

BOROUGH OF WATCHUNG

COUNCIL MINUTES

JULY 21, 2016

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:33 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:

Joren [P] Black [P] Nehls [P] Gibbs [A] Mobus [P] Sopko [A]

Also present were Administrator Tom Atkins, Attorney William Robertson was present for Mr. Cruz, Chief Finance Officer William Hance, and Deputy Clerk MaryAnn Hance.

There were 6 members of the public present

REPORT OF STANDING COMMITTEES:

1. Administration & Finance – Mr. Atkins reported for the Committee, as requested by Councilman Mobus, on the meeting held on July 7th. He said they discussed the Phillips Field lease which will be up for renewal at the end of this year and the Committee will send to the Buildings and Grounds Committee for review. The Committee also discussed the PSE&G Direct Install Energy Audit (which would possibly help with some funding for the Police Department and Texier Museum), the Municipal Audit and subsequent recommendations, the Maser contract expansion for Affordable Housing Advisory services and the resolution increasing the bid threshold to \$40,000 which is possible since the Borough has Mr. Hance as a Qualified Purchasing Agent (QPA). Mr. Atkins said the Committee authorized him to work on getting a lease agreement with the Arts Center.

2. Police – Council President Joren reported Chief Cina gave her the monthly statistics and comparing them to last year they are approximately the same. The Police did a traffic study on Johnston Drive and there were over 400 vehicles during the time of the study with the average speed limit being 30.6 mph. Most of those vehicles going over the speed limit were residents of Johnston Drive and it is suggested residents should get neighbors to slow down.

3. Public Works / Buildings and Grounds – Councilman Nehls gave the following report for Engineer Tom Herits. Knollwood Drive and Deer Run punch-list has a few minor items remaining. He also said plans are being finalized for Valley Drive and miscellaneous drainage projects but will have to wait for the DOT shutdown to end so they may be submitted for DOT review and approval, and the DOT Route 22 Sidewalk project (a large portion is in Watchung) was scheduled to start, but again, the DOT shutdown is in effect. Tilcon is scheduled to be in Watchung mid-August to mill and pave various streets. Mr. Herits' report also stated the test pits were completed for the 911 Memorial and recommendations given. He said the bid documents for the Firehouse Renovations are in progress and will be sent to Ed Bennett for comments prior to finalizing.

4. Public Affairs:

Open Space – No report

Environmental – No report

Recreation – No report

Historical – Councilman Mobus had no report but said the Commission would like to request approval to have the Civil War Encampment again this year during the Borough History Day. All Council members present were in agreement with this request. The date will be September 24, 2016. 10:00 AM to 4:00 PM.

Board of Health – Councilman Black had no report but announced the next meeting will be September 14 at 7:00 PM.

5. Fire – Councilman Black reported there was no Committee meeting this week however, there was an inquiry on the stipend. He said this will be discussed at the August meeting. He said the 1st of the month Fire Department meeting was business as usual.

6. Laws/Ordinances – No report

REPORTS - OTHER:

7. Engineer- Report was given by Councilman Nehls earlier (see Public Works)

8. Police Chief – No report

9. Fire Department – No report

10. Rescue Squad – No report

11. Emergency Management – Mr. Atkins reported Mr. Greves and several of the CERT Team members are attending a County drill this evening at the Academy for Emergency Management. Mayor Pote asked if this drill was for CERT or larger and Mr. Atkins said it was part of CERT but it is OEM group as a whole. He said Mr. Greves is working on another FEMA project and is in the process getting details on it. He also said Mr. Greves and Chief Erber will be meeting in the very near future with ISO (Insurance Services Office) which is the agency that evaluates towns on fire insurance rating criteria.

12. Attorney – Mr. Robertson had no report

13. Clerk – Ms. Hance reported Ms. DeRocco asked her to wish Shelini well in her future endeavors, it was a pleasure to work with her and she will be missed. Ms. Hance reminded Council to sign the Audit report and the bill list. She also said if anyone is interested in attending the roundtable with Senator Tom Kean they should either RSVP directly or contact her and she will respond for them. Mayor Pote said Shelini will definitely be missed and said she did many volunteer hours with the Green Team, and Farmers Market.

14. Administrator – Mr. Atkins reported the Art Center Lease has to be renewed and will be looked at. He also said he and Bill Hance will begin collective bargaining with the FMBA for their contract. Mr. Atkins said the audit report was a very good one with only a very minor suggestion which has already been addressed. He also said there will be a Resolution on the August agenda to cancel \$44,000 for a vehicle for the fire department administration and putting that amount into the apparatus fund.

Mayor Pote asked if Mr. Hance had anything to report and Mr. Hance said he did not other than the Audit went very well this year with only one minor issue which has already been resolved.

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PUBLIC PORTION / AGENDA ITEMS ONLY
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No one from the public wished to be heard.

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UNFINISHED BUSINESS
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A Public Hearing on Ordinance OR:16/06 entitled: **”AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO EXTEND THE “QU” QUARRY ZONE AND TO MAKE ASSOCIATED AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE”** was held.

Council President Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Mobus, “aye”.

Mr. Butler, Attorney for Weldon Materials, explained the process leading to this request for a change of the zoning for a portion of the Quarry and said if the Ordinance is passed this evening Weldon must present any site plans to the Planning Board for review and approval. He said all the properties in question are owned by Weldon. Mr. Butler explained the various buffer zones and what is being considered for same. He then asked if there were any questions or comments. Mayor Pote said both he and Council President Joren have been on the Planning Board through these activities and meetings. Council President Joren agreed and said this has been thoroughly researched and examined over a period of more than 18 months.

Carmine Caruso, Bonnie Burn Road, questioned the buffer zone being much closer than the previous one and asked how often they do blasting. Mr. Weldon responded that blasting is done once a week during the day and it is conducted by a professional and under the complete supervision of the Department of Labor. Mr. Butler also said if the residents had any concerns or suggestions for this buffer zone they should contact either him or Mr. Weldon and they would discuss with them. Mr. Caruso thanked Mr. Butler, Mr. Weldon and the Mayor and Council.

R1:07/21/16 Adoption of Ordinance OR:16/06 - Amend Code / Land Development Ordinance
Quarry Zone Expansion

Councilman Nehls seconded the motion and upon roll call the vote was as follows: Joren, Black, Nehls, Mobus, "aye".

Mayor Pote said Mr. Healy and the Planning Board did an excellent job on this Zoning issue.

Mr. Bob Weldon said he appreciated from the beginning all the work and cooperation his family has received while preparing this request. He said he looks forward to proceeding with this project and many more years working with the Borough.

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NEW BUSINESS

CONSENT AGENDA: The Consent Agenda items listed below were unanimously adopted following a motion by Council President Joren and a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Mobus, "aye."

Approval of the following Council minutes:
June 16, 2016

Acknowledging Receipt of the following Borough Reports:
Board of Adjustment Minutes – April 14, May 12, 2016
Historical Committee Minutes – May 11, 2016
Board of Health Minutes – April 20, 2016
Finance Department Revenue Report – May, June, 2016

Acknowledging Receipt of the following Correspondence:

- #20 - Watchung Planning Board 6/21/16 Resolution #PB16-R8 Affirming that the Proposed Quarry Area Ordinance is consistent with the Master Plan Amendment entitled "Watchung Quarry Area Master Plan Amendment" c: M & C, TEA, AC
- #21 - JCP&L 6/24/16 Notice of Proposed Increase and Public Hearings in Non-Utility Generation Charge c: M & C, TEA, Post
- #22 - Township of Warren 6/30/16 Warren Township Master Plan Re-examination Report C: M & C, TEA, Planning Board
- #23 - Shelini Parikh 7/14/16 Letter of Resignation, effective July 25, 2016 c: M & C, TEA, JR
- #24 - PSE&G 7/18/16 Notice Filing of Petition for approval of a second Extension of a Solar Generation investment Program and Associated Recovery Mechanism c: M & C, TEA, Post

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CONSENT AGENDA RESOLUTIONS: The Consent Agenda Resolutions listed below were unanimously adopted following a motion by Council President Joren and a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Mobus, "aye."

- R2:07/21/16 Authorize Participation in PSE&G' Direct Install Energy Audit Program
- R3: Authorize Stipulation of Settlement – 30 Wolford Court
- R4: Authorize Expansion of Contract – Maser Consulting / Continuing Affordable Housing Advisory Services
- R5: Authorize Increase in Bid Threshold - \$40,000. / Local Public Contracts Law 7/21/15
- R6: Authorize Tax Collector to Cancel Balances of less than \$10.00

- R7: Purchases Over \$2,000. – Motorola Solutions, Inc. (PD – Communications Equip.)
PowerDMS (PD- Accreditation Software)
Communications Specialists (FD – Communication Antenna)
El Coronado (FD – Annual Conference)
EMR Power Systems (B&G – Pump Station Switch)
N. Plainfield Auto Rebuilders (PD – Vehicle Repair)
Fullerton Ford (PD – Engine Repair)
Somerset County Clerk (A&F – Ballot Printing)
Forest Lodge (A&F – Volunteer Appreciate/Holiday Dinner)
- R8: Authorize Return of Performance Bond/ Tree Replacement – 909 Johnston Drive
- R9: Authorize Return of Performance Bond/ Tree Replacement – 915 Johnston Drive
- R10: Acceptance of 2015 Annual Audit Report
- R11: Approval of Corrective Action Plan
- R12: Authorize Submission of Grant Application – Green Team / Electric Charging Station
- R13: Authorize Participation with Somerset County – Community Development Block Grant
and Home Investment Partnership Program
- R14: Appointment to Volunteer Fire Department – Jeremy Lister
- R15: Authorize Release of Surplus Property – GovDeals (2 Police Vehicles)
- R16: Supporting the Need to Test the Drinking Water at Watchung Hills Regional High
School

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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.

Introduction of Ordinance OR:16/09 entitled **“AN ORDINANCE ACCEPTING A DEED OF ROAD DEDICATION FOR A PORTION OF PROPERTY LOCATED AT 183 WASHINGTON ROCK ROAD AND KNOWN ON THE TAX MAPS OF THE BOROUGH OF WATCHUNG AS BLOCK 10.02, LOT 6 TO THE BOROUGH OF WATCHUNG.”** Public Hearing to be held on August 18, 2016.

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

R17:07/21/16 Introduction of Ordinance OR:16/09 – Deed of Road Dedication / 183 Washington
Rock Road

Councilman Mobus introduced Resolution R18, Councilman Black seconded the motion and upon Roll Call the vote was as follows: Joren, Black, Nehls, Mobus, “aye.”

R18: Payment of Bills

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PUBLIC PORTION - GENERAL DISCUSSION

Peter Martino, Sunbright Road, came forward with photos of various Borough properties which he feels are not being properly maintained by the Public Works Department and said as a taxpayer this is a disgrace. He said he has contacted Mr. Atkins by email to meet with him and had not received a response from him or anyone else. Mr. Atkins responded that the email he received did not mention this issue. Councilman Black said he always responded to Mr. Martino when contacted but would not discuss with him any fire department personnel or other departmental internal issues. Councilman Black asked if Mr. Martino had conveyed this information to Councilman Nehls. Councilman Nehls said he had but not in this detail. Mr. Martino then offered his assistance to the Borough.

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

R19: 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, As It Relates to 495 Watchung Avenue Requesting Affordability Control Status

Prior to going into Executive Session Attorney William Robertson excused himself due to a conflict of interest with his firm.

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

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

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:10 PM to the Call of the Chair and to the next scheduled Council meeting 7:30 PM, August 18, 2016.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk