

**BOROUGH OF WATCHUNG  
MAYOR AND COUNCIL  
MINUTES  
FEBRUARY 7, 2019 - 7:30 P.M.**

**OPENING STATEMENT:** Mayor Keith S. Balla 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 a MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD. Mayor Balla also asked for a moment of silence for recently deceased residents Fred Malchow and Henry Scotti, brother of long time employee Donald Scotti.**

**ROLL CALL:**

Gibbs [ P ] Black [ P ] Nehls [ P ] Sopko [P] Goodloe [ P ] Eisenberg Knegten [ P ]

Also present were Administrator Tom Atkins, Clerk Michelle DeRocco, and Administrative Assistant Regina Angelo

There were 25 members of the public present.

**REPORT OF STANDING COMMITTEES:**

1. Administration & Finance – Councilman Sopko said a meeting was held on January 30<sup>th</sup> and primarily discussed was the large number of personnel changes coming up this year. He said we are very lucky to have Mr. Atkins' experience helping us through this process. He said there were some minor upgrades to Borough Hall discussed, archiving of the Borough's records, and also a possible mailing to residents that Councilwoman Goodloe will be discussing. Councilmember Sopko said he may be discussing the status of the assessments at the next Council meeting.

2. Police – Council President Gibbs mentioned R1 on the agenda which is a contract up for approval with Motorola Solutions for the Police handheld equipment. He also said the screening process has begun to hire the two additional police officers so we can be back at our full number of 30 officers. He said there has been a long standing issue on how our community is portrayed with our crime statistics. He said this is due to the higher number of nonviolent crimes on the highway being indexed as violent crimes by the FBI which makes our statistics comparable with places like Newark and Patterson. He also said there are continuing efforts to reach out to State officials regarding the exit of off Hillcrest Road to restrict the trucks and heavier vehicles from coming down it. He said he will keep everyone up to date once he hears back from the State.

3. Public Works / Buildings and Grounds – Councilmember Nehls said he has no report for this evening but there will be a meeting after February 14<sup>th</sup>. He said we did receive a letter from a resident thanking Borough employees, Arlene McCoy and Maria Fittipaldi expressing his appreciation for their assistance. He also said there was an informal meeting held in Council Chambers last night and he wanted to publically apologize for recording the meeting without announcing it.

4. Public Affairs:

Environmental –Councilwoman Goodloe said the Commission met and held a productive meeting. She said there is a vacancy on the Commission and asked if anyone is interested to please apply. She mentioned the Commission is working on a public outreach campaign to education residents on the tree preservation ordinance. She also mentioned increasing the tree bank fee. She said the purpose of the ordinance is to keep our trees where they are. She said the Watchung/Warren Green Fair is scheduled for April 27<sup>th</sup> which is meant to commemorate Arbor Day and Earth day. She also mentioned the possibility of obtaining a bin from a company called TREK. She advised residents they can recycle their plastic bottle caps at the library.

Recreation – Councilman Black reported that Brook Hill Swim Club will either be shutting down or selling the property, therefore, the summer camp will not be able to be there this year. He said the Recreation Commission is looking at alternative places, such as Round Top Swim Club facility in Warren. He noted the Commission is working on upcoming events such as the Easter Egg Hunt and possibly a music in the park event, and also that they are working on getting some shading in areas of the playground.

Historical – Councilmember Black said there is a meeting scheduled for February 21<sup>st</sup>. He also commented they will be talking about the fundraising coming up for the mural.

Board of Health – Councilmember Sopko said the next Board of Health meeting is scheduled for the 27<sup>th</sup> and he will have a full report after the next meeting.

5. Fire – Councilmember Eisenberg Knegten said she attended the Installation Dinner and announced the awards that were given. She also said there is a Resolution on the Agenda tonight to approve the Fire Department member's stipends.

6. Laws/Ordinances – Councilmember Black had no report.

Mayor Balla asked if there were any Council Liaison reports:

Youth Services – Councilmember Eisenberg Knegten had no report.

Wildlife Management Advisory Committee – Council President Gibbs had no report but said quarterly dates have been proposed for the Wildlife Advisory Committee. He said we have received a proposal from a vendor regarding the deer count. He also said it doesn't look like we will be able to fit the aerial survey in this year.

Planning Board – Councilmember Sopko said the next Planning Board meeting is scheduled for February 19<sup>th</sup>. He reported that construction is progressing at the shops at Watchung. He said this redevelopment will be the most significant increase in our commercial ratable base since the Watchung Square Mall was built.

Board of Education – Councilmember Eisenberg Knegten said the PARCC scores were presented at the last Board of Education meeting comparing our district with other school districts. She commented that our schools are not scoring where they should be in mathematics. She also said that the interim Superintendent is looking into other districts curriculum and will be sending our teachers on professional development seminars to help improve our scores. She said there is an aggressive timeline to have a new playground installed by April at Bayberry school.

Municipal Alliance – Councilmember Goodloe had no report.

Library Advisory Board – Councilmember Eisenberg Knegten said the Library Advisory Board met on February 6<sup>th</sup> and a subcommittee was created. She said the meeting was well attended of members with great opinions and ideas. She said we are still in a holding pattern involving the Library State matching funds. She commented that our first "Chat with the Council" was held on Wednesday night and we hope to continue more of them with a rotating attendance of Council members. Councilman Black asked if there was a decision made on the location for the Library. Councilwoman Eisenberg Knegten commented there was no location decided yet.

## **REPORTS - OTHER:**

7. Engineer – No report.

8. Police Chief – No report.

9. Fire Department – No Report.

10. Rescue Squad – Diddy Addario reported that both ambulances successfully passed the district inspection. She also said there were repairs and upgrades approved for the building and work will begin this month on them. Council President Gibbs asked if they applied for any PSE&G programs for assistance with the upgrades to the building. Ms. Addario said she is not sure if they applied for assistance but will inquire about it.

11. Emergency Management – Mr. Atkins said there is a meeting scheduled for next Thursday with the Mayor and the County of Somerset. He said during the meeting they will be talking about proposals submitted by the County for shared support with OEM activities. Councilmember Black asked for an update on the tree maintenance in town.

12. Attorney – Mr. Cruz had no report and said there is no Executive Session tonight. He would like to address the Council before the ordinances on tonight's agenda.

13. Clerk – Ms. DeRocco thanked Linda Monetti for putting together another successful "Go Red for Heart Health Day" and special thanks to resident and cardiac nurse Joan Helfman for coming to speak with us about living a healthy lifestyle and doing blood pressure screenings. She also said through generous donations we were able to raise \$358.00 for the American Heart Association. She also thanked Cindy Homer and the Hearts of Watchung for asking us to assist in a food drive to replenish the Somerset County Food Banks. She thanked all those who donated and estimated we collected at least 2000 pounds of food and supplies.

14. Administrator – Mr. Atkins commented that the food drive was very successful. He reported that the budget preparation is being worked on diligently. He said he hopes to have special attention towards appointing a professional company to help with the implementation of the Affordable Housing mandate. He brought up the personnel vacancies, and said regarding the Fire Official position he is attempting to come up with potential finalists and Mrs. DeRocco and Mr. Hance will take part in the interview process for their opinion. He said the owner of the property where the East End Fire House is located reached out regarding the radio tower on the property and asked for it to be relocated as soon as possible.

Councilman Black asked if the funding will come from the COAH money set aside in the special account. Mr. Atkins said yes it will come from the affordable housing trust fund where it's the responsibility for the Borough to pay.

Mayor Balla congratulated Annika Schmidt, a Watchung resident and graduating senior at Watchung Hills Regional High School for being named one of the candidates in the 2019 U.S. Presidential Scholars Program.

Mayor Balla read the following statement:

*"I thank all of our residents who have come forward to volunteer for the various committees and be involved in the activities and programs and projects within our community. The responses and interest in community volunteerism is fantastic. I sincerely hope that everyone will work together for the long term benefit for Watchung and all of our residents. Each of us may have our own opinions which are to be respected as we work together for the common good. Everyone I have met with has expressed their underlying objective to do what is in the best interest of our residents. I value everyone's opinion and interest and ask that everyone be respectful and caring for all of our neighbors and the employees within our town who strive to serve all of the people with honesty respect and dignity. We encourage volunteerism within our community for all of our residents to recognize the value and importance of unity and helping our neighbors and friends. We are gathering information regarding the Library, Community Center, Arts Center building, and Recreation to plan for the needs of our residents in a fiscally responsible manner. We ask our residents and business for ideas and input to provide solutions to the affordable housing requirements. We will continue to expand our recreation activities for families and all of our residents involvement. I encourage and welcome additional volunteers for our Arts Center and Recreation committees to expand the programs and activities."*

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### **PUBLIC PORTION / AGENDA ITEMS ONLY**

Mr. Atkins reiterated that this portion of public comment is only for items listed on the agenda of the Mayor and Council.

No one from the Public wished to be heard.

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### **UNFINISHED BUSINESS**

None

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### **NEW BUSINESS**

**CONSENT AGENDA:** The Consent Agenda items, were unanimously adopted following a motion by Council President Gibbs and a second by Councilmember Nehls and upon roll call the vote was as follows: Gibbs, Black, Nehls, Sopko, Goodloe, Eisenberg Knechten "aye."

Approval of the following Council minutes:

January 17, 2019

Acknowledging Receipt of the following Borough Reports:

Planning Board Minutes – November, 2018  
Police Activity Report – December, 2018  
Historical Committee Minutes – December 12, 2018  
Building Report – January 2019

Acknowledging Receipt of the following Correspondence:

#4 - Township of Warren 2/01/19 Amendment to Master Plan Housing Element and Fair Share Plan  
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 Gibbs and a second by Councilmember Nehls and upon roll call the vote was as follows: Gibbs, Black, Nehls, Sopko, Goodloe, Eisenberg Knechten "aye."

R1: 02/07/19 Purchases Over \$2,000 – Pine Lockbox (FD – Gas Meter Confined Space Kit)  
Motorola Solutions (PD- Portable Radio Equipment)  
GM Fence (B&G - Chain Link Fence Repair)  
Finne Building and Investment (B&G–Stormwater

- R2: Authorize 2019 Recycling Agreement / Somerset County
- R3: Endorsing the Submission of the Recycling Tonnage Grant Application to the State of NJ, and Designate Recycling Coordinator / M. Hance
- R4: Authorize Execution of Agreement with Somerset County / Certified Recycling Professional (CRP)
- R5: Authorize Payment of 2018 Stipends / Volunteer Fire Department
- R6: Authorize Appointment Municipal Judge – John Richardson
- R7: Authorizing Submission of Grant Application – Recreation Commission
- R8: Authorize the New Jersey American Water Grant Application – Fire Department
- R9: Authorize Clerk to Issue Raffle License – Watchung P.T.O
- R10: Amend Code Chapter 3-5.2 / Off-duty Police Employment

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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.

Attorney Cruz requested that Ordinance OR:19/01 be pulled from the agenda as Mayor Balla had a question in regard to the plans which needs to be clarified by the Borough Engineer. Attorney Cruz recommended, and it was the consensus of the Council, that the Construction Official be authorized to issue one permit to the developer solely for footings and foundation.

Council President Gibbs moved to remove R11 from the agenda due to further action needed by the Borough Attorney with a second by Councilmember Nehls and upon roll call the vote was as follows: Gibbs, Black, Nehls, Sopko, Goodloe, Eisenberg Knegten “aye.”

Introduction of Ordinance OR:19/01 entitled “AN ORDINANCE AUTHORIZING A DEVELOPER’S AGREEMENT AND PERFORMANCE AGREEMENT, AND ACCEPTING AN AFFORDABLE HOUSING DEED RESTRICTION AND DRAINAGE FACILITIES EASEMENT AND AUTHORIZING THE MAYOR AND CLERK TO SIGN EACH.” Public Hearing February 21, 2019.

R11:02/07/19 Introduction of Ordinance OR:19/01 – Authorizing Developer’s Agreement and Deed Restrictions / 708 Mountain Boulevard  
**TABLED**

Attorney Cruz requested Ordinance 19/02 be introduced as amended to read “complete construction, maintain and operate the 911 memorial all subject to approval by the Borough Council prior to an announcement and/or implementation”

Introduction of Ordinance OR:19/02 entitled “AN ORDINANCE OF THE BOROUGH OF WATCHUNG AMENDING SECTION 2-43 TITLED “ HISTORICAL COMMITTEE” SUBSECTION 2-43.3 TITLED “POWERS AND DUTIES” TO ADD A NEW SUBSECTION 2-43.3g TITLED “DEVELOP AND MAINTAIN THE 9/11 MEMORIAL” Public Hearing February 21, 2019.

R12: Introduction of Ordinance OR:19/02 - Maintain 9/11 Memorial / Historical Commission

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

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**PUBLIC PORTION - GENERAL DISCUSSION**

Wendy Robinson, Hill Hollow Road, thanked the Council for passing a resolution last year, supporting a ban on fracking. She said Governor Murphy is the Chair this year of the Delaware River Basin Commission of New Jersey and said he announced his full support for the ban on fracking related activities in the basin. She thanked the Council for being on the right side of this issue.

Cindy Homer, Sherwood Drive, thanked Ms. DeRocco and Mr. Atkins for stepping up with the food drive. She also thanked the community for pulling together for such a great purpose.

Rachael Funcheon, Cedar Road, said the Save the Deer group and the Wildlife Committee can agree on the need for an accurate count of the deer. She questioned who the proposal was from for the ground count, commenting that Raritan Valley are not the only people who know how to count deer. She formally requested to locate another person for the deer count because she feels his (Dr. Kelly) count is inaccurate. Council President Gibbs said they are open to other potential vendors. He also said the budget is tight and we are not sure if we can fit in the cost of the aerial count.

John Malchow, Mountain Boulevard, thanked the Council for recognizing the passing of his father. He said his father appreciated all the Council did over the years so Watchung would continue to be a great place to raise kids. He said the memorial is scheduled for the 16<sup>th</sup> of March, at Wilson Memorial Church at noon. He also thanked the Fire Department for helping their family in a time of need a few weeks ago when a fire occurred at their residence.

Margaret Ellis, Valley Road, commented that at least seven members of the public attended the recent Library Advisory board meeting and shared their concerns for the proposed library building for our town. She said there was a candid open discussion within the group and by the time they were finished they were all in agreement with what they think is best for this town. She encouraged members of the Council to come to the next Advisory Board meeting, as well as more public.

Pete Martino, Sunbright Road, asked in regards to the tower at the east end, if Berkeley Heights has been contacted and Mr. Atkins replied he has. Councilman Black advised Mr. Martino that there would be dead-zone issues with the placement of the tower.

Tom Franklin, Wildwood Terrace, commented that he knows the library site is a sticky point right now and asked what kind of restrictions, if any, are on the piece of land on the east end of Best Lake, and if there is a wetland designation for that. Councilmember Nehls commented that it is a floodway. Mr. Franklin asked if there was a way to mitigate that issue, and Councilman Nehls said there are always ways to mitigate and we can look into it.

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**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:43 P.M to the Call of the Chair and to the next scheduled Council meeting Thursday, February 21, 2019 at 7:30 P.M.

Respectfully submitted,

Regina Angelo, RMC  
Administrative Assistant