

**BOROUGH OF WATCHUNG
MAYOR AND COUNCIL
MINUTES
JULY 18, 2019- 7:30 P.M.**

OPENING STATEMENT: Mayor Keith S. Balla 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 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 CALLED FOR A MOMENT OF SILENCE FOR ED HORSFALL, IT DIRECTOR of the BOROUGH FOR THE LAST 18 YEARS.

ROLL CALL:

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

Also present were Administrator Tom Atkins; Attorney William Roberson, Deputy Clerk MaryAnn Hance, Engineer Tom Herits, CFO Bill Hance, and Administrative Assistant Regina Angelo.

There were 25 members of the public present.

SPECIAL PRESENTATION:

Watchung/ Warren Rotary Club – Donation to Rescue Squad

Bob Aznar, Watchung/ Warren Rotary Club secretary, presented a donation check to the Watchung Rescue Squad for \$2,000.00. He said this money was raised by one of their recent fundraisers. Mr. Aznar said a few words regarding the Rotary Club's background. Mr. Aznar also said he believes the Watchung Rescue Squad parallels the Rotary Club's goal with service above self.

At this time, Mayor Balla made the following announcement:

Mayor Balla said at a recent meeting with representatives from the Exempt Firemen, he presented a proposal regarding the building of a new Library and at this time the Exempts have denied the proposal.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance – Councilman Sopko said interviews for the Administrator's position are winding down. He said the 2019 tax rates will be certified by the Somerset County Tax Board soon, however, the bills will be mailed late resulting in an extension of the grace period. He said the Finance Committee is scheduled to meet next week.

2. Police – Council President Gibbs said he has no official report this evening but he mentioned there were two car thefts earlier this week. He said in both cases the cars were left unlocked and the fobs left in the vehicle. He urged everyone to use caution and lock their vehicles.

3. Public Works / Buildings and Grounds – Councilman Nehls made the following statement:

"I need to address some erroneous information from recent letters that have been published in the Echoes Sentinel. As stated by Ms. Haveson the "old guard" by which I assume she means the 4 republican councilmembers that sit up her tonight, has been moving forward with the architect Anthony Iovino. The Mayor (has) requested residents to join his Library Planning Committee back in April but since that time this ad hoc committee has not been fully constituted as there are additional volunteer positions that have not been filled . So yes, the Council is moving forward so that we will be in a position to submit the Grant Application when it comes time and not have to rush to put it together. Once the Mayor's committee is operational the Council will interface with it as we will interface with all of the residents of the Borough.

With respect to the Mayor's request for time to negotiate with the Exempts, that was the first that the "old guard" was made aware that the Mayor was meeting with the Exempts on the following Monday. We

agreed that we would hold off on any actions pending his discussions with the Exempts. It is my understanding that the Mayor and the Exempts did not come to any agreement so the negotiations were never completed. I have no power to deny the Mayor from talking with the Exempts or with anyone as Ms. Haveson has stated. All I said was that we are moving forward with our discussions with Mr. Iovino as was agreed to by the Mayor and Council in our contract with his company.

I do not disagree that the location of the Exempt's building could be a good location for the library but it is not an option and we must move forward with the rear location for the construction of the library. Again Mr. Iovino's contract was to develop a preliminary design, which he has, and not develop plans for the library. There was never any intention to expend money needlessly as suggested and it has been our understanding that the Exempts were not willing to fully give up their building.

Regarding Ms. Haveson's statement that I asked for many iterations of library plans and that I authorized the expenditure of \$100,00.00. The requests for the variations of the library at the current location were made by the entire Mayor and Council. As anyone who comes to Council meetings knows no Council member can expend any money without the full approval of the Council. This was done through the Mayor and Council and the money was approved appropriately through unanimous votes approving those expenditures. Any expenditure of money over \$2000 requires the approval of the majority of the Council.

Talking transparency, let me make clear that all discussions with Mr. Iovino has been through the Public Works Committee. Two architects were interviewed and two proposals were received to the Public Works Committee. Committee members including myself, Steve Black and Daryl Eisenberg Knegten reviewed the proposals for the proposed library location. After a review of the proposals and the background of the companies in library construction, the Committee agreed to recommend Arcari + Iovino Architects to the full Council and they were approved by all members. Councilwoman Eisenberg Knegten is a member of this Committee and has been at every meeting since she has been elected to the Council. There has never been a meeting that was not done through the Committee and which I reported on at the next Council meeting. The lack of transparency has been through other Council members who have had several meetings with the Exempts without notifying the Council president or providing any information regarding those meetings to other members of the Council.

Others have submitted letters to the Echoes also providing erroneous information. Ms. Leach's letter seeks to blame members of the Council for moving forward with plans for the library without input from the public, specifically without a new library planning committee. The Mayor proposed the committee on April 24, over two months ago and is still waiting for residents to step up and volunteer. As many people have said this library has been discussed for years and there is a large amount of information already available. Previous ad hoc committees visited other libraries across the state and reported on their research. The Library Advisory Board recently submitted an 18-page report and recommendations that has been posted and available for all residents to read. In addition, as being part of the Somerset County Library System, we will be working with them to address what they see are the needs from their perspective. Also, Mayor Balla and Council President Gibbs will be announcing town hall meetings for all residents to provide their opinions as to what the library should entail.

Other letters have indicated that I should step aside as Chair of the Public Works Committee. As I said at the time I announced that I will not be running for re-election, I will continue to fulfill my duties as a Council member including acting as Chair the Public Works Committee. I will not be stepping aside from that position or any other position that I serve on. I have never excluded any other member of the Committee from any meeting and as a Committee each member has a vote as to moving forward with any recommendation to the Mayor and Council. It is the full vote of the Mayor and Council that decides as to what is done in town not by the Committee or any one Council member. Mr. Calandriello has stated that I should put a library project page on the Borough website and have given the architect approval to move forward with plans for the library. I do not have that authority as do none of the other members of this Council. Actions can only be taken by approval of the majority of the Council never by one lone council member.

It is the intent of the "old guard" to move forward with the construction of the library even though there are those who do not want to believe this. The entire Council unanimously approved the contract with Mr. Iovino's company. It was his request that the soil borings be done so that we could determine if the rear lot was buildable. Johnson Soils completed the borings once their contract was approved by the Council in a unanimous vote which showed that this lot was buildable and would support a 9500 square foot building which was provided to them as requested by Mayor Balla and Council President Gibbs.

We have now been notified that the State has published the regulations for the grant application process and it has been published in the New Jersey Register for the comment period which expires August 31. Once the State has reviewed the comments the final regulations will be published and then the push to complete the application and submit it to the State for funding will start. I do not want the Borough to have to rush the application process and to submit an inferior application. Government can move very slowly and we must be moving this process forward."

Continuing with the Public Works Committee report, Councilman Nehls said the bulk pickup that took place first two weeks of June is now completed. He mentioned that the Public Works employees attended a confined space entry class at the Firehouse on July 16th. He said dead trees were removed and pothole repairs are ongoing. He also mentioned new flood lights was installed facing the Watchung Lake spillway and 25 tons of infield mix were delivered to Grant Field. He mentioned on the purchases over \$2000 resolution tonight there is a purchase order for John's Painting contractor for the painting of the library requested.

4. Public Affairs:

Environmental- Councilwoman Goodloe said the Environmental Commission met on June 24th. She said the Commission is still working on the recycling program. She said the Commission is also working on the prior request for the need of dog poop bags around the lake. She also said they are looking to partner more closely with the Green Team and announced the next meeting will be held on August 26th.

Recreation – Councilman Black commented on the article in the Echoes Sentinel printed regarding the summer camp program and said all is running well.

Historical – Councilman Black had no report.

Board of Health – Councilman Sopko said there was no meeting held but mentioned President Bruce Ruck did have concerns regarding the potential forecasted heat wave for this weekend. He said the next Board of Health meeting is scheduled for September 18th.

4. Fire – Councilwoman Eisenberg Knegten said there had been some speculation that with the purchase of new apparatus, there may have been a need for modifications at the East End station. Thankfully, the Department was able to adjust the engine so we wouldn't need to make any modifications to the station. She reported the following stats for the calls in May: 1 Motor Vehicle Crash; 4 Hazardous Condition calls; 2 Cover assignments for neighboring towns; 6 Good Intent calls; 13 False alarms. Councilwoman Eisenberg Knegten announce the Fire Department also conducted the follow training drills: Fire attack which included moving charged hose lines as well as establishing a permanent water supply; Vehicle extrication where we trained on removing patients from a vehicle on its roof and on its side; A walk around of the new buildings as 1640 Route 22 (the former Sears site) to become familiar with the building construction and layout as well as where the hydrant and fire department connections are located. She added congratulations to FD member, Steven Carlucci on his upcoming marriage this weekend and said we all look forward to seeing the photos of the bride and groom with our Watchung Fire Engine.

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

REPORTS - OTHER:

7. Engineer – Mr. Herits said the 2020 DOT applications are now filed with the State. He said he met with Tilcon regarding the contract for the 2019 road resurfacing project through the Morris County Cop and he believes they will be starting the second week in August. Mr. Herits said the DEP application to decommission the dam at Ross Pond is almost complete. He also said he is putting a Zoning application together communications tower at the quarry.

8. Police Chief – No report.

9. Fire Department - No report.

10. Rescue Squad – No report.

11. Emergency Management – Carolyn Solon spoke of the predicted excessive heat wave approaching. She said NJ OEM has already contacted all the public utilities within the State and are on standby. She advised residents that the Exempt Hall is set up with supplies and the CERT team is on standby for any possible outages. She said in regard to Emergency Management, the Fire Department, Rescue Squad and DPW discussed the needs and coordination for the next disaster. She said MOU (Memorandum of Understanding) agreements are going to be created for the American Red Cross and Salvation Army. She also said according to FEMA, as of last March all agreements for reimbursement have to be in writing.

12. Attorney – Attorney William Robertson had no report.

13. Clerk – Deputy Clerk MaryAnn Hance had no report but reminded the Mayor and Council to sign the Bill list.

14. Administrator - Mr. Atkins said there will be an Executive Session held this evening to discuss the three finalists for the Administrator position. He commented on a Resolution on for tonight's agenda for approval to take him off regular salary and put him to hourly which would be in the best economic interest of the Borough. He said he has a proposal moving forward for the month of August on how he can continue to assist during the transition. Mr. Atkins announced that he has been appointed as the interim Administrator in Mountainside and will be starting there on August 1st. He added that he will still be helping out in Watchung to fill any gaps and holes with the transition.

Wildlife Management Advisory Committee – Council President Gibbs had no report.

Youth Services – Councilwoman Eisenberg Knegten had no report.

Planning Board – Councilman Sopko said the July 16th Planning Board meeting was cancelled and the next meeting is scheduled for August 20th.

Board of Education – Councilwoman Eisenberg Knegten provided the following report:

“There were Board of Ed meetings on Wed June 12 and Thurs June 27. Teachers Kimberly Lavin and Robert Thomas have retired, both after long careers in our district. The search for a Valley View Principal is ongoing and many candidates have already been interviewed. And the Superintendent search has begun and interviews begin this week.

As the duly appointed Board of Ed liaison, I have spoken in the public portion of the past two Board of Education meetings, requesting that the Board President, Tina Kelly, appoint a Council Liaison from the sitting Board of Ed Members.

Four (4) Board of Ed members have now volunteered to act as Council Liaison, yet the only response I have received was that there was no need for a Council Liaison to be assigned because our administrators were able to reach out as needed. Mr. Tom Atkins, who will be leaving us as Borough Administrator at the end of this month. And Mrs. Valery Patrone, who has resigned, and will be leaving the district at the end of August. In fact, the Board of Education Business Administrator has had turnover nearly every year for the past 8 years. There is leadership disarray.

In the past few months, our town has witnessed tremendous accomplishments with our schools. The new playground at Bayberry was realized thanks in no small part to our generous donor, Frank Bisignano, and the constant communication, collaboration, and support from the Planning Board, the Engineering department, and this Council.

Valley View is undertaking a project as massive in scope with the new STEM lab. In partnership with IBM, it is an extensive initiative. The old industrial arts room is being reimaged to combine wood-working, robotics, 3D printing, and a host of other resources in to a new lab downstairs and a new computer room and broadcasting room upstairs. A brand-new STEM curriculum is currently being written. The bit of it that I saw was really impressive and forward-thinking.

Our hope is to be the envy of the sending districts. To have the 9th graders at Watchung Hills look back with jealousy about what they are missing out on at Valley View. As Board of Ed liaison, I have spent many hours this week alone in conversation about the upcoming construction and how the town can support the ambitious timeline so it is ready for the first day of school in September.

Tonight, I anticipate the passing of a resolution formalizing the support of the Borough Council for our school district and Board of Education. Our schools are the heart of this community and arguably has the biggest impact on our home values. We need all hands-on deck to guarantee the success of our school district and the return to high achieving schools we once had. To not utilize every resource available is foolish and short-sighted. Additional communication is an asset, not a pitfall.

I will again request publicly that the Board of Education President appoint a liaison counterpart.”

Municipal Alliance – Councilwoman Goodloe had no report.

Library – Councilwoman Eisenberg Knegten gave the following report:

“There was a WLAB meeting on Wed July 10. The library has cleared out space in the periodical room on the first level and is looking for a donation of matching arm chairs and a small table. The upstairs office was re-purposed to serve as a small study room.

We got word that after last night’s rainfall, there was flooding in the basement of the library. Last month, due to blocked gutters, we had another incident of flooding in the basement. This basement flooding is a recurring issue, our town engineer will evaluation the situation tomorrow. Meanwhile, activities in that space must be relocated.

I have met twice with members of the Fireman Exempts. Councilmember Goodloe has joined me on both occasions and Councilmember Nehls joined us at the second meeting. We are currently waiting on a written response from the Exempt members. Earlier today, I spoke with an Exempt member and he made it clear that the door is not closed. As Councilmember Nehls stated earlier, he does not want to submit an inferior application. I, too, want to pursue what is best for Watchung.

We also received initial plans from Architect Iovino on June 27th with an initial floor plan and site map.

Grant regulations were published on July 1. Given the timing that we are aware of, we anticipate completed applications to be due in early 2020.”

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PUBLIC PORTION / AGENDA ITEMS ONLY

Mr. Atkins noted that resolution R10 not be acted on this evening. He also said the public hearing on the recommendation from the Wildlife Management Committee will be a separate section on the agenda. He said two members of the Wildlife Management Committee will make opening comments and then the public should comment with anything on deer management at that point of the meeting.

Jessica Ingrassia, High Oaks Drive, said she is here tonight in support of Resolution R17. She said she is pleased to see the resolution itself on for approval and the specific language used within. She said she was touched to hear Mrs. Knegten say she desires to bring the school districts back to where they should be in Watchung. She told the Council a year ago almost to the day, her husband stood here and spoke on this same topic. She re-read part of his statement made on July 19, 2018. She said she applauds the effort to get behind change in our school district.

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UNFINISHED BUSINESS

Public Hearing of Ordinance OR:19/15 entitled: “BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,653,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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.” was held.

Councilman Black moved a public hearing be held with a second by Councilman Nehls and upon Roll Call the vote was as follows: Gibbs, Black, Nehls, Sopko, Goodloe, Eisenberg Knegten “aye.”

Catherine Leigh, Guinard Drive questioned what exactly the Mayor and Council would be spending the money allotted for the bond ordinance on. Councilman Nehls responded the biggest item of expenditure will be the milling and paving of the roads. Mr. Atkins commented that 84 percent of the money is being set aside for the roadwork. He said we have allotted money to make the public buildings more secure. He also said there is money set aside for mobile video recording replacements and records management. Ms. Leigh recommended a more cost-effective option regarding safety at Borough Hall and to reconsider the bullet proof glass. Mr. Atkins said we aren’t sure the exact plan yet but the Mayor and Council need to put this money in place in order to take steps in the right direction. He added the over \$2,000.00 expenditures will be listed separately on the agenda for the public to view.

With no one else from the public wishing to be heard, Councilman Black closed the public hearing and moved the following Resolution, with a second by Councilman Nehls upon Roll Call the vote was as follows: Gibbs, Black, Nehls, Sopko, Goodloe, Eisenberg Knegten “aye.”

R1:07/18/19 Adoption of OR:19/15 - Bond Ordinance to Authorize Various Public Improvements

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NEW BUSINESS

The Consent Agenda items, 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, Sopko, Goodloe, Eisenberg Knegten “aye.”

Approval of the following Council minutes:

June 20, 2019 –Special Meeting
July 10, 2019 – Special Meeting

Acknowledging Receipt of the following Borough Reports:

Traffic and Beautification Minutes – June 18, 2019
Building Department – June 2019
Police Activity Report – May 2019
Library Advisory Committee Minutes – May 1, 2019
Board of Adjustment Minutes – June 13, 2019

Acknowledging Receipt of the following Correspondence:

- #23 - Lynn Franklin 6/20/19 Letter of Resignation from Somerset County Cultural and Heritage Committee c: M &C
- #24- Township of Scotch Plains 6/20/19 Notice of Introduction of three (3) Ordinances; #2019-14 Re: Amend Zoning to create ML-4 District #2019-15 Re: Amend Zoning to Create ML-3 Multi Family District #2019-16 Re: Amend Zoning Map in Accordance with Master Plan to Address the Rezoning of Certain Parcels. Public Hearing to be held on July 16, 2019

- #25- Tim Hale 6/20/19 Email notification to Chief of intention to retire from Police Department
Effective 7/1/19 c: M & C
- #26- Raymond Murray 7/1/19 Letter of Resignation as Tax Collector, effective 8/1/19 c: M & C
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Recommendation from Wildlife Advisory Committee to Conduct a Non-Binding Referendum this November

Councilman Gibbs explained this discussion was the desire of the Wildlife Management Advisory Committee. He said the purpose of the discussion to find out if it would be appropriate to place a referendum question on the next General Election ballot. The committee asked the council to discuss this matter and come up with a timely response. Council President Gibbs said this topic is only for discussion this evening.

Hans Juette, Elsinore Drive and Chair of the Committee stated that the two deer density studies done showed surprising results to the Committee and residents. He said all the surveys he has been involved in have come up with 40 deer per square mile. He feels this issue is a contentious and serious. He brought up the way the lakes have changed over time in Watchung. He said the Committee felt like it was time for an informal survey to be done and have the people of Watchung make this choice. He said the Committee feels that the people of Watchung should get all the facts and make a decision. He explained the chart handed out to the Council which are the results of the deer culling program from 2018 and 2019.

Paul Michaelis, High Tor Drive, provided his background and expertise in the research and development field. He compared the aerial survey done by an aircraft at 1000 feet and the other done by a drone flying under 400 feet. He said both forms of infrared surveillance had the same sensitivity meaning they were seeing the same things on the ground. He said photographs taken of this technology are by subjects that remit heat. He mentioned the photo taken of the ground and explained the difference between the rocks, water and deer. He compared the ground temperature to the deer temperature and said the difference between the two is easy to detect. He presented pictures to the Council of multiple deer under trees which the drones detected. Hans Juette said Joe Nappe was present in case the Council had questions regarding how fetuses are recovered from culled deer.

Margaret Ellis, Valley Road, said she is here to ask the Council not to put a referendum on the ballot. She believes the issue is extremely complex. She said when her and her husband moved to Watchung in 1992 they always saw six to eight deer in their yard and now they go weeks without seeing a single deer. She said there is no way there are 106 deer per square mile in this town, she feels the studies are not credible. She said people want to see non-lethal management of the deer. She said we have heard in the past the safety rules have not been followed by the hunters. She feels the average resident in the Watchung doesn't have time to explore all of this. She asked the Council to be the one to explore this issue and make the decision. She feels the response to this question from the residents will be strictly emotional. She urged the council to please not to put a referendum on the ballot.

Marilyn Goldstein, Hill Hollow, said she feels the results of the drone survey done are very off. She said we have had deer hunts for many years and as a result the deer population has declined. She said it is impossible the population would have skyrocketed as much as the survey reported. She said if the numbers were so high we would see big herds of deer everywhere. She questioned what the referendum will prove. She feels the voters in Watchung don't have enough background on this complex issue and cannot make the best decision. She said she is against the referendum being put on the ballot, killing deer and the use of weapons in our town.

Rachel Funcheon, Cedar Road, said she is confused why the conversation is not geared to the idea of having a referendum tonight and more geared to the deer hunt. She said there is an unbelievable amount of understory and growth due to the amount of rain we have had. She doesn't feel this issue is the most important issue the town is facing to have on the ballot this year. She feels people don't have all the statistical data that the certain committees and the Council have. She said if there is such a gross overpopulation of deer why aren't they all over the town. She said she disputes the results of the survey and agrees this question should not be on the ballot this fall.

Diana Canellis, Timberline Way, said she feels this is a complex issue and not just for the deer alone. She said the outcome of the deer numbers were higher this time because the technology used was better. She said she counted seven deer the other day in her yard. She also mentioned if we as residents had new tree saplings growing we wouldn't have to give them out. She commented that a lot of money was spent

on the deer surveys this year instead of going with Dr. Kelly to do the count. She said it was her suggestion to put this referendum question on the ballot. She asked to please let the people of Watchung be heard on this decision.

Ashley Cohen, Hill Hollow, questioned the goal is of putting the referendum question on the ballot in November if the deer cull decision would already have been made in September or October. Council President Gibbs said it would provide insight to the Mayor and Council on what level of support they have from the residents for future culls. He also said if many residents didn't support a cull then next year the Council could vote not to implement the program starting in the year 2020. Ms. Cohen agrees the issue is far too complex to put as a simple yes or no question.

Pete Martino, Sunbright Road, asked if we have discussed this with our surrounding communities. He asked if the other towns are following the same paths as us. He feels we will still get impacted by this issue if other towns don't follow our lead. He asked if this is a Watchung issue or is it a regional issue for everyone to discuss.

Rachael Funcheon, Cedar Road, read a letter from a member of the save the Watchung deer group who couldn't be present at the meeting. He asked the purpose of the referendum, and said it's important the Council issue a statement identifying what the results would mean and give the public time to respond.

Council President Gibbs said 53 deer were culled and he feels that number is fairly consistent with the prior year's results. He said he feels the exact number of deer will never be known but he commented on the three scientific benchmark surveys which indicated numbers higher than the original aerial survey. He mentioned the literature which talks about a healthy understory necessary for the total environment to be healthy. He said the research says numbers below 15 deer per square mile would be necessary to regenerate a severely impacted understory. He mentioned the lakes in town and said the discoloration is a direct result of increasing erosion in our town which has gotten significantly worse in the last five or ten years. He does realize there are other methods of deer control. He said the Staten Island uses sterilization to control their deer population and have spent 4.1 million dollars over the last several years. He said it is an extraordinarily expensive method. He feels like people's observations can be subjective. He says on a daily basis he sees at least 8 to 15 deer walking through his property.

Councilman Black said he has been a member of the Council since the beginning of this program and said the true number of deer always been all over the board. He feels the Council are the ones who need to make this decision. He thinks we need to find another way to cull the herd. He said we have been hunting on the same sites for many years with no additional sites. Councilman Black said our current program needs to be revamped and also that it's the Council's obligation to come forward with a better program for our residents or do things differently.

Councilman Nehls mentioned he does not believe the deer are the only ones to blame for the discoloration of the lakes. He agrees the issue is contentious. He said it's our responsibility to make the decision and we need to step up and make it. He feels the wording from the Wildlife Management Committee regarding the referendum question is very biased and also from the save the deer people. He said this question needs to be worded properly and does not believe even our attorney has the capability to do so. He doesn't feel the referendum is the way to go forward with this for the town.

Councilman Sopko said for him the deer issue remains a public safety concern. He said the Council has invested in this data and from what he sees, even if the hunt eliminates 60 deer a year there are still three times as many deer being born. He does not feel the deer population issue is being taken care of.

Councilwoman Eisenberg Knegten agrees with the comments made by Councilman Nehls. She also feels it's the Council's responsibility to make this decision. She agrees the wording does come off biased from everyone who has proposed the referendum question. She said if we can't find a way to get our neighbors up to speed with all the facts on this contentious issue then we need to take responsibility on behalf of the Borough to make this decision.

Councilwoman Goodloe does not support the referendum language as proposed. She said the wording is critical and can affect the outcome of the results if not written as non-biased as possible. She asked if the Council plans to have a referendum every year. She questioned why the Borough allows weapons on private property. She also mentioned the Council needs more opinions from professionals whether the understory is in its current state because of deer or other reasons.

Mayor Balla referred the recommendation of holding a special referendum election to determine if the Borough should continue to cull the deer, to the Laws and Ordinance Committee for evaluation.

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CONSENT AGENDA RESOLUTIONS: Council President Gibbs moved the Consent Agenda resolutions with the exception of R10. Councilman Nehls seconded the motion and upon roll call the vote was as follows: Gibbs, Black, Nehls, Sopko, Goodloe, Eisenberg Knegten “aye.”

- R2: 07/01/19 Purchases Over \$2,000 –Idemia (PD- Maintenance & Support / Fingerprint Equip)
East Coast Emergency Lighting (PD – Lighting/ Ford SUV)
Atlantic Tactical (PD-Uniforms)
Pinto Brothers – (PW- 2019 Bulk Pick Up)
Raymond Manner Plumbing & Heat – (B & G Repair at PD)
Round Top Swim & Tennis Club – (Rec- Camp 1st Installment)
John’s Painting Contractor, LL – (B &G- Painting of Library)
- R3: Authorize Clerk to Issue Raffle License – Raritan Valley Habitat for Humanity
- R4: Appointment of Summer Camp Counselors / Salary Clarification
- R5: Authorize 2020 Grant Application/ NJ DOT – Various Roadway Improvements
- R6: Certify General Fund 2019 - 2020 Tax Levy: Watchung Hills Regional Board of Education
- R7: Certify General Fund 2019 - 2020 Tax Levy: Watchung Board of Education
- R8: Authorize Revocable License Agreement – 470 Johnston Drive
- R9: Authorize Person to Person Transfer of Liquor License – GC Fridays NJ-PA LLC
To TGI FRIDAY’S INC.
- R10: Appointment of Tax Collector- William Hance (**PULLED**)
- R11: Authorize Renewal of Cooperation Agreements / Community Development Block Grant
and Home Investment Partnership Program – Somerset County
- R12: Resolution in Support of Legislation Clarifying Exemptions from Mandatory
Immunizations for Students
- R13: Authorize Final Payment of Accumulated Benefits / Tim Hale
- R14: Resolution Modifying Payment to Borough Administrator

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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.

Introduction of Ordinance OR:19/16 entitled: “AN ORDINANCE AUTHORIZING THE BOROUGH OF WATCHUNG MAYOR AND CLERK TO SIGN A LEASE AGREEMENT BETWEEN THE BOROUGH AND WELDON MATERIALS, INC., FOR A PORTION OF LOT 9.01 BLOCK 76.01 TO CONSTRUCT, OPERATE AND MAINTAIN A NEW COMMUNICATIONS TOWER.” Public Hearing to be held on August 15, 2019.

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

- R15: Introduction of OR: 19/16 –Authorize Lease between Borough and Weldon Materials

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

Councilwoman Eisenberg Knegten requested more clarification on purchases from Grays Florist the future before the Council approves the resolution.

- R16: Waive Chapter 2-25.10 of the Code – Grays Florist

Councilman Nehls recused himself from the vote on Resolution R17 and stepped off the dais.
Councilman Sopko moved the following Resolution with a second by Councilman Black and upon roll call the vote was as follows: Gibbs, Black, Sopko, Goodloe, Eisenberg Knegten “aye.”

Councilwoman Eisenberg Knegten said she is excited this resolution has finally been put forward. She thanked Councilman Black for first suggesting getting this on the Agenda for approval. She also thanked the hard working members of the Board of Education and resident Frank Bisignano who has helped to unite the town together with the schools.

R17: Resolution to Confirm Commitment of Support – Watchung Board of Education

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

R18: Resolution of the Borough of Watchung, County of Somerset, State of New Jersey, Consenting to Crown Atlantic Company, LLC, Subleasing a Portion of the Communications Tower at Borough Hall to DISH Network

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

R19: Payment of Bills

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PUBLIC PORTION - GENERAL DISCUSSION

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Catherine Leigh, Guinard Drive, said a lot of roads off of Hillcrest Road have been hit with water main breaks and power outages. She said during the last power outage PSE&G told her DPW should be trimming around the power lines. She asked whose responsibility is it to trim around the power lines. Councilman Nehls said our DPW is only allowed to be within ten feet of the electrical lines. Mrs. Leigh mentioned that PSE&G said they aren’t responsible for the branches and are having a hard time working with Watchung to be able to take care of this. Councilman Nehls said this is the first he has heard that PSE&G and our Public Works department can’t work together. She asked how we as residents should take care of the branches. Mayor Balla advised we will reach out to PSE&G and communicate this concern.

Marilyn Goldstein, Hill Hollow, said she feels the declining conditions of the lake are not specifically due to the deer. She questioned what Councilman Sopko was referring to when he made his public safety comment relating to the deer. She said in the last ten years there was only one or two accidents involving the deer. She also feels we have more understory now because it’s been raining a lot for the last year.

Pete Martino, Sunbright Road, said it was good to see a cooling center was being set up as a proactive approach for the upcoming heat wave. He mentioned a prior storm that occurred in the town and knocked out power to an entire neighborhood. He asked what was done for those residents in their time of inconvenience. He also questioned if the Borough buildings were open to these people. He said the water main break knocked out a third of our town’s water supply. He asked if assistance was given to those residents during the emergency. He asked if the County sent us any water tankers and why OEM wasn’t activated. Councilman Black said NJ American Water, along with the police went door to door informing our residents regarding the water main break situation.

Rachael Funcheon, Cedar Road, said she wants to challenge the results of the two deer surveys done. She feels the amount of deer said to be in the Borough doesn’t add up to the extrapolated number the Wildlife Management Committee is saying. She feels the results of the deer surveys are very flawed. She asked the Council what their opinion on the referendum question would be. Mayor Balla said the question is being referred to the Laws and Ordinances Committee for further review and then the decision will be brought back to the full Council for a vote. Council President Gibbs said if four Councilmembers have expressed no support of the referendum, there would be no consensus to move forward.

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

R20: Executive Session:
Personnel – Administrator

The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

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

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ADJOURNMENT

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There being no further business to come before the Council, the meeting was adjourned at 10:40 P.M. to the Call of the Chair. The next scheduled meeting of the Mayor and Council to be held Thursday, August 15, 2019 at 7:30 P.M.

Respectfully submitted,

Regina Angelo
Administrative Assistant