

**BOROUGH OF WATCHUNG
MAYOR AND COUNCIL
MINUTES
SEPTEMBER 20, 2018 - 7:35 P.M.**

OPENING STATEMENT: Mayor Stephen K. Pote called the meeting to order at 7: 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. MAYOR STEPHEN POTE TOOK A MOMENT OF SLENCE FOR FORMER POLICE CHIEF SEAN WHELAN.

ROLL CALL:

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

Also present were Attorney Albert Cruz, Clerk Michelle DeRocco, Administrative Assistant Regina Angelo and Borough Engineer Tom Herits.

There were 20 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance- Councilman Mobus said the Committee met Tuesday morning and the lease arrangement with the Fireman's Exempt Hall was discussed. The list of requirements were received from the Exempts and a lease will be drafted soon by Mr. Cruz. The terms will include the Exempts turning the building over to the Borough in exchange for a 0 dollar 25 year lease on the lower level. He said there will be no acquisition cost to the Borough in exchange for the building and the Borough will assume all operating costs and expenses. The Borough will gain access to the second floor to be used as a Community Center. He said in the future there could be addition to expanding the building. A portion of the space will be utilized for OEM and possibly an office for the Recreation Department. We have engaged our grant writers to explore possible FEMA grants which can assist with the building expansion and improvements. He said we have been in contact with the head of the Somerset County Library System and they are receptive to using the Community Center as a venue for some of our existing library programs. There was discussion on the Park and Ride program and we did discuss the process with officials from Warren. RideWise of Somerset County has been engaged to survey our residents at no cost to the Borough. Councilman Mobus also said the electronic survey will be on the Borough website by October 1st and will be up for about eight weeks. Councilman Mobus also noted the Bond Ordinance on tonight's agenda for some necessary purchases totalling \$1,351,000.00, which will include \$700,000 for the communication equipment for police dispatch including the tower, \$201,000. which is the last installment needed to replace the Fire Department apparatus, replacement of the dam at Ross/Allan Pond, and \$400,000. for an engineering survey of Watchung Lake.

Mayor Pote asked if the terms for the lease agreement on the Exempt Hall will be documented and. Councilman Mobus replied they will be.

2. Police- Council President Gibbs commented regarding the items being purchased regarding the Bond Ordinance - the 911 and dispatch communications equipment is being replaced and also new hand-held radios for our Police Department that will be dual-band. He said a shared service agreement was looked into with Warren but it was determined that it would not result in any savings for the Borough. Councilman Black asked about possibly raising the radio tower. Council President Gibbs said we cannot just raise the structure and it isn't engineered for expansion but it will be built higher, when we decide on a new location.
3. Public Works / Buildings and Grounds - Councilman Nehls read a list of roads that have been milled and ready to be paved early next week. He said Ellison Road, Lakeview Terrace, and Parlin Lane will be resurfaced after drainage work is done. He said Public Works dug the trenches for the electric behind the 911 Memorial, and Bold Electric did the wiring. He said the hot water heater at the Fire House has been replaced.
4. Public Affairs:

Environmental – No report

Recreation – Councilman Mobus had no report other than Saturday at 9:00 A.M. is the Jerry Mobus Fishing Derby and October 13th is the Harvest Festival.

Historical – Councilman Mobus thanked Councilwoman Alberto for attending the meeting at the Texier House and sharing a lot of information related to the Ness property with the group. He said the Committee will be sending members over to gather items with historical relevance. He also said the Committee is interested in preserving some of the Ness history and they intend to do a display in the Texier House. He said Councilwoman Alberto also suggested to the Committee to have the 7th and 8th grade students attend the Texier House annually as a class trip. Councilman Mobus said he is working on having the ceiling tiles replaced. He said Saturday October 13th and Sunday October 14th the Texier House will be open as a host museum for the Somerset County “Weekend Journey Through the Past”. He said the Committee is taking a pause on recommendations about where to put the mural but they would like it to remain in Watchung. He said next year Diddy Addario will be stepping down as Chair and is nominating Amber Murad as the next chairperson. Mayor Pote said there has been a lot of evolution over time with what has been done and we continue to make great use of that space. Councilman Mobus also suggested the 7th and 8th grade students visit Borough hall to see how municipal government works. He also said that additional copies of the Reflections of Watchung DVD are being made and everyone on the Council will get one.

Board of Health- Councilman Black said our next meeting is in October. He said he met with the interim Superintendent of Schools, Stephanie Bilenker and the following day Kevin Sumner, Board of Health Director and Board Chair Bruce Ruck met with her as well. He said they offered their assistance and help with the school system for the future of the schools.

5. Fire – Councilman Black commented that a meeting was held this morning with Mr. Pete Martino and he outlined for us his position on the future of our town and the use and need for certain emergency vehicles. He praised Mr. Martino on his presentation.

6. Laws/Ordinances- Councilman Black said there is a meeting scheduled tomorrow at 8:00 A.M.

REPORTS - OTHER:

7. Engineer – Mr. Herits commented that milling and paving started and it included the concrete work for the salt shed on New Providence Road. The bids for High Tor Drive will be received Thursday and award of contract at the next council meeting. Councilman Nehls said we are putting off paving the municipal lot until the October round because it was supposed to be done today but we did not want to disrupt the Council meeting. Mr. Herits noted the Resolution to apply for DOT grant funding is on the Agenda tonight and asked if the council had any suggestion for roads to let him know so he can get a cost estimate because they will be bundling a number of streets together and making one application. He said he was going to request money for Scott Drive and Rock Road. He said the Sears project is moving along and the Contractor said the theater wants to be open by Valentine’s Day.

8. Police Chief – No report.

9. Fire Department – No Report.

10. Rescue Squad – No report.

11. Emergency Management- Mr. Atkins said work has begun on the Emergency Operating plan.

12. Attorney- Mr. Cruz said the Planning Board adopted a Resolution recommending to the Mayor and Council that the property on Bonnie Burn Road be designated as an area of non-condemnation redevelopment and at the October 4th meeting the Council will consider that recommendation from the Planning Board. Mr. Cruz explained that declaring this property as an area in need of redevelopment does not grant approval, it just authorizes proceeding to the next step, which is to prepare a redevelopment plan. He said there is no executive session this evening.

13. Clerk – Clerk Michelle DeRocco had no report.

14. Administrator – Mr. Atkins complimented State government for the recent change in the pension law, noting how it recently affected former Councilwoman Joren’s ability to continue to serve the Borough, after her retirement from her job. The new law now states that volunteers do not have to wait six months to serve in a volunteer capacity without putting their pension at risk.

Council President Gibbs reported that as being the liaison to the School Board he met with interim Superintendent Stephanie Bilenker and Board President Margo Langer. He said it was a good meeting and they are looking at whether crossing guards are appropriate at some locations in the town under the model crosswalk guidelines. He said the police will study and determine if crossing guards are appropriate and if they find out that they are, the financial responsibility will be that of the Borough’s and will be a significant cost.. He said there will be an increased random police presence in all the schools. He said he will be meeting monthly with the school officials. Council President Gibbs also reported on the informal Library Committee and wanted to clarify information posted on social media and stated in

council chambers in regards to the library construction bond act. He said regarding the bond issues we are being told that the regulations for the application process won't be complete until at least the winter of 2019. He said the applications won't be released until March or April of 2019. He said timelines and information is posted on the State of New Jersey Libraries' website. He commented on the new interim superintendent being a breath of fresh air and putting in place a lot of reforms to impact the schools quickly and positively.

Mayor Pote thanked Mr. Cruz for explaining the need to study the Bonnie Burn property as an area in need of redevelopment. He also said he and Councilman Sopko sit on the Planning Board and said that the Laws and Ordinance Committee had given the Board for their review a draft of an ordinance amending the Code for short-term rental properties. The Planning Board was supportive of the content of the ordinance. Mayor Pote said some of the short-term rentals were negatively impacting the Borough. Councilman Sopko commented that it is important to protect property values without hindering property owner's rights. Council President Gibbs commented on the "Airbnb" rentals as being a quality of life issue for the Borough. He said commercial use of a property in a residential zone needs to be regulated.

Mayor Pote thanked Councilman Mobus and Councilwoman Alberto for attending the event at Shop Rite called Partners in Caring where they bagged groceries. He said about 7 officers from our Police Department also participated. He said it was a great experience and helps enforce the bond between the ShopRite and the leadership of the town.

PUBLIC PORTION / AGENDA ITEMS ONLY

Mayor Pote asked the public to keep their second time coming up at the microphone for just clarification purposes.

Pete Martino, Sunbright Road, said this was a continuation of a question asked at the last council meeting regarding the fire apparatus replacement and if it was going to enhance and increase public safety and fire fighter safety. He said he still has not received an answer on this question. Councilman Black responded he believes the new equipment will increase fire safety. Mr. Martino asked questions regarding the use and purpose of the new piece of equipment and then provided his thoughts. He asked if we are guaranteed mutual aide. He inquired about the credentials of the members making decisions on the Fire Committee. Mr. Martino commented on a video he posted regarding what goes through a Fireman's head during the process. Mayor Pote asked if the video has been passed out and requested a copy. Mr. Martino said the video will be posted tonight. Councilman Black said the Fire Chief should be the one to answer the previous questions. Council President Gibbs asked if he had any information on the process of what other towns do to select their equipment. Mr. Martino replied he could go from town to town to gather that data. Council President Gibbs said if there was a better process they should be following to please make the Council aware of it. Mr. Martino asked if the third piece of equipment is going to the East End fire house, and Councilman Black responded he would answer his question at a later time.

Tom Franklin, 33 Wildwood Terrace, started to comment on Councilman Mobus' report about the Exempt Hall. Councilman Nehls called for a point of order and said the item Mr. Franklin is bringing up is not a listed agenda item. Councilman Nehls said this portion is only for agenda items. Mr. Franklin sat down and said he would wait until the next public portion to speak his comments.

Florence Swanstrom, Johanna Lane, asked a question regarding the library construction bond. Councilman Nehls called for a point of order and said comment up for discussion is not an agenda item.

UNFINISHED BUSINESS

None

NEW BUSINESS

CONSENT AGENDA: The Consent Agenda Items listed below were unanimously accepted, following a motion by Council President Gibbs and a 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:

September 6, 2018 – Regular Meeting

Acknowledging Receipt of the following Borough Reports:

Recreation Commission Minutes – August 1, 2018 Special Meeting
Library Advisory Board Minutes – May 2, 2018
Board of Adjustment Minutes – September 13, 2018
Historical Committee Minutes – June 20, 2018
Traffic & Beautification Minutes – September 10, 2018

Acknowledging Receipt of the following Correspondence:

- #29- Joe Nicastro, Jr. 8/23/18, Letter to Ed Bennett, informing of his intent to retire as a Plumbing Sub-Code Official, effective December 31, 2018 c: M & C, TEA
- #30- Township of Scotch Plains 9/4/18 Notice of Public Hearing to Consider the Adoption of a Master Plan Reexamination Report” c: M & C, TEA, Pl. Board
- #31- JCP&L 9/4/18 Notice of Filing and Public Hearings for Basic Generation Service Charges, as of June 1, 2019 c: M&C, TEA, Post

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

- R1:09/20/18 Purchases over \$2,000 – Predator Tree Service – (PW – Tree Removal)
– Communications Specialists – (PD – Annual Radio Maintenance)
- R2: Authorize Submission of Grant Application – NJDOT/2019 Various Roadway Improvements
- R3: Appointment of Member to Volunteer Fire Department – Chad Springer
- R4: Appointment of Member to Green Team – Joan Tak
- R5: Authorize Person to Person Transfer of Liquor License – Rick’s Liquor Shop, LLC to the Wine Cellar of Watchung
- R6: Authorize RideWise to Manage Resident Survey/ Park –n-Ride

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

R7:09/20/18 Capital Amendment / 2018 Budget

Introduction of Bond Ordinance OR:18/15 entitled “BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND A NEW FIRE TRUCK (PARTIAL FUNDING), INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,351,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.” Public Hearing to be held on October 4, 2018.

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

R8: Introduction of Bond Ordinance OR:18/15 – Authorize Various Public Improvements

Council President Gibbs requested that R9 be “tabled.”

R9: Authorize Forest Health Evaluation – Raritan Valley Community College

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

R10: Payment of Bills

PUBLIC PORTION - GENERAL DISCUSSION

Tom Franklin, Wildwood Terrace, commented on Councilman Mobus Report on the cost of the Fireman's Exempt Hall being used for a Community Center and for other things that you don't know what the cost would be right now. He also asked on if the Borough was hoping to receive library funds to work on the Exempt Hall building compared to putting up a full-service library. He said a full service library might not be that far a shot cost wise from what the council wants to do to the Exempt Hall. He also commented on the usage figures provided by the Somerset County Library System and said they are inaccurate, as they only reflect the number of times that a library card is being used, and not what it is being used for or multiple transactions on each card. He said the figures show Warren has as many participants as Watchung but that there are flaws in this diagram. He said the figures are misleading and do not tell about full service or amount of visits for all purposes.

Hans Juetta, Elsinore Drive, said we keep on hearing about a vague Community Center and maybe we need a Committee of Watchung citizens to head it. He said he would volunteer to be on this Committee – he recommended surveying residents to see what the needs for this building would be, and then we could sit down with an architect to discuss it. He asked for a Committee to be appointed without members of the Council sitting on it. He spoke on the campaign literature he received and asked what the Council sees as the benefit of closing the library. He said he has been asking this question and would really would like the council to answer them.

Councilman Black said at this point in time we are not closing the Library until we have a facility to move Library services into another facility. Mayor Pote asked Councilman Mobus to document, when the time is right, what exactly the plans for the Exempt Hall are. He also said the original discussion on the Library Committee was to include members of the public, when the time was right.

Margaret Ellis, Valley Road, said that the Borough is still going to need to maintain the building at 12 Stirling Road, whether it is maintained as a Library or not. She thanked Councilman Black for looking into getting that building painted, and also thank you again to Councilman Black for stating that the Library will remain open until another option is found, and lastly, Ms. Ellis said she wanted to remind all that the majority of residents want a "full service" Library, citing the newest total of signatures on their petition which is up to 800, and when they go door to door, 6 out of 7 residents say they want a Library.

Angela Della Ventura, Upper Drive, said it was just stated that the Council wants to maintain a Library and asked what steps have been taken to that end? Councilman Black said he is obtaining estimates to maintain the building, through the Department of Public Works.

Ray Barratt, Valley Road, said he has been doing research on zip codes, which the Post Office ultimately feeds information to things such as insurance rates, crime statistics, real estate, etc., and said he was wondering if it was worth looking into separating the commercial portion of Watchung, such as Route 22 into ie. Zip code "a" vs. zip code "b." Mayor Pote said this is an interesting concept, it would require some research. Mayor Pote recalled the efforts of former Mayor Addario who exerted much effort to get Watchung their own zip code. Council President Gibbs agreed that this is an interesting concept.

Rachel Funcheon, Cedar Road, questioned Resolution R1 and asked which trees were being referred to and Administrator Atkins explained that these are municipal trees.

Pete Martino, Sunbright Road, said in regard to the Laws & Ordinances' proposal for a short-term rental Ordinance revision, he has personal worked up an entire program dedicated to this, noting that every time occupancy is changed, an inspection needs to be done. Councilman Sopko said that there is State Code on these occupancies. Mr. Martino advised that if Councilman Gibbs thinks he has a "personal agenda" he is wrong, that he has been volunteering in this town since he was 16 years old, and said 'don't question me.' Council President Gibbs said he never implied Mr. Martino has an agenda.

Phyliss Juetta, Elsinore Road, asked who takes care of the weeding & mulch at the Library? Councilman Nehls said the Public Works Department does it, as he explained in is email to her.

Angela Della Ventura, Upper Drive said she was disappointed to hear at the last meeting a comment from someone who said older people do not use a Library. She said she reviewed documentation from the SCLS and 23,852 items were taken out by young people.

Tamara Benc, Lakeview Avenue, asked how one would obtain the names of the members of the Exempt Hall, and Councilman Black said he would provide this information to her.

Lindsay Goodloe, Upper Drive, asked how the Park n Ride survey is going to be publiced, and was told it would be through the website, resident email, press release from the Echoes. Ms. Goodloe said she wished to echo the comments from the people in support of a Library.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:30 P.M to the Call of the Chair and to the next meeting scheduled to be held on Thursday, October 4, 2018 at 7:30 P.M.

Respectfully submitted,

Regina Angelo, RMC
Administrative Assistant