

BOROUGH OF WATCHUNG

MINUTES

FEBRUARY 22, 2007 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Ellis 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 Courier News, Echoes Sentinel, Messenger-Gazette and Star Ledger, and posted at Borough Hall.

SALUTE TO THE FLAG and SILENT PRAYER

ROLL CALL

Franklin [P] Black [P] Mobus [P] Joren [P] Pote [P] Nehls [P]

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

There were 35 members of the public present.

PRESENTATION

Vito Gagliardi, Esq., to speak on Regional School Funding

A Special Presentation was made by Vito Gagliardi, Esq., who specializes in Regional School District litigation. Mayor Ellis invited Mr. Gagliardi to this meeting to openly discuss any options that would be available to the Borough to address the funding formula, obviously unfair to Watchung taxpayers. Explaining that short of changing current legislation, Mr. Gagliardi recommended a feasibility study be done to assess the possibility of Watchung pulling out of the current regional system and sending students to the school as a sending district, such as Green Brook does. Green Brook pays a tuition rate of \$12,490.00 per student vs. \$20,961.00 per student that Watchung pays. Mr. Gagliardi explained that the school funding formula is based on the assessed valuation of properties, and Watchung's property values are very high. He also explained the steps needed to proceed with pulling out of the system and said it would have to go to a vote of the residents in the three municipalities of the regional district, and can only pass by a majority vote, with approval by at least two of the three towns.

Mr. Gagliardi answered questions from the governing body as well as residents who were present at the meeting. Mayor Ellis thanked Mr. Gagliardi for attending the meeting and for the very informative presentation.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Black reported that he discussed the utility bills with the Finance department today and said some of the monthly bills were staggering. \

2. Police - Councilman Franklin said he had a very fruitful meeting with local delegates of the PBA. He also commended Detective Bill Kelly who received a letter of commendation from the NJ State Police for his assistance in an identity theft case in Little Falls, and also Patrolman Rich Lyons, noting a previous arrest of a man now suspected of killing a police officer in Paterson.

3. Public Works - Councilman Mobus announced the projected completion of the Corey/Sunbright sanitary sewer project is March 1st, with the final overlay scheduled for June. He reported the plantings on Stirling Road are in, and the pre-construction meeting for Spencer/Fawn Lane Sanitary Sewer Project will be scheduled shortly.

4. Buildings and Public Affairs

Buildings - Councilman Pote reported the Building and Grounds Committee met to discuss the plans for the bonus room with Maser Consulting and Ed Bennett, and this project should be going to bid soon. He reported the Rescue Squad is moving along with their renovation project and are very organized, explaining that they look at every dollar they are spending, making sure it is used most efficiently. Councilman Pote said the Library Study Committee met at the Fanwood Library and it was a very good meeting as Fanwood had expanded their facility about three years ago and make very good use of 6,000 square feet they have. Their next step will be to meet one more time before they bring a

proposal to the Mayor, hopefully by the end of March. He also reported the Historical Committee will be meeting next week.

Public Affairs - Councilman Nehls announced the Environmental Commission will be meeting next Monday night, and the Board of Health met last night. He said Health Officer Kevin Sumner is working on a grant for a "pandemic response plan" and the Commission is waiting for the regulations to be put in place in regard to Tanning Salons. Councilman Nehls said he met with representatives of the Educational Foundation, an enthusiastic group who raise funds for Bayberry and Valley View Schools. He said they have a "drop-off" bin at Borough Hall for old toner cartridges which they will recycle.

5. Fire - Councilman Nehls announced the Fire Department meets on the 1st Monday of every month.

6. Laws/Ordinances, and Recreation - Councilwoman Joren announced the Basketball Coaches Appreciation Social will be held on March 18th, from 3 pm to 6 pm at the Fire Exempt Hall, and the coaches Safety Clinics run by Rutgers will be held on Feb. 28th, March 31st, and April 11th at the Warren Middle School. She reported the basketball and volleyball programs are in progress and the on line registration should be ready for the spring programs. Councilwoman Joren said the Commission members are doing the safety checks at the parks and on the equipment, preparing for the up coming season. In regard to Laws and Ordinances, she reported the Committee met last week and as a result, there are two items on tonight's agenda – a revision to the bid threshold and a revision to the grease trap ordinance. Councilwoman Joren announced that before the March 8th council meeting, a workshop will be held beginning at 6:00 P.M. to go over the Land Development Ordinance. She also reported the Ness Committee had their first meeting and it went well. She explained they conducted a good review of the map and land, and will provide the Engineer with a "wish list".

REPORTS - OTHER:

7. Engineer - Engineer Tom Herits noted the ordinance to provide the additional funding for the Rock Slope Remediation at the Police and Municipal Court Facilities is on tonight's agenda for a public hearing and adoption. He said he would like to combine the pre-construction meetings for the Spencer/Fawn Lane project and the Pedestrian Crosswalk Improvement project. He said he is scheduled to meet with Charles Gunther tomorrow to discuss the overlay program. He said the specs for Hughes Lane are being reviewed and should be ready to go to bid soon. He said he would be meeting with the County soon to discuss the Gateway Project.

8. Attorney - Mr. Cruz said he had one item for discussion in Executive Session.

9. Administrator - Mrs. Fellin had nothing to report.

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UNFINISHED BUSINESS

Public Hearing on Ordinance OR:07/02 entitled "AN ORDINANCE ACCEPTING A SANITARY SEWER CLEANOUT ACCESS EASEMENT FROM MANUAL M. CARDADEIRO AND MARIA G. CARDADEIRO TO THE BOROUGH OF WATCHUNG." Councilwoman Joren called for a second and final reading of the ordinance. The Clerk read the ordinance by title and produced an affidavit of publication, certification of posting and availability of copies. Councilwoman Joren moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

With no one from the public desiring to be heard, Councilwoman Joren moved the public hearing be closed, the ordinance be adopted, and the Clerk be directed to publish the notice of adoption. Councilman Black seconded the motion, which carried unanimously on roll call.

Public Hearing on Bond Ordinance OR:07/03 entitled "BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$450,000 FOR THE UNDERTAKING OF THE POLICE FACILITY ROCK SLOPE PROTECTION PROJECT IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS." Councilwoman Joren called for a second and final reading of the ordinance. The Clerk read the ordinance by title and produced an affidavit of publication, certification of posting and availability of copies. Councilwoman Joren moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

With no one from the public desiring to be heard, Councilwoman Joren moved the public hearing be closed, the ordinance be adopted, and the Clerk be directed to publish the notice of adoption. Councilman Black seconded the motion, which carried unanimously on roll call.

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NEW BUSINESS

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

Approval of the following Council minutes:
February 5, 2007, Regular and Executive Sessions

Approval of the following Borough Reports:
Historical Committee - Minutes of January 4, 2007, 2007 Strategic Plan
Recreation Commission - Minutes of January 9, 2007
Police Activity - January, 2007

#13 - Somerset Bd. Of Chosen Freeholders 2/13/07 Resolution Supporting Construction of Pedestrian Improvements Along Route 22 in the Township of Green Brook, Borough of No. Plainfield, and Borough of Watchung c: M & C, LGF, Eng.

#14 - Watchung Board of Education 2/13/07 Resolution approving modification to 2006 Youth Athletic Recreation Facility Grant c: M & C, LBF, MB, CG

#15 - NJ Transit 2/13/07 Notice of Public Hearing on proposed Fare Changes c: M & C, Post

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

R3: Purchases Over \$2,000. - Ray's Sport Shop, Inc., Watchung Fire Department, Efinger Sporting Goods Co.

R4: Award of Professional Services Contracts - Land Use Board Consultants

R5: Authorize Donation of Surplus Police Radios and Light Bars

R6: Authorize Mayor to sign DEP Dam Safety Permit Application - Best Lake

R7: Authorize Reduction of Performance Guarantee - Nikilyn Construction, Inc.

R8: Authorize Safe and Secure Communities Program Grant Application to State of NJ

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Introduction of OR:07/04 entitled "AN ORDINANCE AMENDING SECTION 2-25.12, TITLED "BID THRESHOLD" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG, ADOPTED 2004, BY INCREASING THE BID THRESHOLD TO MAKE IT CONSISTENT WITH THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-3." Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren moved the ordinance be adopted on first reading 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 to be held on March 8, 2007.

Introduction of OR:07/05 entitled "AN ORDINANCE AMENDING CHAPTER XVIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG TITLED "SEWERS", BY ~~ADDING~~ AMENDING THE ~~A-NEW~~ SUBSECTION TITLED "GREASE TRAPS". Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren moved the ordinance be adopted on first reading and the Clerk be directed to publish the ordinance and notice of public hearing. The motion was seconded by Councilman and unanimously carried on roll call. Public Hearing to be held on March 8, 2007.

Proclamation - Read Across America

Mayor Ellis read the proclamation into the minutes (copy attached)

Request from Ram and Dr. Vijaya Reddy to install pool on Borough easement, or approval to reduce detention basin - Block 12.01, Lot 2.02.

Mr. Herits discussed with the governing body a request from residents of Acorn Drive, the Reddys, who would like to put a pool in their yard, however, need approval as there is a Borough easement on the property. Mr. Herits recommended approval of the request because the basin size can be reduced and has not seen water in years. Councilman Pote asked Mr. Herits if this property is subject to the "100 year storm risk", and Mr. Herits said no. The governing body granted approval of a basin reduction on condition that this resident employ an engineer and provide the Borough with a new survey and easement description, all of which must meet the approval of the Borough Attorney.

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NON-CONSENT AGENDA RESOLUTIONS
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The resolutions listed below were unanimously adopted on roll call with offering and seconding as follows:

Table with 4 columns: Resolution ID, Description, Offered By, and Offered Name. Rows include R1:2/22/07, R2, R9, R10, R11, and R12.

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PUBLIC PORTION
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Lee Ehrenworth, Canterbury Lane, asked the governing body what their next step will be, after hearing the presentation from Mr. Gagliardi and Mayor Ellis said he plans to appoint a committee to explore the practicality of doing a feasibility study.

Councilman Franklin offered R12:2/22/07 authorizing an executive session, with a second by Councilman Black and unanimously approved.

Upon return to regular session at 9:50 PM, all member previously present, were again in attendance.

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ADJOURNMENT
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There being no further business to come before the Council, the meeting was adjourned at 9:55 PM to the call of the Chair or the next regularly scheduled meeting of March 8, 2007 at 7:30 PM.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk