

# **BOROUGH OF WATCHUNG**

## **MINUTES**

**JANUARY 24, 2008 - 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 [ A ] 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 9 members of the public present.

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

1. Administration & Finance - Councilman Nehls announced the Finance Department is busy closing out the books for 2007, and reported that Watchung Lake will be fully paid for as of this year. He said 2008 will be a very tight year, citing increases in pension payments, health care costs and a requirement by the State to stay within a budget and a levy cap.

2. Police - Councilman Franklin reported that he is in receipt of the year-end Police Department Activity Report for 2007 and noted only slight increases over the previous year. In regard to the school funding issue, he announced that the governing body has reached out to Vito Gagliardi with a request to bring the Borough up to date on recent litigations around the state, and we are awaiting a response.

3. Public Works - Councilman Mobus was not present.

4. Buildings and Public Affairs

Buildings - Councilman Pote, in regard to the Road Department, reported that to date only two winter weather events have occurred, and said the current inventory of salt is 230 tons. He said the mild weather conditions allowed the Department to complete the drainage work at both Carrar Drive and Vail Lane. He reported the Department was happy to accept the delivery of a new truck, Truck #5. Councilman Pote said the Bailey Bridge is being assembled and is being inspected by a company called Acrow Co., and also announced that the 2008 Operating and Capitol Budget for the Road Department has been submitted to the Administrator. In regard to Buildings and Grounds, a new carpet has been installed in the Council Chambers as well as the entrance foyer. He said the Department is in the process of painting some of the interior walls, and also has performed maintenance on the rain gutters. In regard to the Rescue Squad, Councilman Pote said the new leadership has commenced. He announced the Library Advisory Board did a "walk-thru" of the Library, and that Andrew Calandriello and Colleen Mehegan have taken the task of fund raising for the new facility. All have agreed that a mission statement that ties into the County's mission statement, needs to be developed.

Public Affairs - Councilman Nehls thanked all for the opportunity to serve as liaison to the Board of Health and reported that at their meeting of January 16<sup>th</sup> the Commission discussed the testing of non-public water systems, tanning salons, and the clarification of the new "peat" ordinance adopted last year. He announced that the Environmental Commission is scheduled to meet on the 28<sup>th</sup>.

5. Fire - Councilman Black reported he attended the first Fire Committee meeting this year and felt it was very productive. He announced the department will be selling vehicle "W1", a 1979 Mack Pumper, which will save money on maintenance. He said also discussed was the problem of a large number of false alarms which need to be curtailed.

6. Laws/Ordinances, and Recreation - Councilwoman Joren said the Laws and Ordinance Committee is scheduled to meet next week, and in regard to Recreation she reported all of the winter programs are underway. She announced that the Committee is working on a grant with WalMart for the sponsorship of another trip. Mrs. Joren explained that the Commission is working on a new event, a Basketball shooting competition, which would be composed of various teams from the Borough, such as Police, Fire, Teachers, Governing Body. She said it will be held on March 28<sup>th</sup> at Valley View School and the public is invited to cheer their favorite team on.

### **REPORTS - OTHER:**

7. Engineer - Mr. Herits congratulated Mayor Ellis on his induction into the Elected Official's Hall of Fame and said the ceremony was very nice. Mr. Herits announced that the Rehabilitation of Best Lake Dam project will begin on Tuesday and that he has met with the residents of Skyline Drive for their sanitary sewer improvement project which is scheduled to begin around March 1<sup>st</sup>. He added that bids will be received for the Bonus Room improvements and the Beechwood Place Reconstruction and Brookdale Road Drainage Improvements on February 20<sup>th</sup>

8. Police Chief - Chief Whelan was not present this evening.

9. Attorney - Mr. Cruz announced the Borough just received notification that a suit brought against the Borough by a person who was arrested for shoplifting at Target, has been dismissed by the US District Court. Mr. Cruz said he has three items for discussion in Executive Session.

10. Administrator - Mrs. Fellin announced that she had attended two preconstruction meetings, one for the ADA Bathroom renovation at the Watchung Arts Center and one for the Rehabilitation of the Best Lake Dam. She advised all that the Best Lake sidewalk will be closed during the renovation and suggested residents use an alternate route.

Mayor Ellis reported that he met with Dr. Stromsland and the Mayors of Warren, Long Hill and Green Brook to discuss the schedule of events that will be taking place in honor of Watchung Hills Regional High School's 50<sup>th</sup> anniversary. He announced that he will also be meeting shortly with the school officials to discuss the proposed 2008-2009 Budget.

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**UNFINISHED BUSINESS**

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**NEW BUSINESS**

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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:  
Bid Opening - January 8, 2008

Approval of the following Borough Reports:  
Police Activity - December, 2007  
Tax Collector's - December, 2007  
Village Center Preservation Commission Minutes - October 9, 2007  
Planning Board Minutes - December 11, 2007 and January 8, 2008  
Board of Health Minutes - November 28, 2007

- #1 - Thomas McArdle Jr. 12/20/07 Letter urging NJ DOT to adhere to the original proposal in regard to the expansion of Exit 43 off Route 78 c: M & C
- #2 - Shirle Finley 1/8/08 Copies of letters to Gov. Corzine and NJ DOT urging the reinstatement of the original plans for the expansion of Exit 43 off Route 78 c: M & C
- #3 - Borough of Manville 1/15/08 Resolution supporting the continued Operation of Travelers Information Station (TIS) c: M & C, LBF
- #4 - John Gausz 1/19/08 E-mail acknowledging receipt of and thanking all for the special legislative resolution he received for his service to the Fire Department c: M & C, LBF, FD
- #5 - Richard M. Sasso 1/23/08 Announcement of retirement from his position as Municipal Court Judge, effective January 23, 2008 c: M & C, AC, Court, Police

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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.

- R1:1/24/08 Authorize Clerk to Issue Raffle License - PTA - Salt Brook School, Children's Tumor Foundation
- R2: Award of Professional Services Contracts - Board Attorneys, Auditor, Bond Counsel
- R3: Award of Bid - Skyline Drive Sanitary Sewer Extension / Pact Construction, Inc.
- R4: Authorize Submission of Recycling Tonnage Grant Application to NJDEP

- R5: Authorize Submission of Volunteer Fire Assistance Grant Application for 2006 - 2007 Reimbursement
- R6: Authorize Clerk to Advertise Public Sale of Surplus Vehicle - 1979 Pumper Truck
- R7: Authorize Appointments to 2008 Community Development Committee - Tom Herits, Laureen Fellin, Alternate- Arlene McCoy

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**NON-CONSENT AGENDA**

Request for Revocable License Agreement - Block 14.01, Lot 2

In Councilman Mobus' absence, Councilman Franklin announced that after discussions a visit to the site by the entire Council, the Public Works Committee is denying this request, on the conditions of liability to the Borough and a desire to uphold the original decision by the Board of Adjustment. He also recommended that the residents consult a professional engineer in regard to the placement of the drainage pipe. The homeowners were present and asked the governing body to reconsider, as while doing their addition they were unaware of the seriousness of the deviation from the original plans and they placed all of their confidence in the contractor's hands. They explained that aesthetically the sidewalk is an asset and they are financially strapped at this point and unsure if they can afford to undo work already done. Councilman Franklin explained that the governing body needs to support the Board of Adjustment's decision and Councilwoman Joren said she believes each case needs to be considered individually and made a motion to grant the request for a Revocable License Agreement for Block 14.01, Lot 2. There was no second. Councilman Franklin made a motion to deny the request for a Revocable License Agreement for Block 14.01, Lot 2, Councilman Black seconded the motion and upon roll call the vote was as follow: Franklin, Black, Pote, Nehls, "Yes"; Joren, "No".

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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>Offered</u> | <u>Second</u> |
|------------|--|----------------|---------------|
| R8:1/24/08 | Acknowledging Years of Service - Richard M. Sasso  | Franklin       | Black         |
| R9:        | Payment of Bills   | Nehls          | Black         |
| R10:       | Executive Session:<br>Contract Negotiations - Affordable Housing Fees<br>Contract Negotiations - Block 3.01, Lot 29<br>Easement Acquisition - 64.03, Lot 1 | Franklin       | Black         |

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**PUBLIC PORTION**

Emi Havas, Valley Road, inquired as to the amount of the Borough's total debt, and Mrs. Fellin replied that she would find out and let her know.

Lee Ehrenworth, Canterbury Lane, asked if all Borough departments have been asked to reduce their budgets and if the Borough has a plan in the event that the mandated budget caps are exceeded. Councilman Nehls explained all departments will be asked to make cuts, and the plan would be to fall back on the Borough surplus and its contingency plans, if necessary.

Lynda Goldschein, Sherwood Drive, asked if the Borough has finally received permission from the DEP to move the dirt dredged from Best Lake to Phillips Field and Mayor Ellis said he has been informed all permits were received. Mrs. Goldschein said the Wildlife Management Advisory Committee has written to the governing body twice in regard to sending out a new deer survey and asked for a response. Mrs. Fellin advised that not all responses from the Council have been received.

Anthony Addario, Rock Avenue, asked for an update in regard to the school funding issue and said much time has passed since this was first discussed. Mayor Ellis said he will be attending a meeting on February 5th regarding the school funding, and invited Mayor Addario to join him. He said he is developing a plan and when he is ready to announce it, he will let the residents know. Former Mayor Addario said this governing body has too many "executive sessions" and needs to be more open with the public.

Councilman Franklin offered R10:1/24/08 authorizing an executive session, with a second by Councilman Black and unanimously approved.

Upon return to regular session at 9:40 P.M. all members 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 9:42 PM to the call of the Chair or the regular meeting of February 7, 2008 at 7:30 PM.

Respectfully submitted,

Michelle DeRocco  
Deputy Clerk