

BOROUGH OF WATCHUNG
COUNCIL MINUTES
DECEMBER 15, 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 [P] Black [A] Nehls [P] Gibbs [P] Mobus [P] Sopko [P]

Although not present at roll call Councilman Black arrived at 7:35 PM

Also present were Administrator Tom Atkins, Attorney William Robertson was present for Mr. Cruz, Clerk Michelle DeRocco, and Deputy Clerk MaryAnn Hance. Engineer Tom Herits arrived at 8:25 PM.

There were 8 members of the public present

SPECIAL PRESENTATION (Postponed until March 2, 2017)

Girl Scout Silver Awards

REPORT OF STANDING COMMITTEES:

1. Administration & Finance- Councilman Gibbs announced the next Committee meeting will be held on December 22nd. He reported that since changing banking services to Investors Bank, the Borough has earned \$34,922.12 in revenue interest through November 30th compared to \$6,200 in 2015. He also reported by transferring a used Police Vehicle to the Fire Department, the Borough saved between \$40,000 and \$50,000. These vehicles will only be transferred if they are well maintained and safe. Councilman Gibbs said there will be a Bond refunding ordinance introduced on January 5, 2017 with a public hearing to be held on January 19th. He said the Borough could be saving between \$850,000-\$900,000 on the refunding of this 2007 Bond, depending on the final percentage. He said this will be a great savings over the ten year period. Administrator Tom Atkins said one of the main reasons for meeting on December 22nd will be to review the RFP's for the 2017 professional services which were received and opened today.

2. Police – Council President Joren had no report other than the Police Department is getting ready for the accreditation site visit.

3. Public Works / Buildings and Grounds – Councilman Nehls said he did not receive Mr. Burn's report for the last meeting but wished to inform the Council that the Borough received a donation of sign posts and fencing from Mr. Steve Caruso of Mountain Boulevard and thanked him, on behalf of the Borough. He also reported 200 tons of salt on hand. He announced leaf bag pickup has been completed and pothole repairs continue as weather conditions permit. Councilman Nehls also reported all sprinklers have been shut off and prepped for winter. He said some repairs were completed at the library and Borough Hall and the foyer upstairs at Borough Hall has been painted and new molding installed. Councilman Nehls said Somerset County shut down the radio trunking system the Borough was using on November 29th and that we will be switching to the Fire Department's radio system and will need to purchase new radios which will allow communication with all departments during an emergency. There is a resolution on the agenda this evening for the purchase of these radios.

4. Public Affairs:

Open Space - Councilman Sopko had no report.

Environmental – Councilman Sopko reported the Commission met on December 5th and they discussed the 2017 budget which will remain the same. He also said they discussed the tree bank activity and the tree replacement costs. Mayor Pote asked if the Commission is discussing increasing the fees and Councilman Sopko said that would be a possibility. He also reported there are no new developments on the pipeline and the Commission will be looking for further information on the use of grapefruit juice next year to help control the goose population.

Recreation – Councilman Mobus reported the Recreation Commission met on December 7 and said they are planning a trip to a Devils game on February 3rd, the cost per ticket is \$65 including transportation. He also reported there has been preliminary discussion on restarting a summer program for 2017 in conjunction with Brook Hill Swim Club and that the Commission would like the Councils' feedback on this. He said approximately 62 children went to Warren last year but Warren will not be able to accommodate us in 2017. Councilman Mobus said the Commission is also planning a "kids'

night out” program to be held at Sunburst Gymnastics. This event would include transportation to and from Sunburst located in Union.

Mr. Atkins said anything being done to reinstate a summer program will have to be very thoroughly reviewed and discussed as numerous requirements must be met.

Historical – Councilman Mobus had no report.

Councilman Mobus also reported the 9-11 Committee sent a mailer out this week to get the donation process started. It is hoped the memorial can be done next year. Mr. Atkins said Mr. Herits is meeting with Mr. Panzarella at the site tomorrow.

Board of Health – Councilman Black reported the Board of Health met on November 30th and the budget was approved with only a minimal increase of \$5,000. He said this was submitted to both Mr. Atkins and Mr. Hance for review.

5. Fire – Councilman Black reported there will be a new Chief next year – Charles Pivnichny. He also asked for an update on the building renovations. Councilman Nehls said Mr. Herits will be meeting with the architect on Monday and Mr. Atkins said a resolution was approved at the last council meeting to have all the necessary bid documents prepared to go out to bid in January.

6. Laws/Ordinances- Council President Joren had no report.

REPORTS - OTHER:

7. Engineer – Councilman Nehls gave Mr. Herits’ report. The Valley Drive plans are at the DOT for review and once approved by the, it will go out to bid. He also said DOT grant applications for new roadways are being accepted in February and High Tor Drive is a very good candidate. Mr. Burns has submitted the cost estimate for the Weldon Salt Storage facility to the County and the attorneys are working on the agreements. Councilman Nehls said Mr. Herits spoke to the drainage contractor for the Mobus field project and they will hopefully mobilize next week; and he will also be meeting with Mr. Panzarella to discuss the 911 subgrade preparation. He also said Mr. Herits will be meeting with the Firehouse architect on Monday to review bid documents. Councilman Nehls said Maser Consulting is actively researching grants for libraries.

8. Police Chief – No report.

9. Fire Department - No report.

10. Rescue Squad - No report.

11. Emergency Management – Mr. Atkins said Ms. DeRocco can report on an event she attended with the CERT team. He said Mr. Greves attended a County meeting last week, and advised that there will be more regional based training with OEM. Mayor Pote suggested having Mr. Greves come sometime in January to give a status report. Mr. Atkins also said the Council may want to have Mr. Greves come to a budget presentation.

12. Attorney – Mr. Robertson had no report.

13. Clerk – Ms. DeRocco reported she attended the CERT Team’s pot luck dinner on Tuesday which was a very nice event and well attended. She also wished to give credit to Carolyn Solan who brought this all together and who has been a very active leader of the team. She announced that CERT now has their own FaceBook page, and that Bound Brook will be joining the Watchung CERT. Ms. DeRocco also wished to thank the Public Works Department employees, Anthony and Vic, for doing all the upgrading in the upstairs foyer – it really has made it very bright and refreshing. She wished everyone happy holidays and said she will see everyone on January 5th at 6 PM for the re-organization meeting.

14. Administrator – Mr. Atkins reported there have been ongoing meetings on affordable housing but he cannot go into detail in open session and he and Marsha Shiffman have been talking with the owners of 495 Watchung Avenue regarding some questions about the agreement. Mr. Atkins also said he has been working with Steve Weinberg, our housing consultant, on a few housing rehab applications that Mr. Weinberg received. Mr. Atkins said Mr. Cruz and he will be having a meeting in twelve days with the Board of Adjustment Chairman and the Board of Adjustment Attorney. There have been a couple of conference calls on a potential redevelopment plan for the East Drive property.

Mayor Pote said he attended a Municipal Alliance meeting last evening at Watchung Hills. He said the Borough needs to reach out to the schools administrators and nurses to see if there is any funding that they would like to have to support any programs for drug awareness. He said there is funding given to the regional schools. Mayor Pote said we have not taken advantage of this in the past because we have the D.A.R.E. program which is funded by monies secured for this program. He said Warren was able to acquire an I-Pad equivalent from some of these and one the officers is using this to create programs for their D.A.R.E. Mayor Pote thanked the Watchung Rescue Squad for the Tree of Lights which was a very successful evening and thanked Jessica for arranging the volunteer holiday party which was well attended. Mayor Pote said the Hearts of Watchung, which is run by Cindy Homer, has 140 families which participate every year. The group supports them each year with the purchase of needed goods. He said it is amazing how generous the residents and employees of Watchung are. Donations

are sorted and assembled at the Exempt Hall and this year there were four or five large black bags for each family which included gifts for the holidays.

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PUBLIC PORTION / AGENDA ITEMS ONLY

No one from the public wished to be heard.

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UNFINISHED BUSINESS

A Public Hearing on Ordinance OR:16/15 entitled: "AN ORDINANCE OF THE BOROUGH OF WATCHUNG AMENDING CHAPTER VI, TITLED "POLICE REGULATIONS", TO ADD A NEW SECTION 6-13, TITLED "SALE OF CRIB BUMPER PADS PROHIBITED" WITHIN THE BOUNDARIES OF THE BOROUGH." 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, Gibbs, Mobus, Sopko, "aye."

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

R1:12/15/16 Adoption of OR:16/15 – Prohibit Sale of Crib Bumper Pads

Councilman Nehls seconded the motion and upon roll call the vote was as follows: Joren, Black, Nehls, Gibbs, Mobus, Sopko "aye." Councilman Gibbs thanked everyone for their support, cooperation and patience.

A Public Hearing of Ordinance OR:16/16 entitled "AN ORDINANCE AMENDING CHAPTER XI, TITLED "GENERAL LICENSING", SECTION 11-1, TITLED "HAWKERS AND PEDDLERS", SUBSECTION 11-1.10, TITLED "EXPIRATION AND RENEWAL OF PERMITS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG, TO INCREASE THE RENEWAL FEE TO ~~\$125.00~~ \$110.00." 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, Gibbs, Mobus, Sopko "aye."

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

R2: Adoption of Ordinance OR:16/16 – Amend Code / Hawkers and Peddlers Renewal Fee

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

A Public Hearing of Ordinance OR:16/17 entitled "AN ORDINANCE OF THE BOROUGH OF WATCHUNG AMENDING CHAPTER IV, TITLED "FIRE DEPARTMENT", TO ADD A NEW SECTION 4-8, TITLED "STIPEND PLAN" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG." 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, Gibbs, Mobus, Sopko "aye."

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

R3: Adoption of Ordinance OR:16/17 – Amend Code – Fire Department Stipend Plan

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

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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, Gibbs, Mobus, Sopko, "aye."

Approval of the following Council minutes:

November 28, 2016, Regular and Executive Sessions

Acknowledging Receipt of the following Borough Reports:

Police Department Activity Report – October, 2016

Board of Health Minutes – October 19, 2016

Building Department Report – November, 2016

Recreation Commission Minutes – November 2, 2016

Acknowledging Receipt of the following Correspondence:

- #40 - Township of Bridgewater 11/30/16 Notice of Public Hearing on Dec. 13, 2016 re:
“Amendment to the Land Use Element of the Master Plan and Re-examination Report”
c: M & C, TEA, Pl. Board

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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, Gibbs, Mobus, Sopko, “aye.”

- R4:12/15/16 Purchases Over \$2,000. – PowerDMS (PD – Training for NJSACOP)
Communications Specialists (DPW, CERT Radios, Chargers)
Gold Type Business Machine (PD Info Cop Annual License)
Post Service & Installation (PD – DVR’s & Cameras)
- R5: Authorize Memorandum of Understanding – FMBA / Dispatchers/Police Aides
- R6: Authorize Submission of Strategic Plan – Watchung Hills Regional Municipal Alliance
Grant FY July 1, 2017 – June 30, 2018
- R7: Authorize the Return of Duplicate Tax Payment – 30 Shady Brook Court
- R8: Authorize Revocable License Agreement – 58 Robin Glen Road
- R9: Authorize Clerk to Issue Raffle License - Sisters of Mercy of the Americas
- R10: Establishing a Notification Policy for Changes to the Borough’s Ratable Base
- R11: Authorize Revocable License Agreement – 184 Sunlit Drive

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

- R12:12/15/16 Waive Chapter 2-25 of the Borough Code – Gray’s Florist

Councilman Gibbs moved the following resolution with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Gibbs, “aye,” Mobus, Sopko, “no.”

- R13: Authorize Contract - Deer Aerial Census / Vision Air Research

Councilman Gibbs introduced Resolution R14, and made the following statement: “I am voting in the affirmative for all items on the Bill List, but recusing myself on the purchase of energy commodity, due to my employment with an energy commodity supplier...” Councilman Nehls seconded the motion and upon Roll Call the vote was as follows: Joren, Black, Nehls, Gibbs, Mobus, Sopko, “aye.”

- R14: Payment of Bills

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PUBLIC PORTION - GENERAL DISCUSSION

Denise Cohen, Hill Hollow, questioned when the aerial survey would be done. Mr. Atkins said it could be as early as late January, but no later than late February because it is helpful if there are no leaves on the trees. It depends on when the company is in the area and can schedule the Borough since they are located in Idaho.

Pete Martino, Sunbright Rd., thanked the Mayor and Council for their volunteer service. He questioned when the last traffic study was done in the Borough, particularly of Hillcrest Road, Valley Road, and Mountain Boulevard. He said the traffic on those roads has increased tremendously and many drivers do tend to exceed the speed limit. Mr. Martino said Johnston Drive also has many drivers going faster on that road. He said property values keep going down in Watchung and much of this has to do with the traffic and how the town is presented – the landscaping on Somerset Street looks terrible. Mayor Pote agreed that traffic has increased in town but most of the roads mentioned are County Roads and out of our jurisdiction. He said he did speak to Pat Walsh about Hillcrest Road last year and also there was a study done on Johnston Drive and it was that found most of those drivers who were speeding were residents there.

Councilman Gibbs said home values have been increasing in Watchung and Green Brook. The issue could be what a home is listed for and what it sold for since many sellers will put a higher value on their home when they go to sell it.

Hans Juette, Elsinore Drive, said he receives the Sotheby Survey on homes sold in the area and Watchung's resale value went down \$25,000 and Warren has increased \$75,000. Councilman Sopko will try to put some statistics together. He also said the center island on Somerset Street looks terrible and Councilman Nehls said this is a County road and should be maintained by the county.

Rachel Funcheon, Cedar Road, said the strip on Somerset Street has been a topic of discussion at the Environmental Commission meeting but it has always been determined it is not under the Boroughs' jurisdiction. She also said she is pleased that action has been taken to perform the aerial survey and she would also like to come back to a Council meeting in January to discuss the questions previously submitted. Mr. Atkins said he has given a draft to the Mayor and Council and is waiting for their input to see if this is sufficient or if further research is needed. Mayor Pote asked the Council to review the draft and give their comments to Mr. Atkins. He said he will get back to Ms. Funcheon to let her know if this will be discussed at either the January 19th meeting or the first meeting in February. Ms. Funcheon asked how long before the results from the survey will be available and Mr. Atkins said possibly one month after the survey, the data is recorded and then put into a computer system, it is public information and will be available to all.

Raymond Miller, Valley Road, said there is a problem with the speeders on the road and wanted to know what can be done to enforce the limit. He suggests the Police sign be on the street for at least a week. Mayor Pote said possibly the Police Department could have an officer stationed there for about a month and issue tickets to the speeders.

Ashley Cohen, Hill Hollow, asked if the Police could monitor speeders on Hill Hollow and Johnston Drive also.

Ray Barrett, Valley Road, suggested changing the speed limit to 40 instead of 45 for the entire length of Valley Road. Council President Joren said she will ask Chief Cina to contact the County

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:48 PM to the Call of the Chair and to the re-organization meeting scheduled 6:00 PM, January 5, 2017.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk