

# BOROUGH OF WATCHUNG

## MINUTES

MAY 10, 2007 - 7:30 P.M.

**MAYOR'S STATEMENT:** Mayor Ellis called the meeting to order at 7:30 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 [ A ] Nehls [ P ]

Councilwoman Joren arrived at 7:45 P.M.

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

There were 3 members of the public present.

### **REPORT OF STANDING COMMITTEES:**

1. Administration & Finance – No report.

2. Police - Councilman Franklin reported Police activity for the month of April is down this year compared to last year, and read a letter of thanks from an Acorn Road resident thanking Officer Stankan for his assistance for an incident at her home. He also read a letter of thanks from the Bound Brook Police Department in regard to Officer Holzheimer who assisted them in their time of need during the recent floods. Councilman Franklin noted that he was in receipt of the audit report for the Court and said all is in “tip top” shape.

3. Public Works - Councilman Mobus said he met last week with Tom Herits and Charlie Gunther to discuss the road overlay program. He said, in regard to the \$200,000. DOT grant, options for which part of Johnston Drive this money will be applied to are still being discussed. Councilman Mobus said Belgium block curbing for Sunbright is being considered, as this street took a beating during the last storm.

4. Buildings and Public Affairs

Buildings – No Report.

Public Affairs - Councilman Nehls reported that when the Environmental Commission met last week they reviewed a request from Mt. Saint Mary's to remove 1200 trees in order to install a new track. He explained that our ordinance requires a “one to one” replacement of trees and St. Mary's does not have enough room on their property to comply, so options are being discussed. He also reported that on May 5<sup>th</sup> the annual Emergency Services Pancake breakfast was held and \$1,078. was raised for the Children's Tumor Foundation in the name of resident Sandra Blumberg who suffers from this dreadful disease. Councilman Nehls said he would like to publicly thank Aramark, Watchung Ridge Assisted Living, BJ's, and Wilson Memorial for their donations, and also the Mayor and Council as well as the members of the Police, Fire, and Rescue Squad who participated. He also thanked Michelle DeRocco and Carolyn Taylor for their help, and special thanks to his wife Georgia, who he said without her help, this event would not have taken place. Councilman Nehls also thanked Sandra Blumberg and her family for attending and said Sandra is an inspiration to all. Mayor Ellis said kudos to Carolyn and noted that she was personally involved, as she lost a sister to this same disease. Mayor Ellis also commented that it is possible that the date for next year's breakfast may be changed to February.

5. Fire - Councilman Nehls reported the Department responded to 20 calls in the month of April, with 188.5 man hours, and announced a total of 75 calls and 782.65 man-hours, year to date. He said he had a discussion today with the Fire Chief from No. Plainfield in regard to the shared service grant, which is currently in the hands of the DCA.

6. Laws/Ordinances, and Recreation - Councilwoman Joren said the Recreation Commission is busy finalizing the plans for the Community Picnic, and said it should be really nice this year as they are adding some new activities for the children. In regard to the Laws and Ordinance Committee, Mrs. Joren reported they are scheduled to meet on May 23<sup>rd</sup>, and Mr. Cruz is finalizing the Land Development Ordinance.

**REPORTS - OTHER:**

7. Engineer – No report.

8. Attorney – Mr. Cruz reported that he met with the Assessment Commission last night in regard to Will Lane and Brook Drive, and will be finalizing the report which should be before the governing body in June. He also announced he has one item for discussion in Executive Session.

9. Administrator – Mrs. Fellin said she attended a meeting this morning at the Freeholder’s office to discuss shared services. At the JIF meeting this morning, Mrs. Fellin said a new website for MEL training was announced, and said it has links for filing claims. She also announced that flyers were available for a Kids Cancer Research Fund fundraiser, where Liz King, a friend of former Police Chief Bob Reilly, will be performing.

Mayor Ellis said he and Councilman Franklin attended the ceremonial opening of the Developmental Learning Center in Warren and was just blown away. He explained that it is truly “state of the art” and there is no other school of this caliber in the country. Mayor Ellis said it is an innovative school for students with autism, and enrollment is already at its capacity of 200 plus children. He said he met with the Mayor of North Plainfield, Jane Allen, to discuss shared services and joint purchasing. He said No. Plainfield is extremely grateful to be able to use our court facility while theirs is under renovation, and announced their grant is in place for the reconstruction of their end of the Johnson Drive extension. Mayor Ellis also talked about the Unity Bike Tour which stopped at Watchung Police Headquarters yesterday to honor Matthew Melchionda. Mayor Ellis thanked Councilman Mobus for acting as “master of ceremony” and said he was overwhelmed by the number of bicycles that passed through our Borough on their way to Washington, DC.

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**UNFINISHED BUSINESS**

Public Hearing on Ordinance OR:07/08 entitled “AN ORDINANCE AUTHORIZING THE LEASE OF CE title and Councilwoman Joren called for a second and final reading of the ordinance. The Clerk read the ordinance by produced an affidavit of publication, certification of posting and availability of copies. 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 Ordinance OR:07/09 entitled “ORDINANCE TO ESTABLISH A CAP BANK” Councilwoman Joren called for a second and final reading of the ordinance. The Clerk read the ordinance 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, with the exception of #34 and #35, was unanimously accepted on roll call following a motion by Councilman Franklin and a second by Councilman Black.

Approval of the following Council minutes:

Approval of the following Borough Reports:

- Tax Collector’s Monthly Report - March, April, 2007
- Environmental Commission Minutes - February 26, March 26, 2007
- Building Department - April, 2007
- Police Activity - April, 2007
- Historical Committee Minutes - April 5, 2007

#32 - Borough of No. Plainfield 4/27/07 Notice of Planning Board hearing on May 9, 2007 - Construc

#33 - Borough of Manville 4/27/07 Two Resolutions requesting assistance from State Government For aid from Nor’easter of April 13, 2007 c: M & C, LBF

#34 - John Gausz 5/2/07 Announcing his retirement and relocation to Pennsylvania, and letter of resignat

- #35 - John Frosoni, Chief 4/30/07 Letter of Resignation, effective January 1, 2008 c: M & C, LBF
- #36 - Township of Berkeley Heights 5/7/07 Public Hearing on final Site Plan Application for health and fitness club, on May 14, 2007 at 7:30 pm c: M & C, LBF, DS
- #37 - Residents of Fawn Lane: Edward & Jennifer Zatorski, Pat & Ella Cicala, Joseph &

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Mayor Ellis asked for #34 to be pulled from the agenda and voted on separately. Mayor Ellis said that John Gausz has been a part of this town forever, and is now moving to Pennsylvania. He said his services to the Borough will be recognized at the next Council meeting. Councilman Mobus said he has know John Gausz for 40 years and he has been very involved in the Fire Department, and was one of the 14 people who manned the East End Fire House for many years. Councilman Mobus said if John didn't agree with you, he let you know, but it never interfered with the progress of the department.

Correspondence #34 was introduced by Franklin, seconded by Black and unanimously adoption upon roll call.

Mayor Ellis asked for #35 to be pulled from the agenda and voted on separately. Mayor Ellis explained that John Frosoni worked his up through the ranks and was appointed as Chief about five years ago. He said he has served the community well and thanked him for his years of service. Councilman Franklin said he has always had a good relationship with John Frosoni and wished him the best of luck.

Correspondence #35 was introduced by Franklin, seconded by Black and unanimously adoption upon roll call

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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.

- R3:05/10/07 Authorize Treasurer to Return Escrow Deposit Balances
- R4: Authorizing the waiver of the nepotism prohibition policy in the Policies and Procedures Manual for Summer Recreation Program employee
- R5: Appointments for Public Works Seasonal and Summer Recreation Program
- R6: Authorize Issuance of Raffle License to Rahway PBA Civic Association, Inc.
- R7: Authorize Advertisement of Synopsis of 2006 Audit Report
- R8: Purchases Over \$2,000. - Fence Guys, Inc., Specialized Vehicle Installation
- R9: Authorize Treasurer to issue Tax Refund/Disabled Veteran's Status - Bl. 7005, Lot 24
- R10: Authorize Renewal Agreement with County for Participation in Community Development Block Grant and Home Investment Partnership Program Activities
- R11: Ratifying motion to deny request to waive Contribution to Sidewalk Fund -
- R12: Ratifying motion to approve Field Modification Form request - Barrett Field Backstop

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Introduction of OR:07/10 entitled "AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG CH. 5 THEREOF, "SALARIES," AND TO FIX AND DETERMINE MINIMUM AND MAXIMUM SALARIES AND COMPENSATIONS TO BE PAID TO CERTAIN EMPLOYEES" 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 May 24, 2007.

**NEW JERSEY AMERICAN WATER - Brief Introduction-**

Mr. Watsey - External Affairs Liaison for New Jersey American Water  
 Kevin Watsey was present and briefly advised the governing body of services available for seniors and residents who may need assistance with their bills. Mayor Ellis asked Mr. Watsey for assistance with updating the Borough's fire hydrant maps and locations.

**Proclamation - "May is Asian-American Month"**

Mayor Ellis read this proclamation into the minutes (copy attached) and announced that on Sunday, May 20<sup>th</sup> is the date of the annual Asian American Heritage Festival to be held at the Ukrainian in Somerville and said it is a really nice, fun, and educational event.

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**NON-CONSENT AGENDA RESOLUTIONS**

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

<u>Second</u>	<u>Offered</u>
R1:05/10/07    Adoption of OR:07/08 - Authorizing Lease Renewal for Watchung Arts Council, Inc	Joren     Franklin
R2:            Adoption of OR:07/09 - Establish a Cap Bank	Joren     Black
R13:           Introduction of OR:07/10 - Set Minimum/Maximum Salaries for Employees	Joren     Black
R14:           Executive Session: Potential Litigation - Melchionda v. Borough of Watchung	Franklin   Black

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**PUBLIC PORTION**

Gerlinde Friedrich, Fawn Lane, requested expeditious finalization of landscaping where the Villa Domenico project has been on-going, and Mayor Ellis replied that the Public Works Committee and Engineering Department would review the original plans and respond in writing.

Councilman Franklin offered R14:05/10/07 authorizing an executive session, with a second by Councilman Black and unanimously approved.

Upon return to regular session at 8:45 PM, all members previously present, were again in attendance.

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**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:50 PM to the call of the Chair or the next regularly scheduled meeting of May 24, 2007, at 7:30 PM.

Respectfully submitted,

Michelle L. DeRocco, RMC  
Deputy Clerk