

## BOROUGH OF WATCHUNG

### MINUTES

MARCH 25, 2004

**MAYOR'S STATEMENT:** Mayor Ellis 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, Messenger-Gazette and Star Ledger, and posted at Borough Hall.

#### SALUTE TO THE FLAG and SILENT PRAYER

#### ROLL CALL

Black [P ] Franklin [P ] Otto [P ] Mobus [P ] Joren [P ] Harding [A ]

Also present were Borough Attorney Albert Cruz, Administrator/Clerk Laureen Fellin, Borough Engineer Richard Moody, and Deputy Borough Clerk Michelle DeRocco

There were 8 members of the public present.

#### REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin said the Personnel Committee met this week to discuss some budget items and announced the hiring of Maria Fittapaldi as secretary in the Clerk's Office. He announced that the hunt is now over and the total deer culled were 120. He said the results of the program will be discussed at a workshop scheduled for April 12th, as well as the Borough's options.

2. Police - Councilman Black had nothing to report.

3. Public Works - Councilman Mobus reported that he has reviewed the Washington Rock Road East intersection project and said hopefully the Borough will be proceeding with the recommendation.

4. Buildings and Public Affairs

Public Affairs - In Councilman Harding's absence, Mayor Ellis announced that the Borough will be holding a "New Neighbors" picnic at the Fireman's Exempt Hall on June 13th and invitations are going out to all residents who have moved into Watchung since 2000. He said he feels it will be a nice way for people to get acquainted as well as meet Borough employees such as the Police and Fire Departments.

Buildings - Councilman Otto said the Buildings and Grounds Committee met and discussed the re-roofing of the Art Center and said they have 2 quotes. Councilman Otto stressed to the Mayor that the building needs a new roof. He then talked about the issue of goose control and said a decision has never been made after many discussions. He said there are grants available for non-lethal means and time is running out. Councilman Otto said the need for sidewalks on Stirling Road should be considered. He said he met with Borough Attorney Albert Cruz and discussed the Santucci House.

5. Fire - In Councilman Harding's absence, Mayor Ellis said talks between the Fire Department and Rescue Squads are on-going and making progress. Councilman Otto said he has e-mails from Congressman Ferguson's office regarding the grant deadline and Mayor Ellis informed him that Chief Reddington announced at the budget meeting that he is working on the grant.

6. Laws/Ordinances, and Recreation - Councilwoman Joren reported that the Laws and Ordinances Committee met on the 9th and discussed a grease trap ordinance which is now being reviewed. She said the Committee will be discussing a tobacco ordinance at their next meeting. With regard to the Recreation Committee, she said they are busy getting ready for the summer program and will be applying for a grant in April. Councilwoman Joren announced the dates for the summer concert series as June 9th, June 17th, and June 23rd. She said the Committee is checking the parks for safety. Mayor Ellis asked about the Youth Services Commission and Councilwoman Joren said they have elected their officers; April 13th is the date of their next meeting, and they are working on a bully prevention program for the middle school.

#### REPORTS - OTHER:

7. Engineer - Richard Moody announced that the Washington Rock Road East intersection project should be going out to bid by the end of May. He also said he will be meeting with the residents of Sunbright regarding to their sewer project.

8. Attorney - Mr. Cruz said he had nothing to report, however, he had two items for executive session.

9. Administrator - Mrs. Fellin reported that the newsletter is almost complete and should be out soon. Councilman Otto asked if we could have something regarding the siren noted in the newsletter and Mayor Ellis explained that when there is an emergency call, the sirens do not go off at night as the firemen and rescue workers all have pagers. However, there will be a new signal that would go off in the event of a homeland security warning and this will be explained to the residents in the newsletter. Mayor Ellis reported that he recently had the opportunity to sit in on a police interview and was impressed by the interview team which was made up of existing officers and he added that the candidates were equally as impressive. He said that this is a reflection of the success in the hiring of our police staff.

---

---

#### UNFINISHED BUSINESS

None

---

---

#### NEW BUSINESS

CONSENT AGENDA: The Consent Agenda listed below was unanimously accepted on roll call following a motion by Councilman Black and a second by Councilman Franklin.

Approval of the following Council minutes:

- Organization Meeting, January 3, 2004
- Council Meeting, January 8, 2004

Approval of the following Borough Reports:

- Police Report - February 2004
- Tax Collector's Annual Report - 2003
- Recreation Commission Minutes - February 4, 2004

- #29- Jon Loomar, 3/11/04 Requesting a revisit to the Washington Rock Road and Rock Road East improvement issue c· Mayor and Council, LBF, RWM, A. Cruz
- #30- Dr. Catherine Rock, Watchung Borough Schools, requesting the installation of a sidewalk along Stirling Road 3/11/04 c· Mayor and Council, LBF, RWM, AC
- #31- Joe DeNicholas 3/15/04 Expressing support for previously approved improvement plan for the intersection of Washington Rock Road and Rock Road East improvement issue c· Mayor and Council, LBF, RWM, A. Cruz
- #32- Borough of North Plainfield 3/12/04 Resolution supporting bills that clarify punitive damages may not be awarded against public employees or entities c: Mayor and Council

- #33- Township of Warren 3/12/04 Ordinance revising general ordinances of the Township of Warren c Mayor and Council, RWM, Planning Board
- #34- Borough of North Plainfield 3/17/04 Ordinance amending Chapter VII of the Code of North Plainfield establishing four (4) tons gross weight limit on Johnston Drive east of Watchung Avenue c Mayor and Council, A. Cruz, A. Widin, J. Frosoni, R. Lacaillade
- #35- Phil DiRosa 3/18/04 requesting a time line for the Washington Rock - Rock Road East Intersection project c Mayor and Council, RWM, LBF, A. Cruz
- #36- Township of Aberdeen 3/19/04 Resolution requesting the State Legislature change the System by which property tax bills are sent c Mayor and Council
- #37- Township of Greenbrook 3/19/04 Resolution supporting bills which clarify that punitive damages may not be awarded against public entities or public employees c Mayor and Council
- #38- State of New Jersey DEP 3/19/04 Public Notice regarding draft of NJ Pollutant Discharge Elimination System Permit for mining and quarrying c Mayor, Bd of Health, RWM, Planning Bd., Environmental Commission

---

CONSENT AGENDA RESOLUTIONS: The resolutions listed below were adopted on roll call following a motion by Councilman Black and a second by Councilman Mobus, with all voting in favor

- R1-03/25/04 Purchases over \$2,000 - Independent Overhead Door, Inc.
- R2: Authorize contract for Planning Board and Board of Adjustment Attorneys
- R3: Authorize refund of fee for unused tree permit- 450 Ridge Road
- R4: Authorize refund of escrow balances for various projects
- R5: Authorize the issuance of a Raffle License to Prevent Child Abuse - New Jersey - raffle to be held on May 10, 2004
- R6: Appointment of Maria T. Fittipaldi as Secretary in Clerk's Office
- R7: Authorization of Electronic Tax Receipts Program
- R8: Approving the request of Kristin Beckert for placement of a donated bench at Watchung Lake

---

**NON-CONSENT AGENDA**

**NON-CONSENT AGENDA RESOLUTIONS**

The resolutions listed below were unanimously adopted on roll call with offering and seconding as follows:

	<u>Offered</u>	<u>Second</u>	
R9-03/25/04 Payment of Bills	Franklin	Black	
R10 Congratulating Watchung Hills H.S. Senior Mike Gatti on his State championship	Mobus	Black	

Councilman Black said that he, along with Councilman Mobus, will be attending the school awards ceremony at Forest Lodge and will present this resolution to Mike Gatti personally.

---

## PUBLIC PORTION

Lynda Goldschein, Sherwood Drive, told the Mayor and Council that they are in violation of the Sunshine Law when they go into executive session to discuss the acquisition of the Subramanian property because they are not letting the public know what the plans are. Mayor Ellis explained that the governing body is not in violation, as it is the acquisition itself that is being discussed, not what the Borough plans to do with it. Mr Cruz said any property the Borough acquires will be for public purpose and whether or not to move on it, and what offer to make, are the issues. Mrs. Goldschein said she feels if the taxpayers are going to have to pay for it, then they should be able to hear the information. Mrs. Goldschein then asked which configuration they Borough has decided to go with for the Washington Rock Road East intersection project. Mr Moody said they are going ahead with Plan 2, as it was reviewed by the Public Works Committee and they have decided to proceed with it.

Ilse Belcher, Valley Road, asked how she can get on the deer workshop panel. Mayor Ellis explained that the workshop will be discussing the results of the culling and other options and the meetings will be open to the public. Mrs. Belcher asked when the Borough will begin to kill the geese and which other animals will be killed. Mayor Ellis said anything like that requires permission and a permit from the State.

Jon Loomar, Washington Rock Road, asked which agency had determined that the Washington Rock / Rock Road East intersection was unsafe. Mr. Moody cited the Borough of Watchung Engineering Department, the Borough of Watchung Police Department, the Somerset County Engineering Department, the Somerset County Police Department, and the Department of Transportation. He added that it was also discussed with the Borough's insurance carrier who said it was a liability issue. Dr. Loomar said the current Council Members are new and were not involved when this plans for this intersection were first discussed. He asked if the Board of Education was an agency of the Borough. Mr. Moody said the Board of Education has been involved in the review and supports Plan 2. Dr. Loomar said that years ago, the Indians decided what was best for that corner and he doesn't understand how danger can be perceived, when there is no danger. He said there has never been a bus accident on that corner. Dr. Loomar said that 2 years ago Mr. Moody said there was no liability. Mr. Moody replied that he had never said that. Dr. Loomar said that a lot of effort is being put in to correct something that does not need to be corrected, as it was OK for 100 years. He said the police department should be more involved in enforcement if there is a safety problem. Mr. Cruz told Mr. Loomar that a decision has been made by this governing body and said that if he is requesting that this issue be revisited, he should state it.

Emi Havas, Valley Road, said that she agrees with Dr. Loomar and said the whole issue of the safety of the Washington Rock Road East intersection project started when one school bus turned around. She requested that this issue be revisited.

Phil DiRosa, Rock Road East, explained that that reason for the controversy on the Rock Road East intersection project is because there is a blind spot which causes cars to go into his driveway where his children play. He said it is a safety issue and a dangerous situation when the school bus has to turn around. He said the road needs to be straightened out and Plan 1 would have accomplished that.

Rick Spingler, Washington Rock Road, said the new proposed plan for the Washington Rock Road East intersection project will encourage drivers to speed and the Borough is fooling itself if it believes that straightening out the intersection will make it safer. He said the natural configuration of the road as it is now slows people down. Mr. Spingler said that with the deer eating all of the undergrowth, it is a problem for Mr. DiRosa, however, he believes there is an alternative to changing the whole road.

Dr. Loomar said he has spoken to Councilman Franklin who has suggested speed bumps to slow down the traffic and Councilman Franklin corrected him by saying he was speaking about rumble strips. Dr. Loomar said all that is needed to straighten out the problems on this intersection is a few more signs. He said everyone purchased their property "as is" and asked why it should be changed now, and he added he feels it is all because of a council person who is no longer on the council.

