

BOROUGH OF WATCHUNG

MINUTES

NOVEMBER 5, 2015 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order 7:30 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 [A] Mobus [P]

Also present were Administrator Tom Atkins, Attorney Albert Cruz, Clerk Michelle DeRocco, and Executive Assistant Shelini Parikh.

There were 35 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance- No report submitted. Councilman Franklin announced that the next meeting is scheduled for November 10, 2015 at 8:00 AM.

2. Police- No report submitted, however Councilman Nehls stated that he would like to schedule a meeting so Councilman Mobus could have an opportunity to meet with the Police Chief and Police staff.

3. Public Works / Buildings and Grounds- No report was submitted. Councilman Nehls discussed the meeting on the Knollwood Drive curbing assessment that occurred on October 27, 2015. He advised that majority of the residents opposed the curbing project and that several of those residents were present at the meeting and he encouraged them to speak at the public portion.

4. Public Affairs:

Open Space- No report. Councilman Mobus advised that he was working on scheduling a meeting.

Environmental- No report.

Recreation- Councilman Mobus advised that the Recreation Commission met on November 4, 2015. He provided a recap of the Harvest Festival and reported that over 700 people attended and many of those that participated were not Watchung residents. He suggested looking into a wristband system for next year. Mayor Pote suggested checking with neighboring towns that may have utilized a wrist band system. He also discussed the basketball program and mentioned the two vacancies on the Committee for alternates.

Historical – No report was submitted. Councilman Mobus announced that the next meeting is scheduled for November 11, 2015.

Board of Health- No report was submitted. Councilman Black stated that November's meeting was cancelled and rescheduled to December 9th. He also mentioned that there was one resignation and therefore one vacancy that needs to be filled.

5. Fire- Councilman- Councilman Black expressed his condolences to the Erber family for the loss of their grandmother, and congratulated Councilwoman Joren and Councilman Mobus on winning the General Election. Councilman Black expressed his concerns over the condition of the Fire Department building and requested that M&C review the plans if they haven't already done so that the Borough can try to move forward. Council President Nehls & Councilwoman Joren were under the impression that the Fire Committee would review the revised plans and then make a recommendation to the Building & Grounds Committee, which would then review the report and make recommendations as well. Councilman Nehls advised that neither he nor the Building/Grounds Committee have reviewed the report. The Mayor and Councilman Mobus had not seen the reports either. Councilman Nehls suggested scheduling a meeting with the architect and the Engineer Tom Herits and possibly a walk-through. Councilman Black explained that the plans were submitted late since due to the architect having personal problems and clarified that he was in no way suggesting that the delay in proceeding was due to the Governing Body.

Councilman Black reported that Fire Department Volunteer's stipends were evaluated in phase II of the Rogers Report. Administrator Atkins said the report had only been submitted to the Fire Committee for review and that he would have copies of the report distributed to the rest of Council. Mr. Nehls also requested that the Administrator arrange a meeting with the Governing Body and the Rogers Group to discuss the report. In the interim, Councilman Black suggested that the Borough proceed with a Resolution authorizing payments of stipends for January and consider an Ordinance for stipend payments for 2016. Councilman Black also suggested discussing an investment program for the Fire Volunteers in the form of an annuity and a possible referendum regarding this topic in 2016. He concluded his report by reporting that the Fire Truck Committee has been formed and is in motion.

6. Laws/Ordinances- No report was submitted. Councilwoman Joren announced that the next meeting is scheduled for November 9, 2015 at 8:30 AM.

REPORTS - OTHER:

7. Engineer- No report was submitted.

8. Police Chief- No report was submitted.

9. Fire Department – Chief Erber reported that last month busy, and that the Department participated in several community events and thanked the volunteers for their time. He also reported that the Fire volunteers have been participating in several training sessions and are performing their annual testing of equipment. He concluded his report by thanking the Borough for the purchase of a rescue boat and advised that that the department will have to participate in appropriate training for operating it.

10. Rescue Squad- No report was submitted.

11. Emergency Management- Carolyn Solon and Charles Delaney from the CERT Team came forward and reported: Watchung CERT coordinated mutual training with neighboring towns; attended a drill in September in regard to responding to catastrophic events; were on standby for the Papal visit in September; and attended several community events. Mrs. Solon and Mr. Delaney thanked the Governing Body for the purchase of CERT supplies & gear and concluded the report by stating that 266 of volunteer hours have been provided by the CERT team for 2015.

Mr. Greves reported that a new State wide mandated program has been passed requiring the documentation of credentials for all first responders. Mr. Greves explained that the Borough will need to have documentation for all first responders indicating what organization they are from, what level of training the individual has and what level the individual is at in their position. Once prepared, the documentation would be forwarded to the County which then forwards it to the State. Mr. Greves advised that the Mayor & Council would have to agree to a Memorandum of Understanding, which he has and would forward to the Borough attorney for review.

12. Attorney- No report at this time.

13. Clerk – Mrs. DeRocco reported all went smoothly on Election Day and thanked the folks at Wilson Memorial Church for allowing use of their facility. She also thanked Paul Ost for waking up very early to assist her.

14. Administrator- Mr. Atkins reported that the Police Chief is currently coordinating the Active Shooter/Violence training for Borough staff and Administration. He also reported that State provided a letter advising that, after performing a survey of our trees, the Borough that we do not have a gypsy moth infestation.

Councilman Franklin announced that the Veteran's Day Ceremony is being held on November 11th at 9:30 AM. There are 8 additional inductees for the war memorial this year and 6 of the 8 will be present on the 11th with their families.

Councilman Black reported on the Greenbrook Flood Commission. He said that officers were elected and reported on the upper basins, explaining that 6 new plans were proposed. for the upper basin, which is necessary considering the damage from the flash flood near Weldon Quarry last month.

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PUBLIC PORTION / AGENDA ITEMS ONLY
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Steve Patriarco, Knollwood Drive, expressed his frustration regarding the condition of the roads on Knollwood Drive and said the road was never properly repaired. He stated that he was aware that the Borough received funding from the State for repairs but questioned whether the funds should be utilized for Belgium blocks or drainage. Mr. Patriarco stated that the resolution for this issue discussed at the October 27th meeting was satisfactory. He felt that he was in a different situation than other residents since he had a corner property, which would have resulted in a large assessment for curbing. Mr. Patriarco expressed his concerns over the installation of curbing near the catch basins and if this could be visually appealing. He inquired about his options to proceed with Belgium curbing at his own expense, at a later date if he desired. Council President Nehls advised Mr. Patriarco that he did have the option to speak with the contractor to inquire about pricing if he was interested in installing curbing at his own expense, but to keep in mind that residents are not able to disturb the work performed for 5 years after the paving/curbing project. Mr. Nehls also noted that residents would most likely obtain a more economical price for curbing if they pool together.

Kevin Fogarty, Knollwood Drive. presented a signed petition from residents of Knollwood Drive. Mr. Fogarty was pleased to learn of the amended bid and encouraged Mayor & Council to go ahead with removing the Belgium block installation and assessment from the project. Councilman Nehls clarified that this is a second reading of the Ordinance, as required by law and that the Council will not voting favorably for the Belgium block and the Ordinance would most likely be tabled.

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UNFINISHED BUSINESS

Council President Nehls reported that upon introduction of the following Ordinance, letters were sent to the affected property owners along with a notice of an informal meeting to be held on October 27th, with himself and the Borough Engineer Tom Herits. He said the meeting was quite “spirited” and ultimately the residents in attendance were not in favor of the assessment and / or curbing on their street. He noted well more than 50% of the residents were in attendance. He said the Public Works Committee instructed Engineer Tom Herits to amend the bid specs for this project to eliminate curbing on Knollwood, with the exception of the area around the catch basins. He confirmed that the residents would not be assessed for this portion of curbing. After considering the Public Comments on October 27th, and again the concerns of the residents that came forward this evening, Council President Nehls made a motion to table Ordinance OR:15/10.

A Public Hearing on Proposed Assessment Bond Ordinance OR:15/10 entitled “BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF GRANITE BLOCK CURBING AT KNOLLWOOD DRIVE (ENTIRE LENGTH) AND AT DEER RUN (PROPERTIES AT THE INTERSECTIONS WITH KNOLLWOOD DRIVE) IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, A LOCAL IMPROVEMENT, TO APPROPRIATE THE SUM OF \$170,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.”

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, Black, Franklin, Joren, Mobus, “aye.”

No one else from the public wishing to be heard Council President Nehls made a motion to table this Ordinance. Councilwoman Joren seconded the motion and upon Roll Call the vote was as follows: Nehls, Black, Franklin, Joren, Mobus.

R1: ~~Adoption of Assessment Bond Ordinance OR:15/10 – Knollwood Drive Curb Improvements~~ **TABLED**

A Public Hearing on Proposed Bond Ordinance OR:15/11 entitled “BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE VEHICLES AND A NEW FIRE TRUCK (PARTIAL FUNDING), INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$512,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.” 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, Black, Franklin, Joren, Mobus, “aye.”

Ira Dicken, Scott Drive, inquired whether the term of the bonds proposed for various improvements would exceed the life of use of the equipment. Administrator Atkins explained that the proposed bond is for a variety of items. He indicated it is not usual for the future resident to pay for funding for a project/equipment that will not serve them. Administrator Atkins stated that the average is a weighted average for the useful life over the cost of the equipment.

With no one else from the public wishing to be heard Councilwoman Joren closed the public hearing and moved the following resolution:

R2: Adoption of Bond Ordinance OR:15/11 – Police, Fire, Public Works Equipment, and Various Road Improvements

Council President Nehls seconded the motion and upon Roll Call the vote was as follows: Nehls, Black, Franklin, Joren, Mobus, “aye.”

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NEW BUSINESS

CONSENT AGENDA: The Consent Agenda items listed below were unanimously accepted 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, Mobus, “aye.”

Approval of the following Council minutes:
October 15, 2015, Regular and Executive Sessions

Acknowledging Receipt of the following Borough Reports:
Police Activity Reports – June, July, August, September 2015
Board of Adjustment Minutes – September 10, 2015

Acknowledging Receipt of the following Correspondence:

- #34- Township of Berkeley Heights 10/16/15 Notice of Final Adoption of Land Use Ordinance #13-2015, Prohibiting Unregulated Pipelines c: M & C, TEA
- #35- Lynn Franklin 10/29/15 Letter of Resignation as a Member of the Board of Health, effective December 31, 2015 c: M & C, TEA, Bd. of Health
- #36- Scott Mersereau 11/2/15 Letter of Resignation as an Alternate Member of the Recreation Commission c: M & C, TEA
- #37- Watchung Planning Board 10/13/15 Resolution No. 10 – Confirming that Block 5701, Lot 6.01 (portion of Borough owned land on East Drive) is an Area in Need of Redevelopment and Recommending its Designation c: M & C, TEA, AC, MS

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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 Councilwoman Joren and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Mobus, “aye.”

- R3:11/05/15 Authorize Vendor Fee Refunds – Farmer’s Market Cancellation / State of Emergency
- R4: Purchases Over \$2,000. – OSI Technology (PD / Telephone Maintenance)
CSM (PD / Vehicle Computer Equipment)
P&R Concrete Corp. (Sidewalk Repair at PD)
Atlantic Tactical (Police Supplies / Firearms, etc.)
- R5: Authorize Appointments to Fire Department – Anthony Rendinelli, Matthew Mittleman
- R6: Authorizing Submission of Grant Application – NJ DOT #MA-2016/Washington Drive
- R7: Urging the Department of Environmental Protection to Update the Statewide Water Supply Plan as Required

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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.

Council President Nehls moved the following Resolution, Councilwoman Joren seconded the motion and upon Roll Call the vote was as follows: Nehls, Black, Franklin, Joren, Mobus, “aye.”

- R8: Authorize Revocable License Agreement – Block 4304, Lot 17 / 23 Blue Wolf Trail

Councilman Franklin moved the following Resolution, Councilman Black seconded the motion and upon Roll Call the vote was as follows: Nehls, Black, Franklin, Joren, Mobus, “aye.”

- R9: Designating Block 5701, Lot 6.01 (Portion of East Drive owned by the Borough of Watchung) as an Area in Need of Non-condemnation Redevelopment

Introduction of Ordinance OR:15/12 entitled: **"AN ORDINANCE AMENDING CHAPTER XI, TITLED "GENERAL LICENSING", TO CREATE A NEW SECTION 11-9, TITLED "PRECIOUS METALS AND OTHER SECONDHAND GOODS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG"** Councilwoman Joren moved the Ordinance be given its first reading. So ordered. Councilwoman Joren moved the Ordinance be adopted on first reading and the Clerk be directed to publish the Ordinance and notice of public hearing. The motion was seconded by Council President Nehls and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Mobus, "aye." Public hearing to be held on November 23, 2015.

R10: Introduction of OR:15/12 – Amend Code to Implement Requirements for the Sale Re-sale of Precious Metals and other Second-hand Goods

Introduction of Ordinance OR:15/13 entitled: **"AN ORDINANCE AMENDING CHAPTER X, TITLED "ANIMAL CONTROL", ARTICLE I, TITLED "DOGS", TO ADD A NEW SECTION 10-19, TITLED "TETHERING OF DOGS", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG."** Councilwoman Joren moved the Ordinance be given its first reading. So ordered. Councilwoman Joren moved the Ordinance be adopted on first reading and the Clerk be directed to publish the Ordinance and notice of public hearing. The motion was seconded by Council President Nehls and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Mobus, "aye." Public hearing to be held on November 23, 2015.

R11: Introduction of Ordinance OR:15/13- Amend Code, add Section to Address the Tethering of Dogs

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PUBLIC PORTION - GENERAL DISCUSSION

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No one from the Public desired to be heard.

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Council President Nehls moved the following Resolution, Councilwoman Joren seconded the motion and upon Roll Call the vote was as follows: Nehls, Black, Franklin, Joren, Mobus, "aye."

R12: Executive Session: 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 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

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There being no further business to come before the Council, the meeting was adjourned at 10:11 P.M. to the call of the Chair and to the next scheduled Council meeting on Monday, November 23, 2015 at 7:30 PM

Respectfully submitted,

Michelle DeRocco, RMC
Clerk