

**BOROUGH OF WATCHUNG
MAYOR AND COUNCIL
MINUTES
FEBRUARY 1, 2018
7:30 P.M.**

OPENING STATEMENT: Mayor Stephen K. Pote called the meeting to order at 7:35 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 MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD

ROLL CALL

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

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

There were 16 members of the public present

Mayor Pote said there is a noticeable absence on the dais this evening and he explained that Councilwoman Joren resigned as of January 26th after fifteen years as both a Council Member and Council President for six of those years. Ms. Joren retired from her State position after 33 years and it required her to step down from the Council and any other Committee/Commissions that she may have been on for at least six months in order to collect her much deserved pension. He said the Borough appreciates all she has done for the Community but we do wish her all the best in her retirement.

Council President Gibbs said it was a shock to him when Ms. Joren resigned. He was really looking forward to working with her for many years. He said he has learned much from her since he has been on the Council and he will miss her and sad to loose such a valuable person. Council President Gibbs said he wishes her well in her retirement.

Councilman Nehls said Deb has been a valuable member of the Public Works Committee, even though she did not want to be on it and always gave good input. He said he has worked with her for twelve years and she has been a “guiding light” for the Borough and he will miss her.

Councilman Mobus said the amount of time required for a Council Member is tremendous and for her to also have a State position was a dedication many would not do. She will be missed and he wishes her a well - deserved retirement.

Councilman Sopko said any time he had questions she was always there with an answer and very helpful.

Councilman Black said not only Deb but her entire family gave their service to the Borough, County and State level. Her dad, Jack Penn was County Republican Chair. She will be greatly missed but he wishes her well in her retirement.

Mr. Atkins said Deb was Council President when he was hired and he has a different perspective of her than the Council Members since he has worked with many elected officials at different levels. He said she was always organized, prepared, had practical common sense, and diligent in whatever she did.

Mrs. DeRocco said she is happy for Deb to enjoy her retirement, however, she will miss working with her. She said Deb was always in tune with all issues in town, and very responsive when we needed answers or commitments. Mrs. DeRocco said she worked closely with Deb to improve communications, during and after Sandy, and hopefully the residents are benefitting from the changes that were implemented.

PROCLAMATION

Mayor Pote read the Proclamation for “Wear Red for Heart Health” Day, February 2, 2018, (copy attached).

REPORT OF STANDING COMMITTEES:

1. Administration & Finance – Councilman Mobus had no report.
2. Police – No report was submitted.
3. Public Works / Buildings and Grounds – Councilman Nehls reported the Committee met on January 26th with Tom Herits and Bob Burns and discussed the Lease Agreement with Weldon, saying they are ready to move forward. The cost for the shed and preparation of the site, etc. will be \$170,000. He said they will be fencing the area off. The Committee also discussed possible 16 road projects for the year at a cost well over \$800,000. He said they will be looking at all and setting priorities and get a list to the Mayor and Council. Councilman Nehls said there were two grant applications submitted, High Tor and Scott Drive, and if we are awarded both the Borough would need to pay fifty percent of the cost. The Committee is recommending a budget of \$400,000 to \$500,000 for roads. Councilman Nehls then reported the East End Tower must still be moved and raised approximately 50 feet and the cost estimate to do this is \$150,000. Councilman Nehls said there is a purchase order for Wayne Boylan Contracting to remove the main building at the Ness property and it is hoped the remediation will be done in the one area this year. He also said the Recreation Commission and the Open Space Committee have recommended Plan “C” for the Ness property and the Public Works Committee is in agreement with this and it is hoping to go to the County for a grant for the project. He said they are still interested in saving the wood from the barn, if possible, and Administrator Atkins said he was reaching out top possible companies who have not responded to him. Councilman Nehls suggested the possibility of advertising since the wood is valuable. The Committee also would like to complete the Alan/Ross Pond at a cost estimate of \$350,000. Bob Burns submitted several items to take care of including air dryers, the 911 Memorial, cross walk on Brookdale and fencing around Watchung Lake for goose control.

Councilman Nehls then explained there was a Resolution passed at the last Council meeting to expand the contract for the firehouse renovation which included a fire suppression system in the hood. The original contract did not show a need for this but it was later determined it is a requirement. The Public Works Committee has pulled that part of the contract and will possibly go out to bid for this.

Prior to making a motion Councilman Nehls said both Ed Bennett and David Maas are here to answer any questions regarding this.

With no one having any questions Councilman Nehls made the following motion:

WHEREAS, on January 18, 2018, the Council of the Borough of Watchung adopted Resolution R14, authorizing a Change Order to Cypreco Industries, Inc. in the amount of \$107,374.75; and

WHEREAS, the Council of the Borough of Watchung desires to modify that Change Order to remove the fire suppression system from Change Order #1; and

WHEREAS, the Borough’s Qualified Purchasing Agent is hereby authorized to follow the Local Public Contracts Law to solicit quotes or bids for the fire suppression system; and

WHEREAS, the Borough Engineer has been directed to notify the contractor that the change order has been modified.

NOW, THEREFORE, BE IT RESOLVED, this Resolution will be formally memorialized and ratified at the next scheduled Council meeting to be held on February 15, 2018.

Council President Gibbs seconded the motion and upon roll call the vote was as follows: Gibbs, Black, Nehls, Mobus, Sopko, “aye.”

4. Public Affairs:

Open Space – Councilman Sopko had no report.

Environmental – Councilman Sopko reported the Committee met on January 22nd and discussed the Bridgewater Township Resolution opposing the NJ Department of Agriculture’s current Bee Keeping Regulations. He said the Committee would like the Mayor and Council do a resolution to support this opposition. They also discussed the recycling bins for oral hygiene waste (toothbrushes, toothpaste tubes) and egg cartons and a possible location for these, possibly at the library to start. He said they are looking at locations for collecting and recycling styrofoam with the possibility of joining with Warren. The Committee is working on an article for the upcoming newsletter. Councilman Sopko also said the Ash Bore Beetles are affecting our trees in the Borough. He said the trees start to die from the top and want residents to be aware of dead branches which could fall.

Mayor Pote said Environmental Commission member Joan Tak has her own bees and he said many bees are being wiped out. He said he supports this resolution.

Council President Gibbs said there are more than twenty-four million Ash trees in New Jersey and almost all will be gone within twenty years. He suggested residents should look into replacing these trees with other types. Council President Gibbs said there is also a yellow ash disease, which is fungal, that has the same effect on these trees.

Recreation – Councilman Mobus had no report but wished to express condolences to one of the Commissions’ members, Michael Onuska and his family on the loss of his father.

Historical – Councilman Mobus reported the Texier House Museum will be closed this coming Sunday. He also said Diddy is diligently working on the Strategic Plan for 2018.

Board of Health – Councilman Black had no report. The next meeting is March 21, 2018 at 7 PM. He asked the Council if they had any opinions regarding the possibility of legalizing cannabis in the Borough.

Council President Gibbs said he would have questions from all states on recreational marijuana, saying that even if the State were to legalize it the Federal Government has not and a person still could be considered as driving under the influence. Council President Gibbs was opposed to legalization.

Councilman Nehls said he attended a Governing Officials meeting and the speaker pushed for legalizing this. He said Deb was in favor of legalizing this but he is against it. He feels this is a “gateway” drug.

Mayor Pote said this is irresponsible legislation except for medicinal purposes which he is in support of. He said Chief Cina spoke to kids during several sessions at the school about marijuana and told them to not fool themselves – this is a “gateway” drug. Mayor Pote said he would not support legalizing it in the Borough.

Councilman Black thanked them for their opinions and he will present them to the Board of Health.

Councilman Black then informed the Council that Wendy Robinson dropped off a draft resolution regarding the Delaware River Basin Committee, in particular about fracking, dumping wastewater and many other things. Councilman Black said she hopes the Council will endorse a resolution showing the Borough’s opposition to this and send it to the State.

Mayor Pote said the water sheds must be protected and he is very supportive of this.

5. Fire – Councilman Black reported he attended a Committee meeting and he said everyone is looking for the renovation project to be completed. He said Chief Pivnichney will give a report later this evening.

6. Laws/Ordinances – No report was submitted.

REPORTS - OTHER:

7. Engineer – No report was submitted.

8. Police Chief – Mr. Atkins said Police management are now screening candidates for the vacancy at Department. They will give their recommendation on the person they suggest shortly.

9. Fire Department – Chief Pivnichney reported on 2017 statistics and the members who had the highest attendance. He also reported the Department purchased substantial protective equipment and extrication equipment. Chief Pivnichney said they have researched the fire apparatus are recommending the replacement of the 1988 and 1996 vehicles with one unit. He said they are in the process of modifying the specifications to bring the cost of the vehicle lower. He said the department is looking at a FEMA Grant for a Rescue Protection Plan Class and also he said the first floor of the firehouse should soon be completed. Mayor Pote mentioned the mutual aide calls the department participated in and the Chief said they responded to a house fire in Warren and he said the towns are fine tuning the mutual aide program. He also said that the basic training for firemen is over 200 hours. Councilman Black commended all members who participated in the ice rescue drill. Chief Pivnichney said they are also looking at swift water training with a minimum of 16 hours.

10. Rescue Squad – No report

11. Emergency Management – Mr. Atkins said Gary Greves was in attendance at a County meeting and will report back..

12. Attorney – Mr. Cruz had no report.

13. Clerk – Ms. DeRocco had no report

14. Administrator – Mr. Atkins said R7 is an agreement with Somerset County for recycling. He also said the Federal Department of Transportation on January 1, 2018 made it mandatory for drug and alcohol/opioid testing for a person who applies/renews a CDL License. The Borough will require the same. Mr. Atkins said the Annual Financial Statement will be ready within the next 10 days and he and Bill will discuss it with the Administration Finance Committee. He said they are working on the 2018 Budget and will have it to the Mayor and Council and introduce at the March 15th meeting.

Mayor Pote said he sent everyone the information regarding the Library Grants and requirements but the application is not available yet. He also said he has been discussing a park/ride program with Warren. Mayor Pote said he attended a Mayors task force on one seat ride rail connection to see if it is possible to get better service for the Raritan Valley Rail system. This line is only allowed direct access to New York only on weekends and mid-day.

PUBLIC PORTION / AGENDA ITEMS ONLY

Dennis Bakos, Brook Drive, said he would be very grateful for any support for the Raritan Valley Rail system.

UNFINISHED BUSINESS

A Public Hearing on Ordinance OR:18/01 entitled: “AN ORDINANCE AUTHORIZING THE BOROUGH OF WATCHUNG MAYOR AND CLERK TO SIGN A LAND LEASE AGREEMENT BETWEEN THE BOROUGH AND WELDON MATERIALS, INC., FOR LOT 4, BLOCK 78.01 TO HOUSE A SALT STORAGE DOME BUILDING AND ACCESSORY IMPROVEMENTS.” was held.

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

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

R1:02/01/18 Adoption of OR:18/01 – Authorize Land Lease Agreement for Salt Storage /
Weldon Materials

NEW BUSINESS

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

Approval of the following Council minutes:

January 18, 2018 / Special Meeting, Executive Session, and Regular Meeting

Acknowledging Receipt of the following Borough Reports:

Board of Health Minutes / November 29, 2018
Watchung Historical Committee / 2017 Annual Report
Tax Collector’s Report / November, December, 2017
Board of Adjustment / 2017 Annual Report

Acknowledging Receipt of the following Correspondence:

#4 - Debra Joren 1/20/18 Letter of Resignation, as a member of the Borough Council
c: M & C, TEA, AC

#5 - Township of Bridgewater 1/1/18 Resolution opposing the NJ Department of Agriculture’s Current Bee Keeping Regulations and Requesting Legislation and Regulations which will Protect Bee Keepers and Non-Bee Keepers c: M & C, Environmental Comm.

CONSENT AGENDA RESOLUTIONS

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

R2:02/01/18 Purchases Over \$2,000. - Thyssenkrupp Elevator Corp. (B&G – Service Agreement)
Wayne H. Boylan Contracting, Inc. (Demo of Main House
on Ness Property)

R3: Waive Chapter 2-25.10 / Brooklyn Press

R4: Authorize Payment of Tax Sale Certificate #16-11 / 117 Johnston Drive

R5: Authorize Submission of Recreation Commission Grant Application – State of NJ/Dept.
of Law & Public Safety- Juvenile Justice Commission

R6: Authorize Appointments – Jacqueline Lee / Green Team; Michelle DeRocco / PACO
(Public Agency Compliance Officer)

R7: Authorize 2018 Recycling Agreement / Somerset County

NON CONSENT AGENDA ITEMS

None

PUBLIC PORTION-GENERAL DISCUSSION

Mr. Atkins reminded the Public about the 3 minute rule and said if there is discussion between Council and the person the timer would be stopped and resumed once discussion is completed.

Peter Martino, Sunbright Road, asked if the County is going to share in the Salt Facility and Councilman Nehls said not at this time and Mr. Atkins said there is no commitment from them yet. Mr. Martino then asked about the East End Tower and where it will be placed and Mr. Atkins said it will be on the same side but 75' closer to the Road. Mr. Martino suggested asking Berkeley Heights if the tower could be placed at the Connell property. Councilman Nehls said Mr. Atkins can look into this.

Denise Cohen, Hill Hollow Road, said she is very concerned about the incident on Johnston Drive where a home was broken into and a Police badge, gun, uniform, etc. were stolen. She asked why no one was informed of this, saying learned about it from a co-worker who heard it on the radio. Mayor Pote explained the incident is still under investigation.

Virginia Hartmann, Ellisen Road, came forward with all of the material that has been gathered over the past seventeen years into the benefits of having a library in town. She said Council has made no decision for many years and still there is no answer on the cost for the library and no plans or blue prints. She also wanted to know if the Borough will be asking for the construction grant. She said they have many volunteers ready to start fund raising. She asked what questions does the Council have and what more do they have to discuss? Mayor Pote said this will be on the agenda in the very near future.

Tamara Benc, Lakeview Avenue, said it is very frustrating that nothing has been decided and plans have come to a halt. She said it is unacceptable that members of the Council, who are supposed to be looking to help the community, allow personal feelings to determine whether or not to go forward with the library renovations.

Dennis Bakos, Brook Drive, said he is also on the Watchung Board of Education and would like to know about the Affordable Housing situation. Mr. Cruz explained the Judge has extended the temporary immunity for the Borough until June 30th, which is the next deadline to make a decision to either extend the immunity again or if there is an acceptable plan present that for approval.

Margaret Ellis, Valley Road, said the residents made a point when they voted yes to the State question for the library bond construction grant funds this past November.

ADJOURNMENT

There being no further business to come before the Council the meeting was adjourned at 9:00 P.M. to the Call of the Chair and to the next scheduled Council meeting Thursday, February 15, 2018 at 7:30 P.M.

Respectfully Submitted,

MaryAnn Hance
Deputy Clerk