

BOROUGH OF WATCHUNG

MAYOR AND COUNCIL

MINUTES

MAY 18, 2017

7:30 PM

OPENING STATEMENT: Mayor Stephen K. Pote called the meeting to order at 7:32 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, CFO Bill Hance, Clerk Michelle DeRocco, and Deputy Clerk MaryAnn Hance.

There were 12 members of the public present

SPECIAL PRESENTATION

Phyllis Juette, Chair of the Traffic and Beautification Committee, presented the plan for tree plantings on the Somerset Street center islands. She said the Committee, and the Environmental Commission have been meeting with Arlene McCoy and Bob Burns. The trees they will be planting will withstand road salt, pollution, drought, and are deer resistant. Ms. Juette said there will be water available on all islands except the one across from Spratford Park. MaryAnn Weber suggested plantings in barrels at that location. Councilman Nehls said quotes have been submitted and will be reviewed by the Public Works Committee. Mayor Pote thanked the Traffic and Beautification for all the work on this project and also for Operation Pride.

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REPORT OF STANDING COMMITTEES:

1. Administration & Finance – Councilman Gibbs said the next meeting will be June 5th. He said they are finalizing negotiations with the PBA, and Mr. Atkins said the contract is now with the Attorneys, and Council actions will take place in June, adding that it is a fair compromise. Councilman Gibbs commended Administrator Atkins, CFO Bill Hance, Mayor Pote, Council member Joren, and the leadership and members of the PBA, who were very professional during these negotiations.

2. Police – Commissioner Joren said ‘Operation Take Back’ of expired/unused medications was very successful, collecting 32 pounds. She also said the two new officers are now on their own but are still being monitored for their probation period. Council President Joren also reported final interviews are being scheduled for the promotion to Sergeant.

3. Public Works / Buildings and Grounds – Councilman Nehls reported milling and paving projects are set at a cost of \$225,000. He also said Mr. Herits will look at the Ellisen Road as a total rebuild project but said the new curbing policy needs to be finalized prior to the start of this project. Councilman Nehls said the Texier House will be painted the first week of June. The Committee also discussed the tree cutting around the lake and the Texier House and suggested the Environmental Commission and Traffic and Beautification be included in this discussion. Councilman Nehls said the Lions Club has requested permission to place a memorial stone commemorating 100 years, and it was the consensus of the Council to choose location #2, which is in front of the spillway. Councilman Nehls then reported that another house at the Ness Farm has been removed but the Ness home must still be removed, but first there must be an asbestos abatement. He asked Mr. Atkins to contact the company who would take down and remove the barn, and re-purpose the wood. Council President Joren asked if Mobus parking lot will be restriped and Councilman Nehls said he will mention this to Bob Burns.

Councilman Nehls gave the Engineers report stating there is a tentative starting date of June 26th for the Valley Drive project but may start some miscellaneous drainage projects before that date. He also said Mr. Herits is completing the bid documents for Washington Drive curb repair and milling and paving with the hope to go out to bid shortly. Concrete work on the 9-11 Memorial is tentatively scheduled to start next week. Councilman Nehls said the Firehouse Renovation bids were received, ranging from \$279,823 to 364,000 and the low bidders’ references are now being checked. He also reported the Texier House lighting has been completed and said the curbing issue should be discussed by the Council first for opinions then submitted to the Laws and Ordinance Committee.

4. Public Affairs:

Open Space – No Report.

Environmental – Councilman Sopko said there is a meeting scheduled for May 22nd and the Committee will attend the next Recreation meeting on June 7th to get a consensus on the conceptual plan for the Ness property.

Recreation – Councilman Mobus reported the Community Picnic is scheduled for Saturday, 12-3 pm and almost the entire cost has been covered by donations from many, including Weldon, Meeker Sharkey, Stop and Shop, Home Depot, Buffalo Wild Wings, and Water and Wine.

Historical – Councilman Mobus reported the Commission met last night at the Warren Library and Robert Mayer, who is a Revolutionary War Historian, did a very interesting presentation. His most recent book is: “Searching for Yankee Doodle”. He also reported that P&R Construction will be pouring the concrete footings for Phase 3 of the 9-11 Memorial. There will be a table at the Community Picnic to sell bricks for the memorial. Councilman Mobus said the Honoree for the Memorial Day service will be Mr. Fred Ruckriegel.

Board of Health – Councilman Black reported the next meeting is scheduled for June 21st at 7 PM.

5. Fire – Councilman Black had no report but it is hoped now that the bids have been received the project can move forward.

6. Laws/Ordinances – Council President said the Committee met and discussed several Ordinances including repealing and replacement of the “Do Not Knock” Ordinance with the addition of a “Do Not Drop Off” section. This will deter the distributing fliers on doors, etc. The Committee will be cleaning up the language of the “Hawking/Peddling” Licensing which will now be Peddling/Soliciting/Canvassing. Council President Joren said Mr. Cruz should have these ready for the next Council meeting.

REPORTS - OTHER:

7. Engineer – Councilman Nehls gave this report earlier.

8. Police Chief – No report.

9. Fire Department – No report.

10. Rescue Squad – No report.

11. Emergency Management – No report.

12. Attorney – Mr. Cruz had no report.

13. Clerk – Ms. DeRocco had no report.

Mayor Pote called upon CFO Bill Hance, who reported the Green Team met this evening and it was a very productive meeting. There is an action plan set for the Sustainable Jersey Bronze recertification which must be executed by November. He said they have approximately 200 points and only 150 are needed to maintain the status. He will submit preliminary data on or before June 4th.

14. Administrator – Mr. Atkins said the Affordable Housing Committee has had four meeting and the next one is scheduled for May 30th with the hope of making recommendations by the July Council meeting. The Borough has immunity until August 31st. He also reported Director Bill Stahl of the County Communications was here last week evaluating the radio system to see if any possible conversion to the County System would work for Watchung. He said he and the Police Committee went to the County last June to look at their system. Mr. Atkins also reported quick action is needed on the Tower behind the East End Fire House which must be extended and there is a time limit within the next four months. He also said the County is looking at a project to improve Hillcrest Road and said Chief Cina will be the Borough’s primary representative to attend these meetings, to be scheduled within the next ten days, and will include Watchung and Warren. He also mentioned that R-7 on the agenda took much time to work out.

Mayor Pote said he and Councilman Sopko were at the Planning Board meeting Tuesday evening, where the Board went over the Seritage (Sears Building) plans. They discussed the tree replacement plan and impervious coverage.

Mayor Pote also reported he and Councilman Mobus attended the Dare Graduation today which was held at Valley View School and Prosecutor Mike Robertson attended. There were 65 students who went through the program.

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PUBLIC PORTION / AGENDA ITEMS ONLY

Lynda Goldshein, Sherwood Drive, said Phyllis and the T & B crew did a wonderful job. However, they do not want sprinklers. Councilman Nehls said it is an irrigation system not sprinklers. She then questioned the Connell Property and what is being proposed. Councilman Gibbs, with permission to discuss this at this time, said the owner of the property negotiated an agreement with Berkeley Heights to build several hundred apartments along with other uses as part of the agreement when they put a hotel on the site and they are changing their zoning to allow this and using as part of their COAH obligation. Ms. Goldshein then asked if the Fire Department will be contributing to the cost of the renovations and Councilman Gibbs said the building is owned by the Borough and must be maintained by the Borough. This renovation is to make the Fire House ADA compliant. Ms. Goldshein asked about the mural at the Sears building and Councilman Mobus said if it can be removed from the wall the Seritage Company will donate it.

Ray Barrett, Valley Road, said he sent a package today from John Kluthe of the Department of Agriculture and would like to have an idea of when he could contact him to have him attend a Council meeting. Mayor Pote said once all the facts are in place from the Environmental Commission, the Department of Agriculture then we could have him attend. Mr. Barrett would like some input to get back to Mr. Kluthe.

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UNFINISHED BUSINESS

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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.

Prior to the vote Councilman Gibbs requested separate discussion on correspondence #23 and #26.

Council President then moved all items and correspondence #24 and #25 with 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:

May 4, 2017 - Regular Session

Acknowledging Receipt of the following Borough Reports:

Building Department Report – April, 2017
Library Advisory Board Minutes – January 4, 2017
Police Activity Report – April, 2017
Tax Collector's Report – April, 2017
Recreation Commission Minutes – April 5, 2017
Bd. of Adjustment Minutes – March 9, 2017
Planning Board Minutes – February 21, March 21, 2017

Acknowledging Receipt of the following Correspondence:

- #23- Township of Berkeley Heights 5/4/17 Notice of Public Hearing on May 17, 2017 of Master Plan Re-examination Report, including Proposed rezoning of the Connell Company Property c: M & C, TEA, Pl. Bd. (copy available in Clerk's Office or at Berkeley Height's website www.berkeleyheightstwpnj.gov)
- #24- Township of Montgomery 5/8/17 Resolution in Support of Assembly Bill A-4532 / Exempting Personal Information from Open Public Records Act (OPRA) c: M & C, TEA
- #25- PSE&G 5/8/17 (2) Notices of Petition and Public Hearing for Electric and Gas Bas Adjustments Pursuant to the Energy Strong Program, and the Societal Benefits Charge C: M & C, TEA
- #26- Township of Berkeley Heights 5/16/17 Notice of Adoption of Two (2) Land Use Ordinances, and notice of Public Hearing of Two (2) Land Use Ordinances on May 23, 2017 c: M & C, TEA, Pl. Bd.

Councilman Gibbs discussed #23 and 26 and suggested the Borough should authorize having an attorney attend any and all meetings at Berkeley Heights to give input on the upcoming rezoning of the Connell Company Property. He said if this rezoning and consequent building happens it will have a major traffic impact on Valley, Hillcrest and Bonnie Burn Roads in Watchung and will cause grid lock.

This is the time for stressing the need for a full interchange at the Berkeley Heights exit 43. Mayor Pote said plans should be put in place to have this done. Council President Joren questioned what would hiring someone to sit in on all these meetings accomplish, and suggested discussing the interchange issue with the state and also contacting Somerset County Freeholders and asking them to talk to the Union County Freeholders. Councilman Nehls said the Borough has discussed the interchange and both the State and Berkeley Heights ignored us. Councilman Black said Mayor Addario initiated the discussion for the full interchange and was not able to have this issue resolved. Mayor Pote said he would reach out to the Mayor of Berkeley Heights to set up a meeting to discuss this issue. Councilman Gibbs said the Berkeley Heights meeting is scheduled for Tuesday, May 23rd and the Municipal Attorney or someone should attend. Councilman Mobus said just making exit #43 a full interchange will not alleviate the problem caused by a hotel and 300 plus units at the Connell site.

Councilman Gibbs moved correspondence #23 and #26 and also made a motion to have legal representation at the Berkeley Heights meetings. Councilman Nehls seconded the motion and upon roll call the vote was as follows: Joren, "Not Voting", Black, Nehls, Gibbs, Mobus, Sopko, "aye."

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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."

- R1:05/18/17 Purchases Over \$2,000. – Winner Ford (PD – 2017 SUV)
 - NJ Fire Equipment Co. (FD – Cylinders/ Air Packs)
 - Pacific Lawn Sprinklers (B&G – Sprinklers for Islands)
 - Fun Services (Rec – Amusements for Picnic)
 - P & R Concrete (B&G – Refurbish Rock Wall @ Borough Hall)
 - Galbraith Landscape Const. (Tree Fund / Spratford Park Plantings)
 - Pinto Brothers (Ness Cap. / Dumpster)

- R2: Waive Chapter 2-25.10 of the Code – Purchases Over \$2,000. / Sparta Discount Tire
- R3: Authorize Treasurer to Remit Payment – Tax Sale Certificate #14-04 / 50 Dug Way
- R4: Authorize Treasurer to Issue Duplicate Tax Payment Refund / 55 Jared Court
- R5: Authorize Tax Sale Redemption – Certificate #16-16 / 1353 Johnston Drive

- R6: Urging Legislators to Support Action to Re-Authorize the National Flood Insurance Program (NFIP)
- R7: Appointment of Substitute Tax Counsel for Appeal – 600 Mountain Boulevard / Emil Philibosian
- R8: Authorize Professional Services Appointment Special Hearing Officer / Allan C. Roth, Esq.
- R9: Authorize Clerk to Advertise for Bids / Washington Drive Improvements
- R10: Appointment to Volunteer Fire Department / John Schaefer
- R11: Authorize Payment of Accumulated Benefits / Jessica Johanson
- R12: Appointment of Part-Time Clerk - Assessor/Tax Office – Adrianna McKenna
- R13: Urging Legislators to Support Assembly Bill A-4532 – Exempting Personal Information from Open Public Records Act (OPRA)

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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 Council President Joren and upon roll call the vote was as follows: Joren, Nehls, Gibbs, Mobus, Sopko, "aye", Black, "abstain".

- R14: Waive Chapter 2-25.10 of the Code – Gray’s Florist & Greenhouse

Councilman Gibbs introduced Resolution R15, 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."

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PUBLIC PORTION - GENERAL DISCUSSION

Ray Barrett, Valley Road, questioned how the Wildlife Management Committee is structured and how it operates. He wished to know their meeting dates and said the public was led to believe the results of the aerial survey would be open for discussion. Mayor Pote said input is needed from the Department of Environmental Protection and the Department of Agriculture.

Dorey Harvey, Johnston Drive, asked for any suggestions on how to work with the Board of Education and wanted to know if there was any place for parents to meet, and the Library was suggested. Councilman Gibbs suggested to continue using the social media, and that the parents must have their own agenda and continue to communicate with the Board Of Education.

Rachel Funcheon, Cedar Road, said she thought the results from the deer survey would be a more free flowing discussion and the sooner the better since it is a very important issue. Mayor Pote said results were received 2 weeks ago and the Borough is trying to move as quickly as possible. Council President Joren asked who has the survey besides the Mayor and Council and the public, and Mayor Pote said the Wildlife Management Committee, and the Department of Environmental Protection. Council President Joren said there should be a separate work shop meeting and should not be held until September when more residents would be available. It was the consensus of the Council to have a separate meeting for this issue.

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:30 PM to the Call of the Chair and to the next scheduled meeting of the Mayor and Council to be held on Thursday, June 1, 2017 at 7:30 P.M.

Respectfully submitted,

MaryAnn Hance
Deputy Clerk