

**BOROUGH OF WATCHUNG
MAYOR AND COUNCIL
MINUTES
FEBRUARY 6, 2020 - 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 called forward resident Tina Kelly to lead the flag salute, on behalf of 100 year-old resident Marie Carmela Scaturo, (Ms. Kelly's Aunt 'Kate') as we RECOGNIZE the 100th ANNIVERSARY of the 19th AMENDMENT.

ROLL CALL:

Robinson [P] Black [P] Goodloe [P] Eisenberg Knegten [P] Jubin [P] Martino [P]

Also present were Administrator Jim Damato, Attorney Denis Murphy, Clerk Michelle DeRocco, CFO Bill Hance and Deputy Clerk Regina Angelo.

There were 30 members of the public present.

SPECIAL PRESENTATION:

Councilwoman Eisenberg Knegten moved the following Resolution with a second by Council President Robinson and upon roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino "aye."

R1:02/06/20 Support for the Celebration of the 100th Anniversary of Women's Suffrage

Ms. Kelly read background information on her "Aunt Kate" and how her life was growing up as the first generation of women with the right to vote. Ms. Kelly thanked the Governing Body and also former Councilman Bill Nehls for honoring her Aunt.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Jubin said the Committee has not met since the last report and said they have a meeting scheduled for next week.
2. Police - Council President Robinson thanked Chief Cina for notifying the schools that the buses would be delayed regarding the severe accident that occurred today at the bottom of Hillcrest Road. She said there has been discussion about assessing the need for the traffic post at Valley Road and Bayberry Lane. She also said the Police Department is coming up on their second reaccreditation review.
3. Public Works / Buildings and Grounds - Councilman Black said they are still in the transition period regarding the hiring of the new Public Works director position.
4. Public Affairs- Councilwoman Goodloe had no report.

Environmental - Council President Robinson said she attended the Somerset County Green Hub meeting and met a few people who would be helpful in our effort to re-establish our Sustainable Jersey Certification.

Recreation – Councilman Black said our last Recreation meeting was cancelled but has been rescheduled to next Wednesday at 7:30 P.M.

Historical – Councilwoman Goodloe said the Committee met on January 22nd and discussed their yearly plans which include archiving the digital collection of historical items and working with a videographer to create a video of the museum's collection.

Board of Health - Councilman Jubin said Board of Health President Bruce Ruck will be spending two days at Watchung Hills schools educating the kids on health and wellness and hopefully by doing so at an earlier age it helps them make better choices. He thanked Councilwoman Eisenberg Knegten for planning a walk around the lake in the month of April. Councilman Black asked for an update on the Coronavirus. Councilman Jubin said it's a respiratory born virus with a slow incubation period however, we are safe and it isn't a concern right now.

5. Fire – Councilman Martino said they are looking to establish a fee schedule to use for our local inspections. He also said he contacted the State Fire Marshal for a copy of a sample ordinance for fee schedules for the Borough to adopt. He asked if any summary sheets were received. Mr. Damato said the Fire Department submitted a partial response.

6. Laws/Ordinances - Councilwoman Eisenberg Knegten said the L&O Committee met on Friday, January 31st at 7:30 PM and had a preliminary conversation about streamlining the council committee structure as well as the volunteer committee structure.

REPORTS - OTHER:

7. Engineer – No report.

8. Police Chief - No report.

9. Fire Department – Fire Chief DeSandolo reported the Fire Department responded to 22 calls for the month of January. He said some of those calls included a cooking mishap, a chimney fire, one motor vehicle fire and 11 alarm activations. He said the Fire Department members passed their yearly fit testing. He also said the new Fire apparatus is on its way. He mentioned that no representation from the Fire Department was present at the Fire Committee meeting and he hopes to resolve this disconnect.

10. Rescue Squad – No report.

11. Emergency Management- No report.

12. Attorney – No report.

13. Clerk – No report.

14. Administrator – Mr. Damato said we are looking into a proposal received to address the geese issue. He also said this week is the last week of the deer hunt and the final numbers will be presented to the Council at the next meeting.

Wildlife Committee- Councilman Jubin said the Committee held its first meeting on February 4th. He said they are looking at other options rather than the standard culling procedures to reduce the deer population. Councilman Jubin feels the population needs to be maintained and controlled for everyone’s safety.

Youth Services – Council President Robinson had no report.

Planning Board – Councilman Martino said the Planning Board met on January 21st for their annual reorganizational meeting. He said Andy Baldassare was sworn in as an alternate member and he was sworn in as Council representative to the Board. He mentioned at the meeting the election of officers took place, resolutions were passed such as the annual calendar and the adoption of the by-laws. He said two cases were discussed and a decision was made to video tape future meetings but not live stream them.

Board of Education – Councilwoman Eisenberg Knegten reported she had an initial phone call with Kelly Newsome, the president of SEPAG, and Ron as the liaison to the Board of Health about a Watchung Family Walk in mid-April. The next BOE meeting will be on Monday Feb 10 at 7:30 pm at Valley View and on February 13th from 6pm-8pm Bayberry will be hosting "Snow Much Fun Literacy Night". She said families are invited to attend and go through various stations that all focus on literacy. In addition, there will be an author present to read her book and have copies available for purchase and signing.

Municipal Alliance – Councilman Black had no report.

Library Advisory Board – Councilwoman Goodloe said the Library Advisory Boards next meeting is March 4th.

Mayor Balla commented at the last meeting the Council approved the retaining of a Grant Writer and Financial Advisor to work with the Borough on the grant application for the construction of the new Library. Mayor Balla said this is a common practice and the Borough in the past has used the assistance of Grant Writers.

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PUBLIC PORTION / AGENDA ITEMS ONLY
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No public comment.

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UNFINISHED BUSINESS
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NEW BUSINESS
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CONSENT AGENDA: The Consent Agenda items, were unanimously adopted following a motion by Council President Robinson and a second by Councilman Black, and upon roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Councilman Jubin asked the Clerk to revise the December 10th Executive Session minutes to include him in attendance. The Clerk noted the change.

Approval of the following Council minutes:

December 10, 2019 – Executive Session
January 2, 2020 – Re-Organizational Meeting
January 9, 2020 – Special Meeting, Regular & Executive Session

Acknowledging Receipt of the following Borough Reports:

Historical Committee Minutes – November 14, 2019
Board of Health Minutes – December 11, 2019
Fire Prevention Report – January 16, 2020
Traffic and Beautification Minutes – January 13, 2020
Wildlife Management Advisory Committee Survey Recommendation – January 15, 2020
Building Department Report – January, 2020

Acknowledging Receipt of the following Correspondence:

#5 Jersey Central Power & Light Company 1/17/20 Verified Petition for Approval of Rate Adjustments Pursuant to Investment Program and of Public Hearing scheduled for 2/11/20 C: M&C, JD, Post

#6 New Jersey American Water 1/28/20 Notice of Proposed Rate Increase and of Public Hearings scheduled for 2/18, 2/19, 2/20, c: M&C, JD, Post

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CONSENT AGENDA RESOLUTIONS: Council President Robinson moved the following resolutions, with the exception of R6, with a second by Councilwoman Goodloe and upon Roll Call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

R2:02/06/20 Purchases Over \$2,000 – CSM (PD – Tough books & warranty)
Behavioral Medicine Consultants (Employee EAP Prog.)

R3: Authorizing Police Department to Participate in the 1033 Program Enabling them to Request and Acquire Excess Department of Defense Equipment

R4: Authorize Person to Person Transfer of Liquor License – Briad Development LLC to Miller’s Ale House of Watchung LLC

R5: Appointments to Boards, Committees, Commissions – Additions and Clarifications

Councilman Martino recused himself from this vote and stepped down from the dais.

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

R6: Authorize Payment of Fire Department 2019 Stipends

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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.

Mayor Balla announced R7 will be held until after Executive Session.

R7:02/06/20 Ratification of Memo of Understanding (MOU) – Watchung Borough and the Watchung Exempt Fireman’s Association

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PUBLIC PORTION - GENERAL DISCUSSION

Catherine Leigh, Guinard Drive, said there was another accident today on Hillcrest Road and still nothing is being done to stop the trucks from coming down that road. She said we have already had fatalities there and she doesn’t understand why the Mayor and Council are not addressing this problem.

Margaret Ellis, Valley Road, questioned if there was anything the Mayor and Council could tell the public regarding R7 on tonight’s agenda. Mayor Balla encouraged Ms. Ellis to stay until after Executive Session for a response to her question.

Rachael Funcheon, Cedar Road, said we have exceeded the 500 pound plastic collection goal and we are going to continue the program so every six months we can get another bench. She questioned what the Council plans to do regarding the over population of geese in the Borough. Councilman Jubin said there is a group called Goose Stoppers and they use a spray on nontoxic coating to repel the geese. Councilman Jubin also said this is to keep excessive numbers of geese off the green and walkways. Ms. Funcheon asked if it was possible to spray on the walkways and not all the grassy areas. Administrator Damato

said this method of spraying was tried on a few walkway areas and it seemed to be effective. He also said the specific areas have not yet been selected.

Councilwoman Goodloe thanked Ms. Funcheon and the entire Environmental Commission for heading the plastic recycling program and congratulated all on meeting their goal two months early.

Councilman Martino said at the last Council meeting a concerned citizen brought up a fiscal question regarding our past engineers salary. He said he reviewed the previous budgets and Maser Consulting's engineering costs for the past two years and the payout for 2018 was \$444,495.02 and for 2019 the payout was \$357, 694.45. He said he does agree that \$400,000.00 is a lot of money but he promises to review our current operations and see if we can increase efficiency to save some money in the future.

William Nehls, Brookdale Road, said in previous years every time Maser Engineering came for a different project, each new project had to be approved by the entire governing body. He said the previous Councils did not give the engineer a lump sum of money the way it is being done now.

Council President Robinson moved the following Resolution with a second by Councilwoman Eisenberg Knegten and upon roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino "aye."

R8:02/06/20 Executive Session: Contract Negotiations

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 at 8:57 P.M. with the exception of Councilman Martino, all Councilmembers previously present were in attendance.

Mayor Balla announced the Borough Attorney Denis Murphy would give a brief explanation of Executive Session discussions before moving forward.

Attorney Denis Murphy said the Mayor and a few Councilmembers have met with the Exempt Firemen's Association related to the acquisition of their leasehold interest in the property where their building sits. He said there have been a number of sessions between the parties to work out a mutually acceptable agreement which is the Resolution the Council will consider next. He explained some general terms of the agreement. He said if the Council passes the Resolution there will be a payment to the Exempt Firemen's Association in the amount of \$250,000.00 for their interest in the lease hold of their property. Mr. Murphy also said the town will provide the Exempt Firemen with a parcel of land adjacent to the Chemical Engine Company building. He said the new lease will be for a period of 20 years. He said the Resolution on tonight's agenda would be approving the Memorandum of Understanding between the Borough and the Exempt Firemen's Association.

Councilman Jubin said he appreciates the hard work put into coming to this agreement by everyone on both sides. He also believes this is a great compromise and feels this a page moving forward for all parties involved. He thanked the Exempt Firemen for all they have done for the Borough.

Councilwoman Goodloe thanked the Exempts for their agreement with the Borough to forego their current lease for the terms that have been set forth. She also said she is excited for this new chapter in Watchungs history.

Councilwoman Eisenberg Knegten said this has been a long but productive conversation on all sides. She thanked all the fireman and Exempts for their hard work in all aspects.

Councilman Black said he is happy we are all moving forward with this agreement and thanked everyone in the community for being able to come together in a meeting of the minds.

Mayor Balla extended his thanks and appreciation to all volunteers, Fire Department members and Exempt Fire members for spending many hours trying to work together on this agreement for the Boroughs best interest. He feels everyone has the community's best interest at heart and he is proud we were all able to work together.

The Mayor opened this portion of the meeting up to Public Comment.

Michael De Parto, Orchard Road, asked if the agreement being voted on was being loaded into the bond ordinance request for the library. He asked if there were other costs associated with this lease. Attorney Murphy said the Exempts would be responsible to relocate their building. Mr. De Parto asked if the total cost to the town regarding this lease agreement would be more than \$250,000.00. He asked again if this amount was included into the bond request. Mr. Damato said the \$250,000.00 amount was set aside in a separate bond request for the Council to use as needed. Mr. De Parto wanted to confirm there were no other extra costs involved with this agreement. He asked about the demolition costs of the building. Mr. Damato said he is not sure if the building is being demolished or what the cost to demolish the building would be until the project is put out to bid.

Bradford Leigh, Guinard Drive, asked if there was an obligation for the Exempts to build a building. Mr. Murphy said there is no obligation on their part to have to build a building. Mr. Murphy said it is within their options to relocate, rebuild or do nothing. He also said if the Exempts do nothing they will not have a lease for a property. Mr. Leigh questioned how far along the Council is on the process of

receiving plans from Mr. Iovino. He said those plans need to be submitted to the Library Commission by the 5th of March. Mayor Balla said the plans will need to be revised. Mr. Damato said the architect only drew up concept plans for the library so new architectural plans will need to be drawn up.

Michael De Parto, Orchard Road, asked what happens if we do not use all the money located in the bond ordinance. Mr. Damato said we planned to initially issue notes and as the budgets are finalized we may not need to issue permanent bonds or permanent financing. Mr. De Parto asked what the money left over from the last bond ordinance was for. Attorney Murphy said although he is not Bond Counsel, it may have been just authorization to bond for a certain amount and there were no actual bonds issued. Mayor Balla requested the administrator get the exact information from our bond counsel. Mr. De Parto asked if we had this money or are we borrowing this money. Mr. Damato said we do have this money and it was reallocated by a resolution that this council adopted for this purpose.

Paul Fiorilla, Washington Drive, said he is very glad everyone finally came to an agreement about the building of a new library.

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R7:02/06/20 Ratification of Memo of Understanding (MOU) – Watchung Borough and the Watchung Exempt Fireman’s Association

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. The next meeting of the Mayor and Council will be held on March 5, 2020 at 7:30 P.M.

Respectfully Submitted,

Regina Angelo, RMC
Deputy Clerk