote asked if copies of the plans are available and said he would also like the report of recommendations from the Public Works Committee and Council President Nehls said he will give him a copy of the recommendations and ask Mr. Herits to make copies of the plans for everyone. Mayor Pote asked if the second floor has to be ADA compliant and Mr. Nehls said it does not have to because it is a closed off area and it is not intended for public use. Councilman Franklin has suggested a chair lift on the back stairway, however they are not inexpensive and also when in use no one else would be able to use the stairway. The Public Works Committee asked the architect to look into the cost of the lift for informational purposes only.

4. Public Affairs:

Open Space- Councilwoman Beck-Clemens requested the Public Works Committee prepare a report on the Ness Property. Council President Nehls said he has to set up another meeting with the LSRP - it is not something Mr. Herits could do and this would have to be at a separate Public Works meeting.

Environmental – Councilman Gibbs reported the Committee met on June 22nd. He said Karen Pennett has been made the new Chair since Jean Forlano moved and the Committee is now down two members. The Committee discussed possible changes to the tree ordinance to improve the quality of trees being planted to include more fruit bearing and deciduous trees, and a requirement for anyone wanting to remove trees to get a permit or approval even if the trees are dead. Councilman Gibbs said the reports will be sent to Laws and Ordinance for review. The Committee has concerns about the health of the trees around Watchung Lake and some of the trees at the Public Works Building did not survive the winter. Councilwoman Joren said Arlene McCoy was asked to look at the trees at the lake but she did think a Tree expert should evaluate and identify vines that are killing some of the trees and erosion. Mayor Pote also questioned the possible dredging of the lake and Council President Nehls said the cost for this is enormous. Mayor Pote said we must set priorities to protect the trees now and Councilwoman Joren again said the Borough should hire an expert to determine what should be removed.

Recreation – Councilwoman Beck-Clemens reported the Commission will not meet in July or August with the next meeting scheduled for September 2nd. The only upcoming event is the Fishing Derby on September 12th, rain date September 13th.

Historical – Councilwoman Beck-Clemens reported the Commission will not meet in July or August but they do continue to have work sessions every Tuesday. She said History Day is September 26th and the Re-enactors will arrive September 25th.

Board of Health- Councilman Black had no report. The next meeting is scheduled for September 16th.

5. Fire – Councilman Black reported there was a meeting July 1st and members discussed volunteerism. The Fire Department used to be included at Career Day at Watchung Hills but they are no longer asked to attend. He said the Borough needs to look at getting back into this program. Mr. Atkins suggested the three Council members who are alumni of Watchung Hills should be on an ad-hoc committee to get this going. Councilman Black gave a brief synopsis of Chief Erbers’ report. Councilwoman Beck-Clemens asked when the Rodgers report would be ready and when will the Borough act on Part one. Councilman Black said the Borough will wait until both reports are in, and Mr. Atkins said the Rodgers Group is waiting for further information from the Fire Department to continue. Mr. Atkins will talk to Mr. Rodgers in the next day or two to see what he needs to get it facilitated.
6. Laws/Ordinances- Councilwoman Joren had no report and she hopes to schedule a meeting at the end of the evening.

REPORTS - OTHER:

7. Engineer – Report given earlier in meeting by Council President Nehls.
8. Police Chief – Chief Cina reported the active shooter drill was held on June 26th and June 29th and it went very well. Mayor Pote would like to do an active shooter drill and Chief Cina said he will look into this further. Chief Cina said the department is now approved for the Military Surplus Program and can search for anything. Councilwoman Beck-Clemens mentioned residents are upset about the number of incidents on Hillcrest Road and asked Chief Cina what can be done about this. Chief Cina said the statistics have not changed over the years but residents are now made more aware of these incidents due to Nixel and other media. Mayor Pote said Freeholder Pat Walsh will be looking into the Hillcrest Road problem over the next couple of weeks.
9. Fire Department – No report was submitted.
10. Rescue Squad – President Denise Wilson reported on the back canopy completion and mentioned the Squad is reviewing the overall condition and maintenance of the building and grounds so they can prepare a plan and budget for areas needing attention. She also reported some of the events, drills, member training.
11. Emergency Management – No report was submitted.
12. Attorney – Mr. Cruz reported the Declaratory Judgement Complaint regarding the Boroughs’ Affordable Housing Plan was filed Tuesday, July 7, 2015. He said he has also arranged with Mr. Atkins and Ms. DeRocco when the complaint comes back filed to post it on the Borough website as part of the affordable housing requirements as another way to get this information to the public.
13. Clerk – Ms. DeRocco reported she had sent Council members an email sent from Lynn Franklin and Lynn Stahl asking permission to hang teal ribbons in September. She has only heard from three Council members and would like a response from all. Ms. DeRocco reminded all that two affidavits for the audit report need to be signed tonight. She reported that Leonard Lance’s office called and has scheduled a mobile office at the Exempt Hall on July 21st from 1-3 pm for the purpose of meeting with any residents who may not be able to get to his office. He will be willing to assist with any Federal related issues such as Veterans’ Benefits or Medicare.

CFO - Mr. Hance had no report.

14. Administrator –Mr. Atkins reported he had a conference call with Mr. Cruz and Ms. Schiffman and said there are some things that will have to be done and there may have to be a local Affordable Housing Committee meeting mostly for touching base with the Planning Board members and have a strategy talk with them. Mayor Pote asked when this meeting would have to be scheduled and Mr. Atkins responded he would discuss with Mr. Cruz and it would be within the next couple of weeks. Mr. Atkins said the Borough had the audit conference with the Auditor and there are only two actions with the Audit this evening, but the Auditors were very pleased with the Borough financial records for the 2014 fiscal year with everything very well organized.

Councilwoman Beck-Clemens would like an update report from the Library Advisory Committee. She said she would like to hear what they are doing and what is happening since the new Library Director has been appointed. Councilman Franklin said he attended the last meeting which was more a “get acquainted with the new director, Hannah Kerwin”, meeting. He said they discussed streamlining some things we have at this time and they looked at the architect plans. Councilman Franklin said when/if the library renovations begin it will have to be closed and it was suggested to find a location to just pick up and drop off books. Councilwoman Joren said if it is just to have space to pick up and drop off residents could just go to the Warren Library.

PUBLIC PORTION – AGENDA ITEMS ONLY

Virginia Hartmann, Ellisen Road, said she was not pleased with Councilman Gibbs comment regarding members of the public not attending and she gave the example of the two “packed” meetings discussing the library in 2014. She said the Council does not listen to the public when they speak so why should they attend. Ms. Hartmann said the Council has had the plans for a month and absolutely nothing has been mentioned and nothing was mentioned during the Buildings report either. Mayor Pote said he will try to set up a meeting to discuss and possibly have the architect attend the second Council meeting in September. Mr. Nehls had made the plans available on July 9th.

With no other public members wishing to speak Mayor Pote closed the public portion.

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 the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

Approval of the following Council minutes:
May 28, 2015 – Special Meeting
June 18, 2015

Acknowledging Receipt of the following Borough Reports:
Planning Board Minutes – April 21, May 19, 2015
Police Activity Report – May 2015
Environmental Commission Minutes – March 30, 2015
Board of Health Minutes – April 15, 2015
Recreation Commission Minutes – March 25, May 6, 2015
Building Department Report – June, 2015

Acknowledging Receipt of the following Correspondence:

None

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 call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

- R3:07/09/15 Authorize Special Assessor for Reassessment Inspections – Robert Gabrish, Assessor Services, LLC
- R4: Acceptance of 2014 Annual Audit Report
- R5: Approval of Corrective Action Plan
- R6: Authorize Liquor License Renewals: Ricks Liquor Shop LLC, 1601 US Highway 22 W.
Twin Brooks Lounge, 60 Mountain Boulevard
Watchung BWW Limited Liability Co.,
1599 Rt. 22 West
Watchungs Lakeside Villa LLC., 141 Stirling Rd.
- R7: Purchases Over \$2,000.00 – Truck Tech (Repair Truck #2 – Dump Truck)

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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 Black and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

R8:07/09/15 Payment of Bills

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PUBLIC PORTION – GENERAL DISCUSSION

No one from the Public desired to be heard.

Councilman Franklin said the Library Architect wants to refine the plans a little more and will look back for some cost estimates.

Mayor Pote reported there was a 9/11 committee meeting in June to review the plans and sites and they will be meeting on July 16 to look at the revised plans. He said he would like to be able to report the final decision at one of the September Council meetings.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:17 P.M. to the Call of the Chair and to the next scheduled Council meeting on Thursday, August 20, 2015 at 7:30 PM.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk