

BOROUGH OF WATCHUNG

COUNCIL MINUTES

OCTOBER 6, 2016

7:30 P.M.

MAYOR'S STATEMENT: Mayor Pote called the meeting to order at 7:34 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 [A] Black [P] Nehls [P] Gibbs [P] Mobus [P] Sopko [P]

Also present were Attorney Albert Cruz, Administrator Tom Atkins, CFO William Hance, Clerk Michelle DeRocco, and Deputy Clerk MaryAnn Hance.

There were 26 members of the public present

SPECIAL PRESENTATION

Watchung Public Library – Summer Reading Awards

Sharon Orlando thanked the Mayor and Council for making this possible to honor these children. She also thanked the Borough staff and the Friends of the Library for all their help. Ms. Orlando then presented an award to the Mayor and Council.

Each child in attendance was presented with their awards and pictures were taken with Mayor Pote.

PROCLAMATIONS

Councilman Gibbs read the proclamation for Breast Cancer Awareness Month (copy attached.) He said this is something very special to him since a family member battled and beat this disease.

Mayor Pote read the Proclamation for Domestic Violence Awareness Month (copy attached.) October. He mentioned the silhouette with a victim's name on it will be delivered to Borough Hall soon.

Mayor Pote deviated from tonight's Agenda for the following:

Holly Moylan, marketing representative for Buffalo Wild Wings came forward to explain the upcoming 5K run on October 30th starting at 9 AM at Mobus Field and invited Mayor and Council to participate in the event. She said 100% of the proceeds will go to the Boys and Girls Club of Union County.

Councilman Mobus thanked her and Buffalo Wild Wings for all their contributions to the Recreation events in the Borough.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance – Councilman Gibbs had no report but said the next scheduled meeting is October 17th.
2. Police – There was no report, however Mayor Pote said there was a planning meeting with the Police earlier this evening prior to beginning negotiations. Councilman Gibbs said he has asked the PBA president to send him their suggestions, comments, or requests to him.
3. Public Works / Buildings and Grounds – Councilman Nehls had no report.
4. Public Affairs:

Open Space – No Report

Environmental – Councilman Sopko reported a meeting was held on September 29th. He said in addition to the Watchung Library the Warren Library is also accepting bottle caps. He also reported that Chatham Borough and Chatham Township have joined the other Municipalities against the Pilgrim Pipeline.

Recreation – Councilman Mobus reported there was a meeting last evening and members were very happy with the results of the basketball court renovations. He also mentioned that men’s basketball will begin tomorrow at Bayberry School.

Historical – Councilman Mobus reported that the Museum was open last Saturday from 9-4. He thanked Lynda Goldschein, and Dorothy Addario for stepping up to do this since they were not expecting to be open. He said both he and Dorothy stayed until 4:00 because they got busy later in the afternoon with 20-30 visitors. Mayor Pote thanked the volunteers for opening the Museum.

Board of Health – No report – the next meeting is scheduled for October 19th at 7:00 PM

5. Fire – Councilman Black said the first of the month meeting went very well. They discussed the fire truck and are looking at a possible cost of \$750,000. He also said bid requests should be going out next month for the building. Administrator Atkins said a resolution will be on the October 20th agenda to authorize bids. Councilman Black said Fire Prevention week is October 15th at 12 noon at the firehouse. Mr. Atkins said we will be aggressively pursuing grants using the Maser Grant expert, Kelsey Howard, a resolution for a FEMA grant for fire apparatus is on the agenda tonight. He said these are very competitive grants.
6. Laws/Ordinances – No Report.

REPORTS - OTHER:

7. Engineer – No Report
8. Police Chief – No Report
9. Fire Department – No Report
10. Rescue Squad – No report
11. Emergency Management – Mr. Atkins said there has been dialogue at the County with OEM Coordinators and the State Police in preparation for the possibility of a hurricane hit with Matthew.
12. Attorney – No report – there is one item for Executive Session
13. Clerk – Ms. DeRocco reminded everyone the deadline to register to vote is October 18th. She also said Chief Cina will again be requesting the Halloween curfew at the next council meeting.
14. Administrator – Mr. Atkins said he is encouraging the Council to pass Resolution R3 which is authorizing the continued participation in the Morris Co-op program. He also said R4 was approving the amendments to the Personnel Policy and thanked Michelle, Bill, Jessica and former employee Shelini for working on this. Mr. Atkins said R5 will authorize submission for the Federal Department of Transportation grant for sidewalks from Bayberry Lane to Best Lake and the designation of a bicycle lane on Mountain Boulevard to the Ness Property.

Mayor Pote asked if CFO Bill Hance had anything to report and Mr. Hance said the Best Practices is on the agenda for discussion this evening.

Councilman Gibbs thanked everyone for their condolences to his family on the passing of his father-in-law.

PUBLIC PORTION / AGENDA ITEMS ONLY

Lynda Goldschein, Sherwood Drive, said she would like to know what the Wildlife Advisory Committee report has in it. Mayor Pote said she may get a copy of the report and noted it supports the deer management program as it has in previous years. Ms. Goldschein questioned if crossbows are still being considered and if this report included geese? Mayor Pote said the Council is still looking into crossbows. Mr. Atkins said this report was only on deer and no other wildlife such as geese.

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UNFINISHED BUSINESS

A Public Hearing on Ordinance OR:16/11 entitled “**AN ORDINANCE ACCEPTING A SIDEWALK EASEMENT FOR A PORTION OF THE PROPERTY LOCATED AT BLOCK 2401, LOTS 3.01 AND 3.02 ON THE TAX MAP OF THE BOROUGH OF WATCHUNG, COMMONLY KNOWN AS 210 MOUNTAIN BOULEVARD**” was held

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

With no one from the public wishing to be heard Councilman Gibbs moved the following resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Black, Nehls, Gibbs, Mobus, Sopko, “aye.”

R1:10/06/16 Adoption of OR:16/11 - Accepting a Sidewalk Easement / 210 Mountain
Boulevard

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NEW BUSINESS

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

Approval of the following Council minutes:
September 15, 2016, Regular and Executive Sessions

Acknowledging Receipt of the following Borough Reports:
Police Activity Report – August, 2016
Finance Department Revenue Report – July, August, 2016
Wildlife Management Advisory Committee Annual Report – September 14, 2016
Building Department Report – September, 2016

Acknowledging Receipt of the following Correspondence:

- #33 - Borough of Peapack & Gladstone, Borough of Bernardsville 9/19/16 Resolution in support of H.R.814, known as the “Thin Blue Line Act” c: M & C, TEA
- #34 - PSE&G 9/26/16 Notice of Petition and Public Hearing for Approval of Gas Base Rate Adjustment 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 Councilman Black and a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Gibbs, Mobus, Sopko, “aye.”

R2:10/06/16 Purchases Over \$2,000. – Communications Specialists (PD- Batteries)
Norris Sales Co. (PD – Light Tower)
L-3 Communications (PD –Vehicle Cameras)
Stalker Radar (PD – Radar System)
KPI Tactical (PD – Vests, Body Armor)
Maser Consulting (A&F – 2 Grant Applications)
Office Business Systems (PD- Comp. Equip &
Contract)

R3: Authorize Renewal Agreement – Morris County Cooperative (MCCPC)

R4: Adoption of Revised Personnel Policy

R5: Authorize Submission of NJ DOT TAP (Transportation Alternative Program)
Grant

R6: Authorize Submission of FEMA AFG (Assistance to Firefighters) Grant

R7: Authorize Return of Incorrect Fee Collected / Tree Bank – 53 Anderson Road
18 Forest Drive

R8: Authorize Return of Escrow – As listed on Resolution

R9: Authorize Insertion of Special Item of Revenue (Chapt. 159) / 2016 Budget –
State of NJ Recycling Tonnage
Grant

R10: Appointment to Planning Board / Alternate # 2 – Christopher D’Annunzio

R11: Authorize Revocable License Agreement – 18 Forest Drive

R12: Authorize Clerk to Issue Raffle License – Watchung Educational Foundation

Administrator Tom Atkins said Christopher D’Annunzio who is being appointed to the Planning Board this evening should be a good addition to the Board.

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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:16/12 entitled "AN ORDINANCE REPEALING OR:15/13, AND ADOPTING 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 "

Mr. Cruz clarified that this Ordinance was adopted last year and when sent to Coded Systems there was a section for penalties but no amounts and this is adding a section for it.

Councilman Gibbs moved for the adoption of this Ordinance on first reading and directed the Clerk to advertise a public hearing. Councilman Nehls seconded the motion and upon roll call the vote was as follows: Black, Nehls, Gibbs, Mobus, Sopko, “aye.” Public Hearing to be held on October 20, 2016.

R13:10/06/16 Introduction of OR:16/12 – Revision to Code – Tethering of Dogs

Introduction of Ordinance OR:16/13 entitled "AN ORDINANCE AMENDING CHAPTER XVI, TITLED 'PUBLIC PROPERTY AND RECREATION AREAS', OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG TO ADD A NEW SUBSECTION G TO SECTION 16-1.15, TITLED 'RECREATIONAL USE PROHIBITIONS AND LIMITATIONS' TO ALLOW FISHING AT BEST LAKE AND REQUIRING THAT THE FISH BE RETURNED TO BEST LAKE UNHARMED"

Councilman Gibbs moved for the adoption of this Ordinance on first reading and directed the Clerk to advertise a public hearing. Councilman Nehls seconded the motion and upon roll call the vote was as follows: Black, Nehls, Gibbs, Mobus, Sopko, “aye.” Public Hearing to be held on October 20, 2016.

R14: Introduction of OR:16/13 – Revision of Code – Implement Catch and Release Regulation at Best Lake

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

R15: Waive Chapter 2-25.10 of Borough Code – Gray’s Florist

2016 Best Practices Inventory / Discussion

Administrator Tom Atkins said the State reduced the number of questions to 30, down from the previous years of 50 and the Borough must answer yes or n/a to a minimum of 22 of these. The Borough well exceeded this number and shows we gave a good operation. Mr. Atkins said this is very important and is a CFO document that Mr. Hance must complete and submit by October 21st. The Administrator and CFO touched on highlights and answered questions from the Mayor and Council. Particular attention was given to questions where an answer of “no” had to be given. A recommendation policy resolution will be drafted in respect to question number 3 dealing with tax appeals.

Councilman Gibbs thanked the staff for taking time to look into this. He said it ensures the Mayor and Council are doing the right thing for our taxpayers.

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PUBLIC PORTION - GENERAL DISCUSSION

Lynda Goldschein, Sherwood Drive, said the large branch hanging over Valley Road is still there and it is laying on a line and asked if someone could be called to have this removed. Councilman Nehls said he will have Bob Burns look at it and get the number from the nearest pole and call the utility company. Ms. Goldschein also asked if the Watchung sign could be moved to the other side of Wildwood Terrace.

Peter Martino, Sunbright Road, said he received his OPRA request information and regarding the stipend issue he is suggesting this be thoroughly examined prior to preparing an Ordinance. Councilman Nehls said the Fire Department had a Committee formed to review the stipend and the Department voted on this. Councilman Black said the stipend is determined by attendance, participation and points for drills. Mr. Martino said he was happy to see the grass by the East End garage has been cut.

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Councilman Gibbs moved the following resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Black, Nehls, Mobus, Gibbs, Sopko, "aye."

R16: 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

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.

Mr. Cruz said he updated the Mayor and Council on the status of the Affordable Housing litigation including other developments in the judicial process.

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:56 P.M. to the call of the chair and to the next scheduled Council meeting 7:30 PM, October 20, 2016.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk