

BOROUGH OF WATCHUNG

MINUTES

JULY 19, 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 [A] Mobus [P] Joren [P] Pote [P] Nehls [P]

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

There were 8 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - No Report

2. Police - Councilman Franklin provided the June Police Activity report, which he said was statistically not significant, as the numbers are almost the same as last year. He said he will be sending a letter to the Chief commending four officers in breaking the Verizon robbery case. Councilman Franklin announced that Acting Chief Whelan was at the meeting tonight and may continue to attend one council meeting a month to provide input or answer questions. Acting Chief Whelan informed that the Verizon robbery was slated to have the apprehension of the second suspect aired on "America's Most Wanted" program this Saturday night.

3. Public Works - Councilman Mobus expressed his condolences to Borough Engineer Tom Herits on the passing of his father. He reported there is no movement on the Best Lake permitting. The contractor installing the rockfall netting at the Police Department has temporarily reassigned the crew due to an emergency. New crosswalks are at the point of completion and an assembly will be planned in September to train students in using the lighted crosswalk system. Public Works Committee is waiting for responses on an offer of curbing in the Sunbright/Corey/ Eaton and Park Place areas. Councilman Mobus reported his attendance at an NJTPA meeting where the Diamond Hill/Route 78 Improvement Project was suspended pending completion of traffic studies; he asked residents to send letters and comments to Legislators.

4. Buildings and Public Affairs

Buildings - Councilman Pote reported that the "bonus room" redesign has been completed and provided to Maser Engineering; Buildings and Grounds will look at the final plan next week. He will have Rescue Squad's activity report in August for the month of July; their building expansion is on schedule. The Historical Committee is on break for the summer. Councilman Pote is looking to the Mayor to appoint subcommittees for the Library project

Public Affairs - Councilman Nehls informed that the Board of Health is on summer hiatus and will meet in September.

5. Fire - Councilman Nehls reported the Fire Department responded to 13 calls, 2 drills and one work night, engendering 84.14 manhours. Year-to-date, they have responded to 119 calls using 1243.84 manhours, 13 drills and 6 work nights.

6. Laws/Ordinances, and Recreation - Councilwoman Joren reported that Laws and Ordinance is in a "waiting mode" on the Tree ordinance and Fence ordinance. Recreation did not meet for the summer, but will meet before the Regatta on September 9.

REPORTS - OTHER:

7. Engineer - Engineer Tom Herits expressed his thanks to the Borough for the support provided during a difficult time. A resolution is on the Agenda tonight to go to bid for the Arts Center improvements. He is getting ready for road overlays in mid-August. Public Works Department repaired two of the tennis courts at Camp Endeavor and they are in use. On the Park Place/Hughes Lane project, some minor redesign was done in order to avoid conflict with utilities; the contractor is ordering the pre-cast structures so to begin work in mid-August. Mr. Herits stated he received verbal approval from NJDOT on use of grant funding for Johnston Drive. Regarding crosswalks, he noted that the roadway lights were placed only on one side, so they can be seen coming down Stirling Road.

8. Attorney - No report.

9. Administrator - Administrator Fellin reported that the GIS program is at the point where training can be started and training dates will be scheduled. The Borough is in the process of correcting a few glitches.

Mayor Ellis informed that the Borough registered 500 hits on the official web page carrying the sample letter of protest regarding Diamond Hill/Route 78. He related that Senator Kean acknowledged 200 hits on his site. Mayor Ellis reported he spoke to Dan Sullivan, head of NJTPA, and was pleased to have gotten the NJTPA resolution changed to acknowledge Watchung's position. Traffic studies should be completed by the end of September and Watchung will be at the table for discussions, as will Somerset County. Regarding the Library subcommittees, Mayor Ellis advised that the newsletter has gone to press and his "Mayor's Message" contained a request for volunteers; he advised that all members of the previous committee have agreed to continue. He informed that he is confident that Somerset County will reduce the speed limit on Valley Road to 40 mph, and he is working on getting them to provide a "no passing" lane from Brookdale Road to the Warren border.

=====

UNFINISHED BUSINESS

Public Hearing on Ordinance OR:07/14 entitled "AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, SECTION 10-2.3(A) THEREOF, ENTITLED "LICENSE AND TAG FEES; EXCEPTIONS" AND SECTION 10-3-2 'FEES' AS HERETOFORE SUPPLEMENTED AND AMENDED."

Councilwoman Joren called for a second and final reading of the ordinance. The Clerk read the 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 Franklin and Councilwoman Joren moved the public hearing be closed, the ordinance be adopted, and the Clerk be directed to publish the notice of adoption. Councilman Franklin seconded the motion, which carried unanimously on roll call.

Public Hearing on Ordinance OR:07/15 entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXII ENTITLED 'FLOOD DAMAGE PREVENTION,' SPECIFICALLY SECTION 22-3.2 ENTITLED "BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD" OF THE CODE OF THE BOROUGH OF WATCHUNG, ADOPTED 2004, AS HERETOFORE SUPPLEMENTED AND AMENDED" 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 Franklin 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 Franklin seconded the motion, which carried unanimously on roll call.

=====

NEW BUSINESS

CONSENT AGENDA: The Consent Agenda listed below, with the exception of #67 and #68 which were removed for discussion, was unanimously accepted on roll call following a motion by Councilman Franklin and a second by Councilman Nehls.

Approval of the following Council minutes:
June 14, 2007 - Regular and Executive Sessions

Approval of the following Borough Reports:
Board of Health - Minutes of April 18, 2007
Police Activity - June, 2007
Planning Board - Minutes of May 15, 2007
Wildlife Management Advisory Committee - 2006-2007 Report; 2007-2008 Recommendations
Tax Collector's Report - June, 2007

- #61 - Joseph Bruno, Berkeley Heights Council 6/28/07 E-mail Explaining his opposition to the Rt 78/Diamond Hill project c: M & C
- #62 - Township of Warren 6/26/07 Notice of Public Hearing of eight (8) Ordinances pertaining to Supplements, Amendments, and Changes to their Code, entitled "Zoning" c: M & C, LBF, DS
- #63 - Skip Bell, Fire Department Captain, E-Team Liaison 6/25/07 Update on E-Team progress c: M & C, LBF
- #64 - Paul & Gerry Michaelis 6/29/07 Supporting the Governing Body in their opposition to the change in plans for Exit 41, as requested by Berkeley Heights c: M & C, LBF
- #65 - Robert V. Scalera, Jr. 7/5/07 Letter to register his adamant opposition to a proposed change to Watchung's Volunteer Emergency Services, stating the difficulty already ex-

perienced in responding to motor vehicle accidents, fires, and medical calls due to congestion c: M & C, NJDOT, NJTPA, Gov. Corzine, Cong. Ferguson, Sen. Kean, Assm. Munoz and Assm. Bramnick

#66 - Borough of North Plainfield 7/6/07 Resolution and Grant Agreement accepting the SHARE Grant in c: ASE, WN, SB, DJ, SP, FD, RS

#67 - Lynn Franklin and Lynn Stahl, Members of the National Ovarian Cancer Coalition 7/9/07 Requesting permission to place teal bows around the Borough in a mission to raise awareness of ovarian cancer c: M & C, LBF
Councilman Franklin, noting that Lynn Franklin and Lynn Stahl were in the audience and awaiting a response, explained the purpose and mission signified by the teal bows and offered a motion granting permission for placement of the bows. Motion was seconded by Mr. Mobus and unanimously approved.

#68 - Ken Wood/ Watchung Hills Foundation for Athletics 7/10/07 Requesting permission to swim in Watco
Councilman Mobus stated that he has been close to the Watchung Hills Foundation for many years, deeming them a great organization who originally held fundraisers for athletics, but were now including music and the arts. Mr. Mobus said the letter had been forwarded to the Recreation Commission for review and Mayor Ellis added that once Recreation provides its "blessing," Mayor and Council will act on the request. Councilman Franklin posed questions on insurance and water quality and Mayor Ellis responded that the foundation had a professional organizer planning the event which would cover all requirements.

#69 - Township of Berkeley Heights 7/13/07 Notice of Adoption of Zoning Ordinance #11-07 re: Housing C, LBF, DS

=====
CONSENT AGENDA RESOLUTIONS: The Consent Agenda listed below, with the exception of Resolution R7:07/19/07, was unanimously accepted on roll call following a motion by Councilman Franklin and a second by Councilman Mobus. Mr. Mobus offered a motion to table R7:07/19/07 until the August 16, 2007 meeting, seconded by Mr. Franklin and unanimously approved.

- R3:07/19/07 Opposing any plan to Sell, Lease or Monetize State Assets
- R4: Authorize Borough Clerk to Issue Raffle License - Sisters of Mercy of the Americas
- R5: Authorize Borough Clerk to Advertise for Bids - Watchung Community Arts Center / ADA Restroom
- R6: Authorize Release of Performance Guarantees - Watchung Hills Estates
- R7: ~~Authorize Public Auction of Surplus Vehicles and Equipment~~ TABLED
- R8: Authorize Agreement with Property Owner re: Utility and Temporary Construction Easements - Block 69.08, Lot 16
- R9: Authorize Tax Collector to Adjust Grace Period for Third Qtr. Taxes - August 31, 2007
- R10: Authorize the Return of Escrow Moneys - Completed Reviews, Bonds, Bd. of Adj. Fees
- R11: Authorize Issuance of Raffle License - Watchung Hills Youth Benevolent Association
- R12: Combine Several Authorizations of Bonds into a Single Issue and Determine Form and
- R13: Authorize Publication, Printing and Distribution of Notice of Bond Sale
- R14: Support Restoration of PARIS Grant Funding
- R15: Purchases Over \$2,000 - Clary Business Machines

=====
Introduction of Ordinance OR:07/16 entitled "AN ORDINANCE PROVIDING FOR THE ACQUISITION OF MUNICIPAL COURT, FIRE, LIBRARY, AND POLICE DEPARTMENT EQUIPMENT AND IMPROVEMENTS FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, NEW JERSEY AND APPROPRIATING \$70,000.00 THEREFOR FROM THE CAPITAL SURPLUS AND \$63,000.00 FROM THE CAPITAL IMPROVEMENT FUND." 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 Franklin and unanimously carried on roll call. Public Hearing to be held on August 16, 2007.

Introduction of Ordinance OR:07/17 entitled "AN ORDINANCE ACCEPTING TEMPORARY CONSTRUCTION EASEMENTS AND UTILITY EASEMENTS FROM VARIOUS RESIDENTS TO THE BOROUGH OF WATCHUNG". 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 Franklin and unanimously carried on roll call. Public Hearing to be held on August 16, 2007.

NON-CONSENT AGENDA RESOLUTIONS

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

<u>ond</u>		Offered	<u>Sec-</u>
R1:07/19/07	Adoption of OR:07/14 - Amend Borough Code / Animal Control - Fees	Joren	Franklin
R2:	Adoption of OR:07/15 - Amend Borough Code / Flood Damage Prevention	Joren	Franklin
R16 :	Introduction of OR:07/16 - Capital Improvements / Municipal Court, Fire Department, Library, and Police Departments	Joren	Franklin
R17:	Introduction of OR:07/17 - Acceptance of Temporary Construction and Utility Easements for Skyline and Johnston Drive Drainage/Sanitary Sewer Improvement Project	Joren	Franklin
R18 : Mobus	Payment of Bills		Franklin

PUBLIC PORTION

Mayor Ellis opened the meeting to the public and no one wished to be heard.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:15 PM to the call of the Chair or the next regularly scheduled meeting of August 16, 2007 at 7:30 PM.

Respectfully submitted,

Laureen B. Fellin, RMC
Municipal Clerk