

BOROUGH OF WATCHUNG

MINUTES

MARCH 26, 2009 - 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, and Star Ledger, and posted at Borough Hall.

SALUTE TO THE FLAG and SILENT PRAYER

ROLL CALL

Mobus [P] Black [P] Franklin [P] Joren [P] Pote [P] Nehls [P]

Also present were Administrator/Clerk Lauren Fellin, Attorney Albert Cruz, Lt. Tim Wenzel, and Deputy Clerk Michelle DeRocco.

There were 19 members of the public present.

SPECIAL PRESENTATIONS

Commending Dave Chemidlin for his service to Recreation Commission

Councilwoman Joren said Dave Chemidlin has been a long-time volunteer who has devoted many hours to the good and well being of many of our sons and daughters, and said it will be very hard to find a replacement for Dave, adding that the Commission may have to find two or three people to fill his shoes. Councilwoman Joren read Resolution R2, commending Dave Chemidlin for his service to the Borough.

Public Information Session:

Somerset County Engineering Department / Gateway Project

Tricia Bates-Smith, Somerset County Engineering Department, held a public information session on the Somerset Street Gateway Project. Ms. Bates-Smith notified property owners who would be affected by this project, and was available prior to the meeting to meet with them to answer any concerns. She explained that the improvements would begin at the Watchung Circle and extend to Johnston Drive, with a center median proposed. She said the plans include the installation of a sidewalk along the brook, fencing, lighting and drainage improvements. Ms. Bates-Smith said the County anticipates these improvements to begin in June, with the majority completed by the end of the year, and final landscaping completed by next spring. After providing a project overview, Ms. Bates-Smith answered questions from the Governing Body and the public.

Councilman Black suggested the County co-ordinate this project and the County's planned improvements to the Rte. 22/Bonnie Burn Road intersection, and Ms. Bates-Smith said she will look into it. Councilman Mobus thanked Ms. Bates-Smith for coming and added the Borough has been waiting for this project since 2001. He said the original plans included a lookout point by Wetumpka Falls and asked if this was still in the plans and she responded that there will be a path and an open area near the falls with a guard rail. Councilman Pote asked if this improvement could be coordinated with the replacement of the bridge on the Circle and Ms. Bates-Smith agreed that it is beneficial to do them together.

Mayor Ellis opened this presentation to the Public and Alexander Zamikhovsky, business owner, expressed his concerns for people wanting to enter and exit the Triangle businesses, explaining that it will slow traffic down to have only one lane of traffic and noted that he already experiences a problem with vehicles cutting through the parking lot. Ms. Bates-Smith said the slower traffic will be beneficial and Mayor Ellis said the Police Department can address his concerns in regard to vehicles cutting through. Wayne Otto, business owner, said it was great to see these improvements are going to take place and that this will complete a missing link - connecting Best Lake to the shopping district. He added that he hopes there will be some signage advising travelers that shops will be open and Ms. Bates-Smith said there will be. Bill Roberts, Hillsborough resident with family who owns property on Somerset Street, asked if the improvements include the consideration of tree placement especially in regard to the area by the gas station where vehicles pull out and Ms. Bates-Smith noted his comments. She added that the County intends to install flashing pedestrian walkway signs.

There being no further comments or questions, Mayor Ellis closed this presentation to the public and thanked Ms. Bates-Smith for the presentation.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin, reported the tentative date for the Budget Workshop is April 18th, and reassured residents that the Governing Body and all Departments within the Borough are doing all they can to keep the budget down. He explained that this year the State is offering municipalities the option of deferring their pension payment for a year, in an effort to free up funds in anticipation of better economic times, however, the Borough has chosen not to accept this option and prefers to pay it when due, and not increase future obligations.

2. Police - Councilman Mobus reported he met with the Board of Education to present some ideas in regard to a traffic situation in the Valley View parking lot. He also announced that the PBA Contract is ready to be signed. On a sad note, Councilman Mobus said there was a successful suicide attempt in the Borough today.

3. Public Works - Councilman Nehls said Public Works responded to a dangerous situation on Washington Rock Road and through the efforts of Engineer Tom Herits, the County has agreed to do some emergency construction of a collapsed wall. He reported that the Mayor met with the DOT to discuss sound barriers along Rte. 78, and although the Borough will not be getting the barriers, a section will be getting evergreen screens. Mayor Ellis also noted that the DOT plans to repave a section of Rte. 78 with a new surface that is supposed to cushion the traffic and eliminate some noise. Councilman Nehls commended Charles Gunther and his department for the great job they did handling the 12 "winter events" and said that branch removal will begin on April 1st.

4. Buildings and Public Affairs

Buildings - Councilman Pote reported there is a beautiful white ash tree in the front of the Fire House, which is externally beautiful but dangerous, as it is two-thirds dead on the inside and must be removed because it is a hazard. He announced the Building and Grounds Committee have asked Charles Gunther to provide a plan to get the Texier House in shape, the Department has begun the spring clean up on the fields, and the Library Study Committee will begin to hone down on the architect selection.

Public Affairs - Councilman Nehls announced that Franklin Township's Health Officer is retiring and they are now looking into the possibility of joining with Middle-Brook Regional Health Commission which would benefit all of the towns already a part of Middle Brook Regional. He announced the Educational Foundation's annual "Art in the Park" event will be held on April 25th. Councilwoman Joren asked Councilman Nehls if the trees around the lake are inspected for erosion and Councilman Pote replied that Charles Gunther does a wonderful job of checking on the trees around the lake and implementing the replenishment plan when necessary.

5. Fire - Councilman Black read a report from Fire Department Chief Bell announcing they responded to 19 calls during the month, bringing the year to date total to 63. He reported the Committee met to discuss mutual aid calls.

6. Laws/Ordinances, and Recreation - Councilwoman Joren reminded all of the Recreation Commission's Basketball Shootout scheduled for tomorrow evening at 7:00 PM, and that the Laws and Ordinance Committee will be meeting next week.

REPORTS - OTHER:

7. Engineer - Engineer Herits spoke about the County's proposal for improvements to Mountain Boulevard, announcing the plans to install a sidewalk along Mountain Boulevard have been put on hold for now, as the Borough would have to fund this part. He announced he intends to have the improvements to Stanie Glen done before school begins in September, the Bonus Room is up and running well, and the utility work for the Bonnie Burn Road improvements will begin in the fall with the actual road work beginning in 2010.

8. Police Chief - Lt. Wenzel announced he and the Chief were ready for the Basketball Shootout, and noted that Chief Whelan will be leaving for vacation for two weeks. Councilman Pote said he has heard of six accidents on Rte. 78 at exit 40 over the past several weeks and asked Lt. Wenzel if this is unusual, and he replied that he would have to look into them, as the State Police handle those reports.

9. Fire Department - No report was presented.

10. Rescue Squad - Captain Mel Isidro reported the Rescue Squad responded to 40 calls last month and accepted one new member. She announced the arrival of the Squad's new ambulance, and said a wetdown and open house is scheduled for June 27th. She also noted that the Squad responded to the suicide call today and were able to rescue the people in the house who were unaware of the situation and could have died as well.

11. Attorney - Mr. Cruz said he had one item for Executive Session.

12. Administrator - Mrs. Fellin announced the Borough has been awarded a \$31,000 grant from the County, which will be put toward the purchase of the rolling files for the new record room, explaining this will consolidate the duplication of the block and lot files between the Engineering and Construction offices. She said the Borough is part of a Somerset County application in for additional grant money for document imaging. Mrs. Fellin said she attended a County Manager's meeting in Hillsborough and said it is a wonderful venue to share information.

Mayor Ellis announced he recently attended a Mayor's Roundtable meeting in Somerville and said it also was a great venue for sharing information with other Mayors. He reported that he will be attending a meeting at the DOT tomorrow morning where he plans to discuss the Rte. 78/Diamond Hill Road project. Mayor Ellis announced the Borough and the Township of Warren will be holding a joint job fair on April 18th at the Warren Middle School. He thanked all who were involved in the Pancake Breakfast, in particular Claire Ohl from the Rescue Squad and the Principal and Staff from the Watchung schools, and said the Borough was able to donate \$721. for the Somerset County Food Bank. Councilman Pote said that he was very impressed with the Community Forum the School hosted and explained that a 5-year strategic plan was discussed.

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UNFINISHED BUSINESS

Public Hearing on Proposed Ordinance OR:09/06 entitled "AN ORDINANCE AUTHORIZING A CONVEYANCE IN FEE AND TEMPORARY CONSTRUCTION EASEMENTS TO THE COUNTY OF SOMERSET FOR BRIDGE REPLACEMENT AND ROADWAY IMPROVEMENTS ON STIRLING ROAD OVER THE EAST BRANCH OF STONY BROOK IN THE BOROUGH OF WATCHUNG." 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.

With no one 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 Black 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 Mobus and a second by Councilman Black

Approval of the following Council minutes:
March 12, 2009

Approval of the following Borough Reports:
Building Department - February, 2009
Police Activity - February, 2009
Tax Collector - February, 2009
Historical Committee Minutes - February 11, 2009

#21 - Lt. Tim Wenzel, Watchung Police Department 3/12/09 E-mail to Captain Mel Isidro, Watchung

Mayor Ellis commented that this correspondence is an example of the co-operation between Borough Departments and the importance of communications. He thanked Lt. Wenzel and Captain Isidro for their actions.

#22 - Tracy DiFrancesco 3/12/09 Letter of resignation as a member of the Recreation Commission
c: M & C, LBF, MB

#23 - Borough of North Plainfield 3/12/09 Resolution supporting amendment regarding Tax Levies for free public Libraries c: M & C, LBF

#24 - Vincent Buono 3/16/09 Requesting the Governing Body thoroughly study sharing emergency services with other towns c: M & C

#25 - U.S. Bicycling Hall of Fame 3/18/09 Requesting permission to cycle through Watchung on Saturday

#26 - Edward Kerwin, Tax Assessor 3/19/09 Notification of Reassessment for the Tax Year 2010
c: M & C, LBF

#27 - State of NJ, Dept. of Environmental Protection 3/20/09 Notice of 2009 Clean Communities
entitlement - \$9,037.99 c: M & C, LBF, WH, T&B

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CONSENT AGENDA RESOLUTIONS: The Consent Agenda listed below was unanimously accepted on roll call following a motion by Councilman Mobus and a second by Councilman Black.

- R2:3/26/09 Commending Dave Chemidlin for his service to Recreation Committee
- R3: Supporting Participation in the Sustainable Jersey Certification Program
- R4: Appointment to Recreation Commission - Craig Zaikov
- R5: Authorize Employee Incentive Program - Insurance Coverage Waiver
- R6: Authorize Expansion of Contract - Maser Consulting / Bayberry Lane Improvements
- R7: Authorize a Discharge of Lien for Various Property Owners - Ridge, Joan, Eaton & Orchard Curb Agreements
- R8: Authorize Temporary Emergency Appropriations
- R9: Authorize Return of Escrow Balances

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NON-CONSENT AGENDA

Introduction of Proposed Ordinance OR:09/07 entitled "AN ORDINANCE AMENDING CHAPTER VI, POLICE REGULATIONS, OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF WATCHUNG BY ADDING A NEW SECTION TITLED "ALL TERRAIN VEHICLES." Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren explained this Ordinance regulates the use of motorized recreational vehicles in order to minimize the impact on residents, the public at large and the environment, and to assure safety standards. 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 April 16, 2009

Introduction of Proposed Ordinance OR:09/08 entitled "AN ORDINANCE ACCEPTING EASEMENTS FROM VARIOUS RESIDENTS TO THE BOROUGH OF WATCHUNG FOR THE VALLEY ROAD SANITARY SEWER EXTENSION PROJECT" Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren explained this Ordinance authorizes acceptance of utility and temporary construction easements from three residents on Valley Road, enabling the Borough to proceed with the sanitary sewer extension project. 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 April 16, 2009

Proclamation - Donate Life Month / April

Mayor Ellis offered a proclamation proclaiming April as "Donate Life" Month in the Borough (copy attached)

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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> |
|------------|--|----------------|---------------|
| R1:3/26/09 | Adoption of Ordinance OR:09/06 - Deed and Easement Conveyance to County for Stirling Road Improvements | Joren | Black |
| R10: | Introduction of Ordinance OR:09/07 - Amend Code / All Terrain Vehicles Regulations | Joren | Black |
| R11: | Introduction of Ordinance OR:09/08 - Accept Easements / Valley Rd. Sewer Ext. | Joren | Black |
| R12: | Reaffirmation of the Borough's Commitment to | Franklin | Black |

Audiorecording Policy

- R13: Authorize Execution of Employment Agreement - Watchung P.B.A. Mobus Black
- R14: Payment of Bills Franklin Mobus
- R15: Executive Session: Attorney/Client Privilege - Council Personnel Mobus Black

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PUBLIC PORTION

Walter Neigisch, Tuttle Road, inquired as to the Borough’s policy for obtaining a copy of the taped meetings, and Mrs. Fellin explained that an OPRA request would have to be made, and the fee is \$5.00 per CD. She added that the retention time is 80 days by law, after which they can be destroyed, upon approval from the State.

Joe Benham, Benham’s Towing, asked for the status of his request to raise the towing rates, and Mrs. Fellin explained that a recommendation must come from the Police Department, and then reviewed in Committee before it goes to the Laws and Ordinance Committee.

Councilman Pote noted the proposed date of April 18th for the Budget meeting may conflict with the invitation to participate in Little Leagues' Opening Day ceremonies and after a short discussion, Mrs. Fellin said she would poll the Council to determine the best time and date.

Councilman Mobus offered R15:03/26/09 authorizing an executive session, with a second by Councilman Black and unanimously approved.

Upon return to regular session at 10:28 PM all members previously present, were again in attendance.

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ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned to the call of the Chair at 10:30 P.M. to the next meeting regularly scheduled meeting on Thursday, April 16, 2009.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk