

BOROUGH OF WATCHUNG

MINUTES

MARCH 27, 2008 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Ellis called the meeting to order at 7:35 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 Lauren Fellin, Borough Attorney Albert Cruz, Engineer Tom Herits, Deputy Clerk Michelle DeRocco.

There were 27 members of the public present.

POLICE AWARDS AND COMMENDATIONS

Police Chief Sean Whelan said that presenting awards to members of his department who do a fantastic job every day was the best part of his job. The following officers were presented with a "Letter of Commendation" for their files:

Sgt. Robert Faust
Det/Sgt William Kelly
Ofc. William Stankan
Ofc. David Melchionda
Ofc. Scott Anderle
Ofc. Brian Emerick
Police Aide Nappa

Chief Whelan presented commendations to the following Officers:

The "Investigation Award" was given to Det. Kelly for his diligence in solving a shoplifting case.

The "Meritorious Service Award" was given to Det. Kelly for his outstanding observation and investigation with charging two suspects with indictable drug and weapons offenses.

Officer Moberly was awarded the Commendation Bar for his proactive enforcement and diligent police work.

Officers Boyle and Moberly were awarded the Life Saving Bar for their quick response and efforts in saving the life of an unresponsive female.

Det. Kelly was awarded the Commendation Bar for his keen observation in a drug transaction and arrest.

Det. Hart was awarded the Commendation Bar for his outstanding effort in coordinating a complex investigation of fraudulent use of credit and debit cards.

The Commendation Bar was presented to Det. Hart for his outstanding effort in a fraudulent credit card investigation.

The Investigative Award was given to Det./Sgt. Kelly, Det. Hart and Det. Lyons for their investigation and successful capture of suspects in the "Pigeon Drop" case.

The Meritorious Service Award to Lt. Tim Wenzel, Det/Sgt. Bill Kelly, Det. Andy Hart and Det. Rich Lyons for the successful apprehension of 2 robbery suspects in the Verizon armed robbery.

Council President Thomas Franklin said he was extremely proud to be commissioner of not a large, but a very competent and efficient department. He made the following presentation:

The Award of Merit was presented to Chief Whelan and Officer Brian Smith for their successful pursuit of an armed suspect without regard for their personal safety.

Chief Whelan said he was proud to present the Chief's Award of Merit to Scott Anderle, an outstanding young Officer who does everything right.

Mayor Ellis requested Resolution R3 be removed from the Consent Agenda. Councilman Black read the following resolution:

R:3/27/08 Commending Brendan Ard - State Wrestling Champion

Councilman Black presented Brendan with a copy of the resolution and congratulated him on his State Wrestling victory, saying he is a great, all-round athlete, wishing him good luck in his upcoming senior year.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Nehls reported that the budget meeting is set for this Saturday, March 29th at 8:30 A.M. sharp. He said that CFO William Hance has informed him that year's budget should be within the 2% cap.

2. Police - Councilman Franklin said he was happy to be a part of this evening's commendations for the Police Department. In regard to the Police Activity report, he said the statistics are up by 44% from last year but assured residents that the crime portion is only up by 10%. Councilman Franklin said he made a visit to our Municipal Court to observe the proceedings first hand and was very impressed. He said our Judge is first-class and Court Administrator Pam Steves and her Deputy Loretta Shpunder do a great job.

3. Public Works - Councilman Mobus said the Borough is very lucky to have the group of men we do in the Police Department. He reported that on the agenda is the approval of the bonding for the Valley Road sewer project and the award of bid to Jenicar Builders for the Beechwood Place reconstruction project. He announced the pre-construction meeting for the Skyline Drive project is scheduled for April 2nd, and added that he was happy to have received notice that four more residents are interested in becoming a part of this project. Councilman Mobus said the improvements to Best Lake are moving along.

4. Buildings and Public Affairs

Buildings - Councilman Pote reported that the new storage shed behind the Police Department has been installed and the spring clean up of Borough properties is underway, including the preparation of baseball fields for the 2008 season. He said the department is investigating the best way to remove the contents of the Bonus Room, in preparation of the renovations. Councilman Pote complimented Laureen Fellin and Michelle DeRocco on the recent installation of window treatments in the Council chambers and added that once the paintings are reframed the renovations will be almost complete. He said the Borough is getting prices on replacing the front mat with a mat that has the Borough seal on it. In regard to the Rescue Squad, Councilman Pote announced that Gemmy Siegal will be taking off for about two months to concentrate on his career, however, he will still be taking care of the administrative duties.

Public Affairs - Councilman Nehls said the Environmental Commission will be meeting on Monday, March 31st and the Board of Health is scheduled to meet in April. He said he attended a Middle-Brook meeting last night and they finalized their report to the State, and will be rewriting their by-laws.

5. Fire - Councilman Black reported that there were no real fire calls since the last Council meeting, just a few alarm activations of no consequence. He said the Department has trained on the Forcible Entry Door Simulator purchased with the grant money, an apparatus designed to mimic commercial or residential entry doors. He announced that a water rescue drill is scheduled for this Saturday at the Fire House.

6. Laws/Ordinances, and Recreation - Councilwoman Joren had no report this evening.

REPORTS - OTHER:

7. Engineer - Engineer Tom Herits reported that bids were received for the Bonus Room project and are being reviewed. He said he hopes to be able to award at the next meeting. He said the Art Center Restroom renovation is just about complete, and he has already applied for additional funding for the men's room. He said he is working on the road overlay program with Public Works Manager Charlie Gunther and today he met with Lee Purcell and discussed a proposal for unsewered areas of town. Mr. Herits said he will be making applications to the DOT for pedestrian lighting at Bayberry School, as well as drainage improvements from Hill Hollow to Stonehill, and for two projects on Johnston Drive.

8. Police Chief - See Police Commendations

9. Attorney - Mr. Cruz reported he had one item for discussion in Executive Session.

10. Administrator - Mrs. Fellin announced that a "Workplace Behavior" Seminar was presented today by Harry Yospin on behalf of the JIF, and it was very well attended. Mayor Ellis noted that the Borough will be receiving almost \$8,000. from the DEP for the 2008 Clean Communities award, noting that "every penny counts". He reported that he and Reenie Fellin had attended a meeting with the superintendent of the High School, Dr. Fran Stromsland, and Mayors from the other districts, to discuss the proposed budget and said they are working to increase revenues, such as increasing activity in the new theater. He said a meeting is planned for April 4th with Dr. Malyska to discuss the local school board's budget. Mayor Ellis announced that he will be attending the 100th Birthday celebration for Sr. Virginia McGarry at McAuley Hall on Sunday, March 30th.

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UNFINISHED BUSINESS

Public Hearing on Proposed Bond 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." 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.

Public Hearing on Proposed 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.'"

Letter received March 24, 2008 from Watchung Planning Board recommending the adoption of OR:08/06.

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.

Anthony Addario, Rock Avenue, asked if this ordinance pertained to COAH and Mayor Ellis replied that it did. Former Mayor Addario said he has a problem with tear-downs and feels this defeats the concept of Mt. Laurel and is pushing out the middle class.

With no one else 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.

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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:
Bid Opening - March 12, 2008

Approval of the following Borough Reports:
Historical Committee - Minutes of December 12, 2007
Police Activity - February, 2008

#18 - Jeralyn L. Lawrence 3/12/08 Thanking Mayor Ellis for proclaiming March 14th Jeralyn L. Lawrence Day in honor of her recognition by the Somerset County Commission on the Status of Women in the category of law c: M & C, LBF

#19 - Township of Mt. Olive 3/13/08 Resolution opposing the State's reduction in State aid to municipalities c: M & C

#20 - Borough of Pt. Pleasant 3/13/08 Resolution requesting the expedition of legislation that will grant the right to all municipalities to levy local option taxes on certain types of discretionary spending c: M & C

- #21 - Bd. of Chosen Freeholders 3/13/08 Resolution supporting the enrolment of the county in the "Cleanpower Community Partners" Program c: M & C, LBF and a Resolution recommending Changes to the January 22, 2008 proposed COAH Third Round Rules c: M & C, LBF
- #22 - Bd. of Public Utilities 3/17/08 Notice of Public Hearing of Proposed Rate Increase/ NJ American Water Company c: M & C, LBF, Post
- #23 - State of NJ, Dept. Of Environmental Protection 3/19/08 Notice of 2008 Clean Communities entitlement - \$7,993.42 c: M & C, LBF, WH
- #24 - Nat'l Association of Letter Carriers 3/24/08 Requesting support of Plainfield's efforts to Keep Muhlenberg Regional Medical Center as a full service hospital c: M & C, LBF

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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.

- R3:3/27/08 Commending Brendan Ard - State Wrestling Champion
- R4: Award of Professional Service Contract - Vito Gagliardi and Porzio, Bromberg, and Newman, P.C.
- R5: Authorize Issuance of Raffle License to Rahway PBA Civic Association, Inc.
- R6: Opposing Legislation Mandating the Appt. of a QPA and the Reorganization of Purchasing Functions
- R7: Authorize Final Payment of Accumulated Employee Benefits - Marie Della Piazza
- R8: Temporary Budget Amendment
- R9: Supporting the Green Brook Flood Control Commission's efforts to seek continued financial funding from the Federal FY2009 Budget for the continued planning, design and construction of the Green Brook Flood Control Project
- R10: Authorize Release of Maintenance Bond - Wal-Mart
- R11: Award of Bid / Beechwood Place Reconstruction / Jenicar Builders

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NON-CONSENT AGENDA

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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>
R1:3/27/08	Adoption of Bond Ordinance OR:08/05 - Sanitary Sewer Extension/Valley Road	Joren	Black
R2:	Adoption 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"	Joren	Black
R12:	Award of Contract - 1868 Public Affairs	Nehls	Black
R13:	Payment of Bills	Nehls	Black
R14:	Executive Session: Contract Negotiations / PACT Construction, Inc. & PSE&G	Franklin	Black

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PUBLIC PORTION

Anthony Addario, Rock Avenue, said the Governing Body is wasting their time and money in their efforts to change the DOT's plans for the Route 78's Exit 43 because he was told that when two towns disagree on a plan the DOT will back off and do nothing. He asked for a definition of an "EDU" and it was explained that it is an "equivalent dwelling unit", an accurate account used to calculate sewer fees.

Wayne Otto, Sunlit Drive, presented a photo copy of a "family memoir" from the Bartel family that was given to him and asked that it be passed onto the Historical Committee.

Mayor Ellis announced to the Council that a copy of COAH's new rules were in their mailboxes and requested that they review them.

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:07 P.M. to the next regularly scheduled meeting to be held on April 10, 2008, in addition to the Special Budget Hearing meeting scheduled for 8:30 A.M. on Saturday, March 29, 2008.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk