

BOROUGH OF WATCHUNG

MINUTES

MAY 22, 2008 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Ellis called the meeting to order at 7:36 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 [A] Pote [P] Nehls [A]

Although not present for roll call, Councilwoman Joren arrived at 7:45 PM, Councilman Nehls arrived at 8:07 PM, and Councilman Black arrived at 8:25 PM.

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

There were 7 members of the public present.

Mayor Ellis deviated from the agenda at this time and called forward Plainfield residents Gail Jones and Olive Lynch who were present to speak of their efforts to keep Muhlenberg Regional Medical Center from closing. Ms. Jones and Ms. Lynch spoke at great length about the reasons they believe it is being closed, why it should be kept in full service, and the organized steps, including possible litigation, that they are taking to follow through. They both answered many questions from the Governing Body and after discussion, it was unanimously agreed to adopt a resolution supporting the continuation of funding and full operation of Muhlenberg Regional Medical Center in its current configuration as a multi-discipline facility providing urgent medical care to New Jerseyans in need. Mayor Ellis explained that this resolution did not commit the Borough to any financial obligations or future litigation.

The following resolution was offered by Council President Thomas Franklin, seconded by Councilman Pote and upon roll call unanimously carried.

R12:05/22/08 Resolution calling for the Continued Full-Service Operation of Muhlenberg Regional Medical Center

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Nehls had nothing to report this evening.
2. Police - Councilman Franklin discussed the Police Department's Activity Report for the month of April, and announced that Officer Brian Smith was commended by the "200 Club" in recognition of his role in the apprehension of the bank robber.
3. Public Works - Councilman Mobus reported he attended the Fallen Officer's Memorial in Ocean Grove with Chief Whelan, and announced Sergeant Kelly was honored by Target Corporation for his outstanding achievements in retail criminal investigations,
4. Buildings and Public Affairs
Buildings - Councilman Pote announced the pre-construction meeting for the Improvements to the Bonus Room is tentatively scheduled for next Wednesday and the Department is preparing the Borough grounds for the Memorial Day Service scheduled for Monday morning at 9:30 A.M., immediately following the Fire Department's service. He said all are welcome to attend.
Public Affairs - Councilman Nehls reported the Environmental Commission is pleased that the Governing Body is supporting, by resolution, the efforts to revise the NJ Board of Public Utilities Vegetation Management Regulations. He commended Dr. Malyska and Valley View School for their recent "Narratives of Courage" program, which he commented was excellent.
5. Fire - Councilman Black announced that the Fire Department shared service study was received today, and he will be scheduling a meeting for the Committee to discuss it, after their review.
6. Laws/Ordinances, and Recreation - Councilwoman Joren said the weather outlook for the Community Picnic scheduled for Sunday, May 25th, is looking good. She said new attractions, such as a dunk tank, have been added to this year's festivities.

REPORTS - OTHER:

- 7. Engineer - Mr. Herits said he is working on this year’s DOT application, and announced that the Borough was unsuccessful this year in its request to obtain additional grant funding from Community Development to complete the Art Center’s restroom renovations.
- 8. Police Chief - Chief Whelan was not present this evening.
- 9. Attorney - Mr. Cruz had no report this evening.
- 10. Administrator - Mrs. Fellin announced that she has contacted Vito Gagliardi in regard to the Regional School funding study and he advised that his office has begun the research phase.

Mayor Ellis announced that he attended a budget meeting in Trenton with other Mayors from around the State and some progress was made, announcing that Watchung will be receiving some of its previously-cut aid back.

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UNFINISHED BUSINESS

Public Hearing of Ordinance OR:08/07 entitled “AN ORDINANCE VACATING, EXTINGUISHING AND RELEASING A CERTAIN WALKWAY EASEMENT LOCATED ON LOT 1.02, BLOCK 71.00, ALSO KNOWN AS THE “INDIAN PATH”, IN THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET, STATE OF NEW JERSEY.” 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 Black and unanimously carried on roll call.

Lynda Goldschein, Sherwood Drive, suggested the path leading to the trail be better marked so that residents do not trespass onto private property.

Joan Standish, Old Somerset Road, said she has a concern in regard to the steps entering the trail, and spoke of vandalism to her property due to the proximity of the entrance to the trail to her property. Councilman Mobus explained that steps were moved and rebuilt, as per the Borough’s agreement with the contractor and Mayor Ellis said he would bring the vandalism complaint to the Police Department’s attention.

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. Councilman Franklin seconded the motion, which carried unanimously on roll call

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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:
May 8, 2008

Approval of the following Borough Reports:
Building Department - April, 2008
Police Activity - April, 2008

#39 - Perry Alpert, 5/16/08 Request to be included in the Johnston Drive sanitary sewer project
C: Mayor, PWC, TH, L.T.Purcell

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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.

- R2:5/22/08 Purchases Over \$2,000. - Motorola, Inc., Pagecom, LLC
- R3: Authorize Release of Executive Session Minutes - (as listed)
- R4: Appointment of Seasonal Laborers to DPW - Tom Benton, Eric Kaminsky
- R5: Appointment of Summer Playground Counselors - Blackadar, Gatti, Disch, Gulotta,

R6: Calling for Revisions to NJ Board of Public Utilities Vegetation Management Regulations

R7: Accept and Authorize Final Payment - Jo-Med Contracting / Park Place and Hughes Lane Drainage Improvements

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NON-CONSENT AGENDA

Proposed Ordinance OR:08/08 entitled “AN ORDINANCE ACCEPTING A SANITARY SEWER CLEANOUT ACCESS EASEMENT FROM JOSE JERONIMO AND ANA GONCALVES TO THE BOROUGH OF WATCHUNG.” was introduced. 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 June 12, 2008.

Proposed Ordinance OR:08/09 entitled “AN ORDINANCE ACQUIRING A SANITARY SEWER EASEMENT FROM PSE&G TO THE BOROUGH OF WATCHUNG.” was introduced. 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 June 12, 2008.

2008 Somerset County Youth Athletic Grant - Recreation Commission’s request to authorize submission and approval of Field Modification application
Councilwoman Joren explained that this application will address much needed improvements such as repairs to the tennis courts at Mobus Field and fencing around the baseball field. A motion to approve the Field Modification application as submitted and authorize the submission of the Somerset County Youth Athletic Grant was made by Councilwoman Joren, seconded by Councilman Black and unanimously approved upon roll call.

Chris Vander Fliet - Eagle Scout Candidate,
Chris Vander Fliet was present to request a waiver of Building Department fees for his proposed Eagle Scout project - construction of a mediation/prayer space with a garden pergola at St. Mary’s Stony Hill Church for use by the public. After Chris answered questions from the Governing Body, they unanimously approved his request.

Proclamation - “Garden of Hope” Dedication Day / May 17th at WHRHS
Mayor Ellis read this proclamation which he had presented to the High School on May 17th, the day of the dedication of the garden, in honor of the High School’s 50th Anniversary celebration.

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NON-CONSENT AGENDA RESOLUTIONS

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

R1:5/22/08	Adoption of OR:08/07 - Vacating Walkway Easement/Block 71.00, Lot 1.02 (Indian Trail)	Joren	Franklin
R8:	Introduction of OR:08/08 - Accepting a Sanitary Sewer Easement, Block 2803, Lot 6.01	Joren	Franklin
R9:	Introduction of OR:08/09 - Accepting a Sanitary Sewer Easement, Block 64.03, Lot 1	Joren	Black
R10:	Payment of Bills	Nehls	Black
R11:	Executive Session: Potential Litigation - Council On Affordable Housing (Borough of Watchung v. COAH Third Round Rules)	Franklin	Black

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PUBLIC PORTION

Lynda Goldschein, Sherwood Drive, made suggestions to improve the markings on the Indian Trail.

Councilman Franklin offered R11:05/22/08 authorizing an executive session, with a second by Councilman Black and unanimously approved. Mayor Ellis recused himself from Executive Session.

Upon return to regular session at 10:25 PM, with the exception of Mayor Ellis, all members previously present, were again in attendance.

The following resolution was offered by Council President Thomas Franklin, seconded by Councilman Black and upon roll call unanimously carried.

R13:05/22/08 Supporting the NJ State League of Municipalities' potential challenge to the Third Round Council on Affordable Housing Rules and authorize a pledge of \$500.00 to the costs of the litigation

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:32 to the call of the chair and the next scheduled meeting to be held at 7:30 P.M. on June 12, 2008.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk