

## BOROUGH OF WATCHUNG

### MINUTES

#### WORKSHOP MEETING OF SEPTEMBER 13, 2004

**MAYOR'S STATEMENT:** Mayor Ellis called the meeting to order at 7:00 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 special notice to the Courier News, Echoes Sentinel, The Messenger Gazette and Star Ledger, and posted at Borough Hall.

#### ROLL CALL

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

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

There were 20 members of the public present.

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#### NEW BUSINESS

Introduction of OR:04/16 entitled: "AN ORDINANCE TO ESTABLISH A NEW SECTION ENTITLED "WILDLIFE MANAGEMENT ADVISORY COMMITTEE" IN CHAPTER 2 "ADMINISTRATION" OF THE CODE OF THE BOROUGH OF WATCHUNG"  
Councilwoman Joren moved the ordinance be given its first reading. So ordered.

Mayor Ellis explained that this Ordinance will create a committee and will include members of the public. He said they will have much more formalized roles with regulations that will need to be followed. Councilman Franklin said he would like to amend this ordinance with a few minor changes. He suggested under 2-44.2 A., the word "non-lethal" be deleted; under 2-44.2 B the word "hunting" be replaced with "culling"; on page 2, section B replace "firearms" with "methods as approved by Borough Council"; and under 2-44.4 A. (1) and (2) delete the words "including deer"; and under 2.44.4 A, add (4) "Secure baiting/culling sites for a Community based Deer Management Plan" and under 2-44.5 in the fifth sentence change the word "deer" to "wildlife". Councilwoman Joren said she is opposed to any changes to the original document. She said this Ordinance was carefully reviewed by three Council people on the Laws and Ordinances Committee, Mr. Cruz and Mrs. Fellin. She said to remove the word "non-lethal" from this Ordinance will take away the spirit of the document. She said the word "hunt" should remain, as it is a hunt. Councilwoman Joren said the only change she would agree to would be the change of the word "deer" to "wildlife" under 2-44.5. Councilman Otto agreed with Mrs. Joren adding that this ordinance was worked on through out the summer and the impact of changing this should carefully be considered. Councilman Black said he feels these amendments have been toned down and he does not have a problem with them.

Councilwoman Joren moved the ordinance be adopted on first reading, as written, and the Clerk be directed to publish the ordinance and notice of public hearing. The motion was seconded by Councilman Otto and upon roll call the vote was as follows: Black, Franklin, Mobus, Harding, "NO"; Otto, Joren, "YES". This ordinance was defeated.

Councilman Franklin moved Ordinance OR:04/16 be moved with the proposed amendments. Mrs. Fellin explained that since OR:04/16 was defeated, it would have to be introduced as a new Ordinance and will be OR:04/21. Mr. Cruz read the Ordinance as amended. Councilman Otto asked that 2-44.4 be deleted. Following discussion, 2-44.4 was amended to read "May secure baiting/culling sites for a Community based Deer Management Plan". Councilman Franklin moved the ordinance be adopted on first reading, and the Clerk be directed to publish the ordinance, as amended, and notice of public hearing. The motion was seconded by Councilman Harding and upon roll call the vote was as follows: Black, Franklin, Mobus, Otto, Harding, "YES"; Joren, "NO". Public hearing will be held on September 23, 2004.

Introduction of OR:04/17 entitled: "AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER VI ENTITLED "POLICE REGULATIONS" OF THE CODE OF THE BOROUGH OF WATCHUNG, ADDING A NEW SECTION 6-7. PROHIBITING INTERFERENCE WITH AUTHORIZED CULLING SITES OR BAIT STATIONS, AS SUPPLEMENTED AND AMENDED" Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilman Franklin said he would like to amend this ordinance, Section 6-7.1, the 4<sup>th</sup> line by deleting the words "or other wildlife" and in the second and fourth sentences change "hunting" to "culling". Mr. Cruz said a deer management plan deals with deer. Councilwoman Joren said she will accept the amendment from "hunting" to "culling".

Councilwoman Joren moved the ordinance be adopted on first reading, as amended, and the Clerk be directed to publish the ordinance and notice of public hearing. The motion was seconded by Councilman Black and unanimously carried on roll call. Public hearing will be held on September 23, 2004.

Introduction of OR:04/19 entitled: "AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER VI OF THE CODE OF THE BOROUGH OF WATCHUNG KNOWN AS "POLICE REGULATIONS," (SPECIFICALLY DELETING SECTION 6-3 ENTITLED "FEEDING OF WILD WATERFOWL" AND ADDING A NEW SECTION 6-3 ENTITLED "WILDLIFE FEEDING") AS HERETOFORE SUPPLEMENTED AND AMENDED IS HEREBY SUPPLEMENTED AND AMENDED"

Councilwoman Joren moved the ordinance be adopted on first reading, as written, and the Clerk be directed to publish the ordinance and notice of public hearing. The motion was seconded by Councilman Black and unanimously carried on roll call. Public hearing will be held on September 23, 2004.

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#### NON-CONSENT AGENDA RESOLUTIONS

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The resolutions listed below were adopted, with the exception of R1 which was defeated by a 4 – 2 vote, on roll call with offering and seconding as follows:

Offered    Second

R1:04/13/04	Introduction of OR:04/16 - Establish Wildlife Management Advisory Committee <i>Aye: Otto, Joren; Nay: Black, Franklin, Mobus, Harding</i>	Joren	Otto
R2:	Introduction of OR:04/21 - Establish Wildlife Management Advisory Committee <i>Aye: Black, Franklin, Otto, Mobus, Harding; Nay: Joren</i>	Franklin	Harding
R2:	Introduction of OR:04/17 - Amend Borough Code, Chapter VI, Police Regulations - Interfering with Hunt/Bait Sites <i>Aye: Black, Franklin, Otto, Mobus, Joren, Harding</i>	Joren	Black
R3:	Introduction of OR:04/19 - amend Borough Code, Chapter VI, Police Regulations - Wildlife Feeding <i>Aye: Black, Franklin, Otto, Mobus, Joren, Harding</i>	Joren	Black
R4:	Award Professional Contract - Bohler Engineering - Anderson Road <i>Aye: Black, Franklin, Otto, Mobus, Joren, Harding</i>	Mobus	Black

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## DISCUSSION

### Deer Management

Mayor Ellis explained that the Council has put forth a budgetary item to continue culling of the herd. He said he may have two vendors this year, and it will be part of the Wildlife Committee's responsibility to decide, when the Borough makes the application to the state. Councilman Otto reminded the public that since the ordinances are now introduced, they can obtain copies of them before the public hearing and comment at that time. Councilman Franklin urged the residents not to feed the deer as it upsets the natural cycle of food by providing an artificial state of well being. He said it increases their production rate and weakens the gene pool.

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## PUBLIC PORTION

Beverly Doering, Oakridge Lane, said if she didn't get a call, she would not have known about this meeting. She said the governing body is asking the residents not to feed the deer, however, they are feeding the deer with the baiting sites.

Ray Miller, Valley Road, said he is not happy with the procedure of this workshop meeting, in the fact that changes are being made to an ordinance by someone who is not on the Laws and Ordinances Committee. He said Mrs. Joren's comments were well taken. Councilman Black explained that when it comes to the Deer issue, there are opinions to the left, and opinions to the right. He said the governing body tried to take the middle path. Mr. Cruz explained that the Borough's sub committees are "advisory" and it is the governing body's responsibility to accept or deny their recommendations.

Marty Halmo, Tuttle Road, asked the governing body to be sure the citizens have equal representation when appointing members to the Wildlife Committee.

Lee Ehrenworth, Canterbury Lane, said that if the Borough really wants these ordinances to work, there will need to be enforcement.

Walter Niegisch, Tuttle Road, asked if there was a time frame for the committee to work as there could be many discussions. Mr. Cruz replied that the ordinance does provide for an annual report and once the committee is established, direction will be given.

Lynda Goldschein, Sherwood Drive, asked how and when the governing body will select the members for the Wildlife Committee and Mayor Ellis said that he is open for volunteers and several people have shown interest. He said he hopes to have it established by October. Mrs. Goldschein asked if this means the governing body will be proceeding with a hunt this year and Mayor Ellis replied yes, as long as our application is approved.

Barbara Sachau, a Morristown resident, said the committee will need to have a balance of members from different sectors of the community. She said she feels the use of the word "culling" is misleading to the public, even though she knows the NJ Division of Fish and Game use it. She also said the gene pool is hurt by hunting and not by feeding the deer.

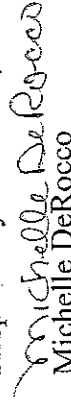
Mayor Ellis said he always tries to balance the members on the committees.

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## ADJOURNMENT

There being no further business to come before the Council, the workshop meeting was adjourned at 8:35 PM to the call of the Chair or the next regularly scheduled meeting of Thursday, September 23, 2004.

Respectfully submitted,

  
Michelle DeRocco  
Deputy Borough Clerk

