

BOROUGH OF WATCHUNG

MINUTES

FEBRUARY 28, 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 [P] Joren [A] Pote [P] Nehls [P]

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

There were 12 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Nehls reported the annual financial statement has been filed with the State, and Bill Hance is preparing the first draft of the 2008 Budget. He said if Governor Corzine's plan to cut State aid goes through, the Borough will lose \$175,289.50 or 15.98%. He said the decrease in State aid equates to almost one tax cent in our budget. He said all department's budget requests will be reviewed very closely.

2. Police - Councilman Franklin discussed the Police Activity report for January and noted a significant increase in the total number of calls, but said most are not crime related. He said the number of thefts has almost doubled and motor vehicle accidents are up, most likely due to an increase in traffic. He commented that the reorganization of the Police Department is very timely. Councilman Franklin also noted the approval of a purchase order for a storage shed behind Police headquarters.

3. Public Works - Councilman Mobus reported progress at Best Lake, after years of green water and lily pads. He said the spillway has been demolished and the silt is being removed. He explained that approximately one third of the silt will be moved and used at Phillips Field. He thanked the County for providing the Borough with the "bailey bridge", at no cost. Councilman Mobus also noted that the sidewalk around Best Lake has been closed and fenced off, due to the construction and at the advice of our insurance carrier. He advised residents that this is only temporary and they need to make other arrangements while the construction is underway. He reported that bids for the Beechwood Place drainage improvement project were received on February 20th and are in the process of being reviewed. He said he hopes that this project will begin in March, along with the Skyline/Johnston sanitary sewer project. Councilman Mobus reported a measurable snow event last Friday which kept the men out all night and into Saturday. He congratulated Charlie Gunther and the crew for doing an excellent job. Councilman Mobus said it was nice to see a Boy Scout in the audience and asked him if was here for a badge. The scout replied he was, and it was for his "citizen's badge".

4. Buildings and Public Affairs

Buildings - Councilman Pote commended Charles Gunther and the Public Works department for the fine job they did during the recent snow event. He announced that bids will be received on March 12th for the Bonus Room and he is anxious to get that project started, and said the Historical Commission is really looking forward to their new home at the Texier House. In regard to the Rescue Squad, Councilman Pote reported that they responded to 31 calls, for a total of 243 person hours. He thanked the Rescue Squad for their help and quick response to the recent structure fire. Councilman Pote said the Library Advisory Committee will be meeting next week and is looking to move forward with plans for fundraising. He reported that the Buildings and Grounds Committee will be meeting next week.

Public Affairs - Councilman Nehls announced that a meeting was held last week to discuss the proposed triathlon. He said this should be a very nice event, and the Borough is waiting for approval from the insurance company. He said the Environmental Commission is scheduled to meet on the 25th and intend to discuss bio-fuels and green buildings. In regard to the Board of Health, Councilman Nehls said they are looking into the removal of cigarette sales from drug stores.

5. Fire - Councilman Black reported the Fire Department held a drill last week and it was well attended. He said the department has been very busy, as in one weekend, there was a structure fire on Johnston Drive, an extrication call at 2:00 am, a report of a gas leak, and a fire call at Crystal Ridge. He said they are doing a great job. Councilman Black thanked the Rescue Squad for filling up the air tanks at the Fire House. He said he has spoken to Gary Greves who has reported a reduction in excessive false alarms. He commended Gary Greves on his recent visit to Watchung Hills Regional High School where he gave a very motivating speech to future firemen. Mayor Ellis thanked all for attending the Installation Dinner, and added that it was a very nice event.

6. Laws/Ordinances, and Recreation - In Councilwoman Joren's absence, Mayor Ellis reminded all that the Recreation Commission is planning their "March Madness" basketball event for the end of next month, and invited all to come and watch or participate.

REPORTS - OTHER:

7. Engineer - Tom Herits said that he was happy with the results of the bid opening for the Beechwood Place drainage improvement project and he believes that the alternate will be able to be awarded as well. He reported progress with the ADA improvements at the Watchung Arts Center. He said bids will be received on March 12th for the Bonus Room, and all of the easements on Skyline Drive are staked out.

8. Police Chief - Police Chief Sean Whelan said the department has been very busy in January and the increase in supervision is resulting in better productivity.

9. Attorney - Mr. Cruz said he had two items for Executive Session.

10. Administrator - Mrs. Fellin said she would like to schedule the budget meeting for Saturday, March 29th and suggested that the general appropriations and the capital requests be reviewed at the same time.

=====
UNFINISHED BUSINESS

Public Hearing on Proposed Ordinance OR:08/01 entitled "AN ORDINANCE REPEALING AND REPLACING CHAPTER XXIV OF THE CODE OF THE BOROUGH OF WATCHUNG, NEW JERSEY, TITLED "TREE PRESERVATION"
Carried to Meeting of March 13, 2008

Public Hearing on Proposed Ordinance OR:08/02 entitled "BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF BELGIAN BLOCK CURBING AT BEECHWOOD PLACE IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, A LOCAL IMPROVEMENT, TO APPROPRIATE THE SUM OF \$34,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS." Councilman Black 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. Councilman Black moved a public hearing be held with a second by Councilman Franklin and unanimously carried on roll call.

Donald Rettino, 27 Beechwood Place, asked if this project will eliminate the water problem or is it just to install curbing, and Mr. Herits replied that this project, although it is for the reconstruction of the road, does address the drainage. Mr. Rettino said that there is run-off that comes down Verona from Stirling and asked if this would be taken care of and Councilman Mobus explained that Stirling is on the schedule to be resurfaced in 2009 or 2010, and it will be addressed at that time. Mr. Herits added that a number of inlets will be installed during this project.

Ross McDonald, 19 Beechwood, asked if a cul-de-sac was in the plans and Mr. Herits said he has no knowledge of it. Councilman Mobus explained that an approved subdivision for Debra Joren's property included a culvert. Mr. McDonald noted that in order to reconstruct the street, many trees will have to be removed and Mr. Herits assured him that they would be replaced. Mr. McDonald asked how the residents would be assessed and Mr. Cruz explained the process, and said that an assessment commission needs to be appointed, and they will determine the amount each resident is to be assessed.

With no one else from the public desiring to be heard, Councilman Black 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.

Elaine Perry, on behalf of Mr. Dolly, 55 Beechwood, said she was very happy with the outcome of the curbing on Eaton and is sure Beechwood would come out just as beautiful, however, she wanted to bring to someone's attention the fact that Beechwood is very narrow to begin with, and curbing would make it almost impossible for two cars to pass. Mr. Herits explained that the street will be widened.

Mr. Herits advised residents that if they have any special needs or plans to do anything to their driveways, that now is the time to do it. Councilman Mobus said a meeting with the residents will be held after meeting with the contractor.

Public Hearing on Proposed Ordinance OR:08/03 entitled "AN ORDINANCE AMENDING CHAPTER 138-11A, TITLED "DETACHED ACCESSORY STRUCTURES", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG"

Letter received February 21, 2008 from Watchung Planning Board recommending the adoption of OR:08/03.

Councilman Black 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. Councilman Black 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, Councilman Black 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, 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 20, 2008 - Bid Opening

Approval of the following Borough Reports:
-240 Police Activity - January, 2008
Building Department - January, 2008
Recreation Commission Minutes - June 6, Sept. 5, Oct. 3, Nov. 7, 2008
Youth Services Commissions - Minutes of February 5, 2008
Tax Collector's Annual Summary of 2007, Monthly Report for January, 2008
Board of Health - January 16, 2008

#8 - Bergen Municipal Health Insurance Fund 2/12/08 Distribution of Accumulated Surplus \$1,555.55 c: M & C, LBF, WH

#9 - Township of Bridgewater - Resolution opposing Affordable Housing Third

Round Rule

#10 - Watchung Hills Regional Municipal Alliance 2/15/08 Letter requesting yearly

"seed" fund

#11 - U.S. Bicycling Hall of Fame 2/21/08 Requesting permission to cycle through Watchung on Saturday, May 24th for their annual "Super-Saturday Cycling

Classic" c: M & C

#12 - Somerset County Planning Board 2/25/08 Resolution authorizing Planning

Boards to a

=====

=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.

- R4:2/28/08 Award of Professional Services Contracts - Land Use Board Consultants
- R5: Purchases Over \$2,000. - The Inforcer, Archonix Systems, LLC, Effinger Spor
- R6 Authorize Expansion of Contract - Maser Consulting/GIS Program
- R7 Authorize execution of agreement with Middle-Brook Regional Health Con
- R8: Authorize Expansion of Contract - Maser Consulting/Groundwater Remediation Investigation
- R9: Authorize Stipulation of Settlement - Tax Appeal/Block 4006, Lot 28.02
- R10: Oposing Revisions to the Wrongful Death Statute
- R11: Waive Chapter 2-25.10 of the Code of the Borough - Photographics, S & S Millworks
- 240
- R12: Adoption of Indoor Air Quality Program for Borough Buildings
- R13: Authorize Change Order #1 - Civil Dynamics
- R14: Authorize Disposal of Surplus Property - Watchung Fire Department
- R15: Authorize Reduction of Cash Performance Guarantee - Block 40.01, Lots 6.01, 6.02

=====

NON-CONSENT AGENDA

Introduction of Ordinance OR:08/04 entitled “AN ORDINANCE ACCEPTING A REVISED DRAINAGE FACILITIES EASEMENT FROM RAM T. REDDY AND VIJAYA REDDY TO THE BOROUGH OF WATCHUNG” Councilman Black moved the ordinance be given its first reading. So ordered.

Councilman Black 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 be held on March 13, 2008.

Introduction of Ordinance OR:08/05 entitled “ASSESSMENT BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE VALLEY ROAD SANITARY SEWER EXTENSION PROJECT IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, A LOCAL IMPROVEMENT, TO APPROPRIATE THE SUM OF \$240,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.” Councilman Black moved the ordinance be given its first reading. So ordered. Councilman Black 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 March 27, 2008.

Introduction of Ordinance OR:08/06 entitled “AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY ADDING A NEW SECTION 138-28.1, TITLED ‘ACCESSORY APARTMENTS PERMITTED AS A CONDITIONAL USE.’” Councilman Black moved the ordinance be given its first reading. So ordered. Councilman Black 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 be held on March 27, 2008.

Proclamation - Read Across America / March 3, 2008

Mayor Ellis a proclamation for "Read Across America" and encouraged all of the Council to take some time and go to the school and read to the children. He said it is fun and very rewarding, and he has done it many times. (Proclamation can be viewed in full at www.watchungnj.com)

Proclamation - Girl Scout Week / March 9th through 15th

Councilman Mobus offered a proclamation honoring "Girl Scout Week - March 9th through March 15th" (Proclamation can be viewed in full at www.watchungnj.com)

Proclamation - Jeralyn L. Lawrence Day / March 14, 2008

Councilman Pote offered a proclamation proclaiming March 14, 2008 as "Jeralyn L. Lawrence Day" in the Borough, in honor of her recent recognition by the Somerset County Commission on the Status of Women for her accomplishments in the category of law. (Proclamation can be viewed in full at www.watchungnj.com)

=====

NON-CONSENT AGENDA RESOLUTIONS

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

- R1:2/28/08 Adoption of Ordinance OR:08/01 - Repeal and Replacement of Ch. XXIV of the Code of the Borough, Titled "Tree Preservation" (**CARRIED TO MEETING OF MARCH 13, 2008**)
- R2: Adoption of Assessment Bond Ordinance OR:08/02 - Belgian Block Curbing/Beechwood Place Black Franklin
- R3: Adoption of Ordinance OR:08/03 -Amendment to Ch. 138 of the Code of the Borough, Titled "Detached Accessory Structures" Black Franklin
- R16: Introduction of OR:08/04 - Authorize Revision to Drainage Facilities Easement - Block 12.01, Lot 2.02 Black Franklin
- R17: Introduction of Assessment Bond Ordinance OR:08/05 - Sanitary Sewer Extension/Valley Road Black Franklin
- R18: Introduction of Ordinance OR:08/06 - Amending Chapt. 138 of the Code of the Borough by addition a new section entitled "Accessory Apartments Permitted as a Conditional Use" Black Franklin
- R19: Payment of Bills Nehls Black
- R20: Executive Session: Potential Litigation - Estate of Melchionda v. Borough of Watchung Property Negotiations / Block 4403, Lot 5 Franklin Black

=====

PUBLIC PORTION

Lynda Goldschein, Sherwood Drive, asked for an explanation of what the "Municipal Alliance" is and Mrs. Fellin explained that this is a proactive group comprised of volunteers from the sending districts to WHRHS who work together to prevent drug, alcohol, and other addictions among students. Mrs. Goldschein then commented that the speed limit signs on Valley Road need to be corrected to advise drivers of the change in

the speed limit on Valley Road, and Mayor Ellis explained that the signs that are up are correct, that only part of Valley Road was changed.

Ross Mc Ronald, Beechwood Place, asked if the trees at Phillips Field would be replaced and Councilman Mobus explained that the Borough is very compassionate about their trees and seldom are any removed without being replaced.

=ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:30 PM to the call of the Chair or the next regularly scheduled meeting of March 13, 2008 at 7:30 PM.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk