

# BOROUGH OF WATCHUNG

## COUNCIL MINUTES

MAY 21, 2015

**MAYOR'S STATEMENT:** Acting Mayor Black called the meeting to order 7:37 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 [A]      Black [P]      Franklin [P]      Joren [P]      Gibbs [P]      Beck-Clemens [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 Mary Ann Hance. Although not in attendance at the time of roll call, Council President Nehls arrived at 7:55 PM.

There were 11 members of the public present.

### REPORT OF STANDING COMMITTEES

1. Administration & Finance – Councilman Franklin reported the Administration & Finance Committee met at 5:30 this evening. He explained that at an April 30<sup>th</sup> meeting the Council had requested \$100,000 be cut from the Budget. He said Council members should have copies of the list of cuts made and would like to know when the Budget can be introduced and adopted. Councilman Franklin asked Councilmembers if they would be available for a special meeting on May 28<sup>th</sup> at 8 AM and all members present were available for this. Administrator Tom Atkins said once the Budget is introduced there is a time frame of 28 days before it could be adopted which could possibly be on June 29<sup>th</sup>. All Council members agreed on the reductions. Councilwoman Beck-Clemens thanked Administrator Tom Atkins, CFO Bill Hance, Councilman Nehls and everyone else who worked so diligently to come in under the tax levy.

2. Police - No report was submitted

3. Public Works / Buildings and Grounds – In the absence of Council President Nehls, Councilman Franklin gave a brief report on the monthly Public Works Department activities which included continuing pothole repair, completion of leaf bag pickup on May 15<sup>th</sup> and catch basin repairs. The Department also setup/cleanup for the annual Community Picnic, shutdown heat in the Borough buildings, repaired a fence along the school path, provided assistance to Traffic & Beautification with plantings at the triangles.

4. Public Affairs:

Open Space- Councilwoman Beck-Clemens had no report but said they are still waiting for the Ness Property Remediation.

Environmental – Councilman Gibbs said the Commission will be meeting on May 25<sup>th</sup>.

Recreation – Councilwoman Beck-Clemens reported the annual Community Picnic was a success with many events to entertain all ages. She also said Home Depot donated a grill which was raffled off and the winner donated it to the Rescue Squad.

Historical – Councilwoman Beck-Clemens reported the Memorial Day Ceremony will be held on Monday, May 25<sup>th</sup> at 9:30 AM at the Memorial and earlier there will be a ceremony at the Exempt Hall at 9:00 AM. She said one of the few living WWII Veterans, Mr. Norman Snoden, who resided in Watchung at the time of his service, will be this year's honoree.

Board of Health- Councilman Black had no report. He said the next meeting is scheduled for June 17<sup>th</sup> at 7:00 PM.

5. Fire – Councilman Black reported the Committee met today and they are looking forward to seeing the Rodger’s Group report.
6. Laws/Ordinances- Councilwoman Joren reported a meeting was held this evening and she will give a complete report at the next Council meeting. She also said Chief Cina will be suggesting and reporting on a program to procure equipment from Federal Surplus Property. Councilwoman Joren said she would like an oral Resolution this evening, if possible, so Chief Cina may proceed.

**REPORTS - OTHER:**

7. Engineer – Mr. Herits reported the Field work for Knollwood and Deer Run will be starting. He also said the Guinard Drive drainage problem has been fixed and the survey for the second pole barn has been done and it will be installed very soon. Mr. Herits said he will be meeting with Barbara Diem tomorrow to discuss the lighting and ceiling tiles. Councilwoman Beck-Clemens asked what the status is regarding the \$100,000 FEMA Grant, and Mr. Herits explained this is a grant for generators only and he is recommending one be installed at the Public Works Building and another possibly at the East End Garage. Councilman Gibbs asked the status of the Architect report for the Fire House improvements, and Mr. Herits said the plans are done and a meeting has to be scheduled with the Buildings and Grounds Committee and the Architect. Councilman Nehls hopes to set this up sometime next week.

8. Police Chief – Chief Cina explained the Federal Surplus property program and said the Department would be looking for a pick-up truck to assist in moving cones and barricades in case of emergencies and also for emergency lighting. Chief Cina said the only requirement for the Borough is the maintenance of the equipment if we get it. Councilman Black said he would like to have a Resolution passed this evening. Councilwoman Joren said Chief Cina has already registered for this program but a Borough resolution is required. Attorney Albert Cruz read a Resolution, Council President Nehls made a motion to approve it, with a second by Councilman Gibbs and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

Pete Martino – Sunbright came forward and said this is a good program and Plainfield has been part of it. Mr. Cruz said there will be a formal Resolution at the next meeting to memorialize the decision. Chief Cina then reported the Department has completed their radar operation training and they will be moving forward to purchase laser radar equipment. He also reported all members of the Department have finished firearms qualifications. Chief Cina said there is going to be an East Region joint emergency drill which will be held in North Plainfield later this year.

9. Fire Department – Chief Erber said he will give a report at the next meeting. He mentioned there is a “dead zone” of the repeaters on Route 22. He said they are looking to have a repeater installed on the L&Z Tool Tower and would like the council to consider finding funds to purchase the equipment which would cost around \$9,000. Councilman Franklin said the Borough does have an unexpended amount in an old Ordinance and Mr. Hance explained it would be from the funds received from Public Service Electric and Gas, not a bond, and was designed for Emergency Service equipment. Councilman Black would like to get this on for the next Council meeting.
10. Rescue Squad – Denise Wilson gave the statistics for the months of April and May and mentioned all the events the Squad had attended. She thanked the Public Works Department for delivering the mulch and said it was greatly appreciated. Ms. Wilson also said the Squad will be working with the Fire Department on a joint drill.
11. Emergency Management – No report was submitted.
12. Attorney – Mr. Cruz had no report but did say there is an item for Executive Session this evening.
13. Clerk – Ms. DeRocco reminded everyone of the upcoming shred event scheduled for June 13<sup>th</sup> from 9 AM to 1 PM at the Police Department parking lot.

14. Administrator – Mr. Atkins had no report.

Council President Nehls then gave his report on Public Works – Roads. He said there have been many calls about the repaving of Ridge Road from the residents that were not included in the scope of the project, requesting the entire road be done, not just up to Parlin. He said to mill and repave from Parlin to High Tor would cost \$130,000, and said both Councilwoman Joren and he are recommending including this. Councilman Franklin asked if a future sewer project would affect this paving and Council President Nehls said a sewer project probably would not be scheduled in the next 5 years.

Mr. Herits said there are additional roads on the table and he would need authorization to go to Tilcon for quote.

Mr. Cruz requested the Clerk do a formal Resolution for the next Council meeting to memorialize this. He also asked Council to clarify what the authorization is for. Council President Nehls responded this would be to move forward with paving jobs that were included in the 15/03 Ordinance and expand Ridge Road to include Parlin to High Tor. Councilwoman Beck-Clemens asked if there could be a stipulation not to exceed a certain amount and Mr. Cruz said the Borough would be working with what has already been funded.

Councilman Gibbs made a motion to include Parlin to High Tor with a second by Councilwoman Beck-Clemens and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens “aye.”

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**PUBLIC PORTION – AGENDA ITEMS ONLY**

Lynda Goldschein, Sherwood Drive, asked if the Council will be revisiting the Ordinance regarding leaf pickup in certain sections of the Borough, and Councilman Nehls said they will look into it. Ms. Goldschein also asked where the Memorial Day Service will be held if it rains and she was told it will be held in the Borough Hall building.

Doris Fine, Johnston Drive, requested an explanation for Item #15 on the Agenda and Councilman Gibbs replied Public Service must file with the Board of Public Utilities when requesting any rate increases.

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**UNFINISHED BUSINESS**

Prior to the Public Hearing, Councilman Gibbs recused himself and stepped down from the dais.

A Public Hearing Ordinance OR:15/06: “AN ORDINANCE AMENDING CHAPTER XXVIII, ARTICLE 28-100, TITLED “TITLE AND PURPOSE”, SECTION 28-106, TITLED “PROHIBITED USES”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG TO ADD A NEW SUBSECTION F PROHIBITING UNREGULATED PIPELINES IN ANY ZONE.” 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, Beck-Clemens, “aye”

Mr. Cruz explained the Planning Board met on Tuesday, May 19<sup>th</sup> and after discussion, prepared a letter addressed to the Governing Body, confirming this Ordinance is not inconsistent with the Master Plan.

Doris Fine, Johnston Drive, thanked the Council for this Ordinance.

With no one else 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, Black, Franklin, Joren, Beck-Clemens “aye.”

R1:05/21/15 Adoption of Ordinance OR:15/06 – Amend Code / Prohibiting Unregulated Pipelines

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**NEW BUSINESS**

Councilman Gibbs recused himself from voting on Item #15 and asked for it to be removed for separate vote.

**CONSENT AGENDA:** The Consent Agenda Items listed below, with the exception of Item #15 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:  
April 23, 2015 Special Meeting  
May 7, 2015

Acknowledging Receipt of the following Borough Reports:  
Finance Department Revenue Report – January, February, March, April, 2015  
Historical Committee Minutes – April 8, 2015, and Special Meeting April 27, 2015

Council President Nehls moved the following Item listed below with a second by Councilman Franklin and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Beck-Clemens, “aye.”

Acknowledging Receipt of the following Correspondence:

#15 - PSE&G 5/14/15 Notice (2) of filing and public hearing on proposed rate adjustments  
C: M & C, TEA

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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, Gibbs, Beck-Clemens, “aye.”

- R2:05/21/15 Purchases Over \$2,000. – Modern Group, Ltd. (Vehicle Repair / Backhoe)
- R3: Authorize Return of Tax Overpayment – 1 Hill Hollow Road
- R4: Authorize Return of Tax Overpayment – 25 Century Lane
- R5: Appointment to Green Team – Daniel Lee
- R6: Authorize Return of Escrow – As listed on Resolution

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

R7:05/21/15 Authorize Temporary Budget Emergency Amendment

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

R8: Payment of Bills

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**PUBLIC PORTION – GENERAL DISCUSSION**

Peter Martino, Sunbright Road, asked Council about the stipend amount and if it has been set for this year. He also asked the outcome of the audit on previous years. Councilman Franklin said the Rodgers group will be doing a review of the stipends. There will be an Ordinance put in place and the Fire Department Committee will follow certain procedures to determine amounts.

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Councilman Franklin moved the following Resolution with a second by Councilwoman Beck-Clemens and upon roll call the vote was as follows: Nehls, Black, Franklin, Joren, Gibbs, Beck-Clemens, “aye.”

R9:05/21/15 Executive Session:  
Potential Litigation- In Re the 2015 Borough of Watchung Affordable  
Housing Plan Declaratory Judgment Action

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

**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 and to the next scheduled Council meeting on Thursday, June 4, 2015 at 7:30 P.M.

Respectfully submitted,

*MaryAnn Hance*  
*Deputy Clerk*