

**BOROUGH OF WATCHUNG**

**MAYOR AND COUNCIL**

**MINUTES**

**APRIL 6, 2017**

**7:30 PM**

**OPENING STATEMENT:** Mayor Stephen K. 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 [ P ] Mobus [ P ] Sopko [ P ]

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

There were 24 members of the public present

**SPECIAL PRESENTATIONS:**

**Girl Scout Silver Awards**

Carolyn Solan and Diana Churchill presented the Silver Awards to: Lauren Ng, Rachel Krouk, and Kaelin Churchill

Each of the young ladies explained the project they worked on to achieve the award.

**Friends of the Watchung Library**

Peggy Ellis thanked the Mayor and Council for their support on the Library and presented each with an honorary membership to the Friends of the Library and Friends of the Library bag and pen.

**Introduction: Watchung Living Magazine - Ben Stecky**

Mr. Stecky introduced himself as the publisher and area director for the magazine. He said the fourth issue of the magazine is almost in print and explained it is basically a newsletter for the Borough, noting that it is only distributed in Watchung.

**Discussion: Geese Population / Vera Stine**

Ms. Stine gave a brief explanation on a product called the "Goosinator" and how it works. She said there is a one week free trial prior to purchasing the product. The cost for the "Goosinator" is \$3,797 and after the initial purchase, there would annual maintenance (battery replacement \$300). Mayor Pote said he would review the handout and consider it for further discussion.

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**REPORT OF STANDING COMMITTEES:**

1. Administration & Finance – Councilman Gibbs reported there was a meeting on April 3<sup>rd</sup>. He said there will be a Public hearing on the 2017 Budget at the next Council meeting, April 20<sup>th</sup> and the Watchung Hill Regional School Board offered to come and discuss their budget at the same meeting. Councilman Gibbs also reported the Auditor and Bond Council will be at the May Finance Committee meeting to discuss policy on surplus.

2. Police – Commissioner Joren said Chief Cina would like the Mayor and Council's approval to fill the Sergeant's position since Sgt. Holzheimer retired. She said it is the recommendation of the Police Committee to move on this and would like the consensus of the Mayor and Council. All members approved moving on replacement. The Administrator said that the introduced budget contained the funding.

3. Public Works / Buildings and Grounds – Councilman Nehls reported a meeting was held on March 31, 2017. He said they discussed various possible road projects for milling and paving this year including Glen View and Acorn Drive, and it is hoped to keep the cost for these at around \$200,000. The Police Department also has work to be done and he has asked Mr. Atkins and Mr. Hance to see if there are any available funds for this. Councilman Nehls said Mr. Herits is looking at Ellisen Road as a complete reconstruction project and most likely the Borough would not get a grant for this. He re-

ported other projects that need to be completed include the steps and wall at Borough Hall and the Texier House painting. Councilman Black asked when the Fire House renovation project will be ready for bids and Mr. Atkins said the bid opening is scheduled for May 12<sup>th</sup>. Councilman Nehls said the committee also discussed the dredging of Watchung Lake and the installation of the charging station. The 9-11 Memorial has been delayed due to weather conditions, however the bench and stone have been removed to prepare the area for construction. Mr. Atkins mentioned the fountains in the lakes have not been installed yet because of the current high water level, but it is hoped they will be installed next week.

#### 4. Public Affairs:

Open Space – Councilman Sopko had no report.

Environmental – Councilman Sopko reported there was a meeting on March 27<sup>th</sup> at which time they discussed and prepared a description of features for a finalized conceptual plan “C” for the Ness property. He explained the plan reflects a 50% active and 50% passive mixture of recreational use. The structure labeled Gym/Senior/Teen Center is to be removed and all existing structures on the property are to be razed, except the possible reuse of the “milk house” as a bathroom and/or field house. The stone area along the front will be utilized for parking, and a proposed soccer field will be an “all purpose field” with a minimum dimension of 80 yards by 120 yards and the “all purpose field” can become a community garden. Councilman Sopko also explained the proposed “nature trail and amphitheatre” from Concept “A” are to be included in the revised Concept “C” and labeled “future development”. The loss of healthy trees will be minimized during development. Councilman Sopko said the Committee is requesting the Open Space Advisory Committee and the Recreation Commission formally endorse the listed feature and also requests formal endorsement by the Mayor and Council and funding provided by resolution to complete the formal finalized Conceptual Plan.

Councilman Nehls explained there are restrictions in certain areas of the property and he will have the Public Works Committee look at all recommendations from the Recreation Commission and Environmental Committee and have Maser Consulting prepare plans to send to the county and then it will be presented to the Mayor and Council. Councilman Nehls said that it is the goal to seek County Open Space monies to help fund these improvements.

Recreation – Councilman Mobus reported there was a meeting on April 5<sup>th</sup> and the Commission is in favor of conceptual plan “C” for the Ness Property and would like to see a structure there for a teen center. The Easter Egg Hunt is scheduled for this coming Saturday starting at 11 AM. He said the event was sponsored by the Lions Club and Mike Finne. Councilman Mobus said they are now gathering donations for the Community Picnic. He also said the Summer Camp Program is continuing to receive camper registrations and registration will be opened to other towns at the end of April. He said the program will run for eight weeks starting June 26<sup>th</sup> and it is hoped the enrollment will be 42 - 44 campers per week. Councilman Mobus said Administration is now looking to hire a director. Administrator Atkins said one candidate has been interviewed and if the references are ok there may be a conditional offer made soon.

Historical – Councilman Mobus said the members appreciate the Public Works Committee moving forward on painting the Texier House and after discussion on paint color it was decided to use white. They would also like the grounds in the front of the building upgraded with some new shrubbery, flower boxes, etc. The Committee also discussed the Mural at the Sears store and are hoping to come up with some way to save it and if this could be done, where to put it. Mr. Atkins said there does not seem to be any feasible way to remove it. He said Councilman Mobus had the idea to take pictures and do a painting or photos. Councilman Gibbs said possibly some of the figures could be cut out and do photos around them. Councilman Mobus mentioned the lighting and the PSE&G Grant which should be pursued this year. Council President Joren said the ceiling tiles would have to be replaced before the lighting goes in.

Board of Health – Councilman Black reported the next scheduled meeting is April 19<sup>th</sup> at 7 PM

#### 5. Fire – Councilman Black thanked Councilman Nehls for the update on the building renovations.

Councilman Black then reported on the Green Brook Flood Control Commission meeting which was held last night and said they will have plans submitted to the Commission next week for the upper basin. They need to come up with a retention or detention area possibly at the Connell area or near New Providence Road.

6. Laws/Ordinances – Council President Joren reported there was a meeting this evening and they discussed the Hawing/Peddling Ordinance and also expanding the do not knock list to include a do not drop list. She said Mr. Cruz will work on a draft. Council President Joren said the Committee will also be adding two alternate members to the Historical Committee and Mr. Cruz will have this prepared for the next Council meeting. Councilman Mobus explained the Committee is requesting alternates in the event there are not enough members available for a quorum.

### **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 Gary Greves is working out the details for possible additional reimbursement from Super Storm Sandy.

Carolyn Solan and Charlie Delaney gave a report on activities of the CERT Team. She also said both she and Charlie had attended a two day training course and are now certified to train. Mayor Pote asked about local training and Ms. Solan said it would depend on resources.

12. Attorney – Mr. Cruz had no report but stated there is one item for Executive Session this evening.

13. Clerk – Ms. DeRocco reported there will be an important email from her to the Mayor and Council soon, with instructions for filing the Annual Financial Disclosure Statement, which is due by April 30<sup>th</sup>. She also reported the Watchung Shred date is on Earth Day, April 22<sup>nd</sup> and will be held in Warren at the Municipal Complex between the hours of 9:00 AM and 1:00 PM. This is being done in conjunction with the Watchung/Warren Green Fair, which if you remember was hosted in Watchung last year. She reported that our Borough had been advised by Somerset County who provides the Shred trucks that the cost of attaining these trucks literally doubled this year, therefore they needed to cut back on some dates, therefore, no local date in Watchung, however, Watchung residents are welcome to bring their shredding to any of the other towns in the County. The full list of other dates and locations are on the Borough website.

Ms. DeRocco noted that in the Council's daily mail, there was a request from Leadership Somerset for suggestions on Community Projects. She explained that each year their program, of which she is an alumnus, requires the students to do a project that will "give back" to the Community. She asked that any Committee or Commission, or the Governing Body can think of a project around our Borough or anywhere in Somerset County, they would welcome ideas and the deadline is April 30<sup>th</sup>. Ms. DeRocco also announced that today, at 10:00 am, a special ceremony was held at the flag post at the Memorial in front of the Texier House. She said Owen McDermott raised a WWI flag. Councilman Mobus said it was the 100<sup>th</sup> anniversary of the United States entering WWI.

14. Administrator – Mr. Atkins reported the aerial deer survey results could be received in the later part of April. He also thanked Council President Joren and reminded others that this should be completed by April 30<sup>th</sup>. By doing this training the Borough receives a total of \$2000.00 deducted from the insurance if all elected officials and the Administrator comply.

Mr. Atkins also said there is a mock trial scheduled for April 18<sup>th</sup> being held at the Borough Court Room by the gifted and talented fifth grade class. The law firm for the Borough spoke with Steve Davis who is the managing partner of the Law firm Albert Cruz is with agreed to have one of their people act as Judge at no cost..

He also said the Weldon lease agreement is being worked on. Mr. Atkins then reported on the safety meeting of the Joint Insurance Fund. He said we have been doing well with our safety record. There was a meeting of the Department Directors a week ago and had the Safety Engineer in to speak to the key Department Head personnel, Michelle DeRocco, Bill Hance, Joe Cina, Bob Burns, and he also requested Arlene McCoy to attend. He said input from this meeting was the need for a tripod and safety harness which is included on the over \$2000 purchases resolution.

Mr. Atkins said there is a meeting scheduled for tomorrow morning on the affordable housing issue. He said the residents were promised the committee would meet regularly with a deadline of July 20<sup>th</sup> to make some recommendations. The next meeting is scheduled for April 13<sup>th</sup> and will consist of Mayor Pote, Council President Joren, Councilman Sopko, Tracee Schaefer as Chair of the Planning Board, Don Speeney as Vice Chair of the Planning board, himself and the other appointed professionals.

Council President Joren gave him her notes on the lights on Somerset Street and in 2010 it was looked at to replace the bright lights which would have cost \$50,000. However, if the Borough waited five years they could be replaced at no cost. It was suggested to replace with 100 watt sodium vapor which would also save the Borough on electricity costs. Council President Joren said this would be similar to those near Warren Township Hall and Chief Cina is ok with the lower wattage. Councilman Mobus asked if there is an LED option and Councilman Gibbs said PSE&G is still testing this technology and it could be a possibility in the future. It was the consensus of the Mayor and Council to change the light bulbs.

Mr. Atkins reported the Environmental Committee and Arlene McCoy visited 82 Ellisen Road to look at two trees in the Borough Right-of-way and it was determined they must be removed. It was the recommendation of the Committee and Ms. McCoy to remove these trees in conjunction with those being removed by private residents. If Ms. McCoy needs assistance removing these two trees Bob Burns can assist. The Mayor and Council agreed.

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**PUBLIC PORTION / AGENDA ITEMS ONLY**

Rachel Funcheon, Cedar Road, said residents would support the purchase of the Gooseinator as a possible solution for the Goose problem. She also said the Environmental Commission may try the grapefruit spray and start at Mobus Field. She also said there will be a booth at the Warren/Watchung Green Fair on April 22<sup>nd</sup> to collect plastic bottle caps and they will be giving out brochures on where to dispose of styrofoam. Warren asked that the time for the shred event be changed to 10-1 to coincide with the Green Fair.

Lynda Goldschein, Sherwood Drive, asked who was doing the goose egg addling, when it will begin and if it is successful. Councilman Nehls said the Public Works Department is doing the addling and it does reduce the number of new geese being born. She then questioned how much the Borough receives when they are awarded a grant for road projects. Councilman Nehls said it depends on the project. Mr. Atkins said an example would be the Grant received for the Valley Drive project was \$175,000 and the Engineer's estimate was \$380,000. Ms. Goldschein also mentioned the islands on Somerset Street and suggested water bags be used around the plantings.

Ray Barrett, Valley Road, spoke about the tour of the town with John Kluthe of the Department of Agriculture. He said the gentlemen had many good ideas and is willing to present these ideas to Borough residents along with grants and help they could receive. This is only for private land. He said he would come and give a presentation if the Mayor and Council are interested.

Ashley Cohen, Hill Hollow Road, said if the geese were eliminated completely others would come. She asked if anyone has looked into the Goosinator and Mr. Atkins said the Buildings and Grounds Committee will look at it.

Rachel Funcheon, Cedar Road, asked if residents will be notified when the results from the aerial survey and Mr. Atkins said once received the results will be reviewed by the Mayor and Council and then it will be available to the public.

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**UNFINISHED BUSINESS**

A Public Hearing of Ordinance OR:17/06 entitled "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40a:4-45.14)" was held.

Councilman Gibbs moved a public hearing be held with a second by Council President Joren 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 Councilman Gibbs closed the public hearing and moved the following resolution:

R1:04/06/17 Adoption of OR:17/06 – Cap Bank Ordinance

Council President Joren 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:

March 9, 2017 – Executive Session  
March 16, 2017

Acknowledging Receipt of the following Borough Reports:

Historical Committee Minutes – February 5, 2017  
Historical Committee Strategic Plan – 2017  
Environmental Commission Minutes – February 27, 2017  
Building Department Report – March, 2017

Acknowledging Receipt of the following Correspondence:

#16- Township of Berkeley Heights 3/15/17 Notice of Adoption of 2 Land Use Ordinances;  
8-2017, Adopting a Redevelopment Plan and 9-2017, Revising Density Regulations  
C: M & C, TEA, Pl. Board

- #17- Township of Warren 3/17/17 Notice of Introduction and Date of Public Hearing on April 19, 2017 on Ordinance 17-04 re: Amendment to Zoning Map; and Notice of Amended and Restated 2016 Master Plan Re-examination Report, adopted on March 27, 2017 c: M & C, TEA, Pl. Board
- #18- Township of Green Brook 3/20/17 Notice of Public Hearing on April 10, 2017 / Adoption of 2017 Master Plan Re-examination c: M & C, TEA, Pl. Bd
- #19 - Borough of North Plainfield 3/22/17 Notice of Introduction and Date of Public Hearing on April 10, 2017 on Ordinance #17-01 re: Amendment to Land Development Code / Overlay Zone c: M & C, TEA, Pl. Bd.
- #20 - Borough of North Plainfield 3/24/17 Resolution Declaring the Borough of North Plainfield as A Stigma Free Zone” 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 Joren and a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Gibbs, Mobus, Sopko, “aye.”

R2:04/06/17 Purchases Over \$2,000. - Scott’s Green Landscaping (Roads – Storm Assistance)  
 Orchard Holdings, LLC (Road Improve / Brookdale & Stirling Crosswalk Lights)  
 Storr Tractor Co. (Roads – Toro Mower)  
 Edmunds & Associates, Inc. (Tax – Billing Software & Training)  
 Electronic Measurement Lab Inc. (Road Repair & Sewer – Tripod & Safety Harness)

R3: Authorize Return of Duplicate Tax Payment – 99 Tuttle Road

R4: Authorize Treasurer to Issue Tax Sale Certificate Redemption – 10 Johanna Lane

R5: Authorize Treasurer to Issue Tax Sale Certificate Redemption – 323 Stirling Road

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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.

None

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**PUBLIC PORTION - GENERAL DISCUSSION**

Pete Martino, Sunbright Road, said since the Borough allows sleigh riding on Borough Property why is the parking lot not plowed? He also questioned if the Borough has to pay Maser to walk around the lake to determine which trees should be removed. Councilman Nehls responded this is part of the contract with Maser. Mr. Martino also said the longer you wait to dredge the lake the more it will cost. The charging station is a great idea but it is going to cost \$15,000? He asked if it could just be mounted to the building. Councilman Gibbs explained this is a Level II unit 20/40 KW and it must have enough power to it. Councilman Gibbs also said it is not costing the Borough \$15,000, this amount would be if the parking lot was paved.

John Shpunder, Ellisen Road, said the Texier House has been painted numerous times and it has not held up. The Borough should look into replacing the siding with wonder-board which would last indefinitely. He then questioned the purchase of the tripod/harness and Councilman Nehls said this is used for confined spaces. Mr. Shpunder said he would like to meet with Councilman Black and Councilman Nehls to discuss Fire Department issues.

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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, Gibbs, Mobus, Sopko, “aye”.

R6:04/06/17 Executive Session: Contract Negotiations - Washington Drive Detention Basin

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

Mr. Cruz said due to an emergency outside the building the Executive session was recessed at 10:30 PM

Mayor Pote said this discussion will resume at a future meeting.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 10:56 PM to the Call of the Chair and to the next scheduled meeting of the Mayor and Council to be held on Thursday, April 20, 2017, at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance  
Deputy Clerk