

BOROUGH OF WATCHUNG

MINUTES

APRIL 16, 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 [A] Franklin [P] Joren [P] Pote [P] Nehls [P]

Also present were Administrator/Clerk Laureen Fellin, Attorney Albert Cruz, Chief Sean Whelan, and Deputy Clerk Michelle DeRocco. Although not present at Roll Call, Councilman Black arrived at 7:55 P.M.

There were 26 members of the public present.

Mayor Ellis deviated from the agenda and requested Girl Scout Troop #163 make their presentation.

The meeting began with a presentation by Girl Scout Troop #163 requesting permission to install Wood Duck nesting boxes in Best Lake in an effort to obtain their Bronze Award. The Scouts, Brianna Walker, Maeve Price, Allie Morse, Minna Gannon, Stacie Bernhaut, Dan Bernhaut, Taylor Wagner, and Kayla Schinik, took turns explaining their theme of "Bring the Natives back to Watchung", its benefit to Best Lake and how it will help to increase the population of the Wood Duck which has been declining. Charles Gunther, Public Works Supervisor and water fowl expert, spoke to the young ladies at a scout meeting and will oversee this project. They said, in addition to this project, they will also be working with Kate Kogler from the Watchung Garden Club to plant a native plant garden, in keeping with the theme. Councilman Pote thanked the Scouts for coming and said it was the most organized presentation he has seen. Councilman Mobus made a motion to encourage Girl Scout Troop #163 to continue with the project as presented and wish them well. Councilman Nehls seconded the motion and it was unanimously carried upon roll call vote.

SPECIAL PRESENTATION

WHRHS Board of Education 2009 - 2010 Budget Presentation

Representatives from Watchung Hills Regional High School were present to discuss the proposed 2009 – 2010 Budget being voted on Tuesday, April 21st. Dr. Stromsland, along with Business Administrator Timothy Stys, spoke about their budget goals of recruitment and retention of qualified staff, the implementation of curricular initiatives and staff development opportunities in an effort to advance student performance, to improve efficiencies resulting in reduced tax impact, and the implementation of sustainable energy practices. Mr. Stys announced that with a 4% contractual increase for staff, the proposed budget results in a decrease of 2.6% for the High School's portion of the local property tax bills. Dr. Stromsland and Mr. Stys answered questions from the Governing Body and Mayor Ellis thanked Dr. Stromsland and Board of Education President Dr. Seelig for their leadership.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin invited all to attend the Budget Workshop meeting to be held this Saturday, April 18th. In regard to the WHRHS budget, Councilman Franklin said that the tax impact for the districts that make up the Regional School district is slowly beginning to even out.

2. Police - Councilman Mobus, in regard to the Police Activity Report, noted that the overall crime numbers are down, and referred to Resolution R15 on the agenda, authorizing the submission of a grant application for COPS Hiring Recovery Program.

3. Public Works - Councilman Nehls said the County performed emergency repairs on Washington Rock Road, however, there is more work to be done there and the Committee will meet to discuss it. He said Charles Gunther and Bob Burns recently attended safety training through the Suburban JIF, and he wants all to know that our employees are extensively trained. Councilman Nehls thanked the Martoccia family for their donation and planting of beautiful plants in the triangles around the Circle, saying they did a beautiful job.

4. Buildings and Public Affairs

Buildings - Councilman Pote said the Governing Body is approving the purchase of 'space saver' files for the new office area downstairs which will enable the consolidation of a considerable amount of documentation. He read the statistics for the Rescue Squad for the month of March, reporting they responded to 41 calls which included 23 basic life support and 1 mutual aid, and commented that the statistics reflect the calls for evenings, nights, and weekends and not during the day when Atlantic is covering. Councilman Pote said members of the Historical Committee met with Mrs. Fellin to discuss their plans for the Texier House, and commented that they are "glowing" with excitement over the anticipation of moving in.

Public Affairs - Councilman Nehls said the Board of Health met last night and discussed more efficient ways to get information out to the public. He said the Environmental Commission will be participating in "Green Day" with Green Brook, Warren, North Plainfield, and several other towns on October 17th, and announced the Borough is the recipient of energy audit grants for all of its buildings with the exception of the Library and he thanked CFO Bill Hance for his work in putting the application together. He announced the Educational Foundation will be holding it's "Art in the Park" event Saturday, April 25th at Mobus Field.

5. Fire - Councilman Black read the statistics for the Fire Department for the month of March, and announced "Fire Department Appreciation Night" to be held at Dunkin Donuts on April 29th from 5:00 PM to 10:00 PM where all ice cream scoops will be 31¢ each. He announced the Committee met this morning and reported the Fire Department is moving ahead and is looking strong and efficient.

6. Laws/Ordinances, and Recreation - Councilwoman Joren reported the Recreation Commission hosted the Rutgers' Safety Clinic at the Watchung Firehouse, the Basketball Shootout was well attended, and Little League Opening Day is scheduled for Saturday, April 18th, noting State Wrestling Champion Brendan Ard will serve as Grand Marshall. She said the summer playground applications are now available on-line, and reported the swim days will be held at the Warrentonville Swim Club. Councilwoman Joren said the Community Picnic will be held on May 24th and announced that Applebee's will not only be supplying all of the hotdogs, they have volunteered to cook them as well. She welcomed the appointment of Andy Baldassarre as a member as listed on the agenda, and said the Commission received a request from the Green Brook Hockey League for a donation. She explained that many Watchung residents participate in this program and the Commission did vote to approve a donation of \$4,000.00. In regard to Laws and Ordinances, a public hearing will be held on the proposed "all-terrain vehicle" ordinance and the Committee is discussing revisions to the Towing ordinance as well as house sizes. Councilwoman Joren said the Youth Commission met yesterday and grant applications were discussed.

REPORTS - OTHER:

7. Engineer - Mr. Herits was not present.

8. Police Chief - Chief Whelan reported the Criminal Investigation Unit opened 25 new cases in the month of March, noting an increase in credit card fraud and identity theft. He said the Department is receiving a donation of two bicycles and is hoping they will be ready for the Parade on Saturday. He said they will be used mostly for community events. Chief Whelan thanked Mrs. Fellin and CFO William Hance for their assistance in preparing the grant application.

9. Fire Department - No report was presented.

10. Rescue Squad - No report was presented.

11. Attorney - Mr. Cruz had nothing to report.

12. Administrator - Mrs. Fellin said she has scheduled an Employee Assistance Program seminar for all employees on Thursday, April 30th, noting it is open to all employees, their families, and volunteers, including the governing body, and explained that this service offers confidential assistance, free of charge.

Mayor Ellis advised all that the Borough is still actively pursuing a resolution with the DOT in regard to the Rte. 78/Diamond Hill Road interchange.

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UNFINISHED BUSINESS

Public Hearing on 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 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 cop-

ies. Councilwoman Joren moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

Councilwoman Joren explained that this Ordinance was proposed due to resident complaints of kids riding and crossing property lines. She explained this is a quality of life issue and noted the Police have the flexibility to issue warnings. She said this Ordinance received the support of the Environmental Commission. Barbara Potashkin, Villa Domenico resident, said this was a big problem for her when she lived on Johnston Drive and believes the new requirement of a 50' buffer is not sufficient.

With no one else 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

Public Hearing on 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 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, with the exception of #28, 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 26, 2009, Regular and Executive Session

Approval of the following Borough Reports:
Police Department Activity - March, 2009
Building Department - March, 2009

#28 - Sister Lisa Gambacorto, Mt. St. Mary's 4/6/09 Letter of appreciation for the acknowledgement of student's accomplishments c: M & C, LBF

Councilman Mobus requested #28 be removed for separate consideration. He said it was important to recognize the accomplishments of all of the Borough's students, noting that in addition to Brendan Ard's State Wrestling Championship, the Mount St. Mary's swim team also were State Champs and it was proudly listed on the Borough's marquee. Upon roll call vote, this resolution was unanimously accepted.

#29 - Alex DeCroce, Assemblyman 3/25/09 Requesting support for opposition to Governor Corzine's FY2010 State Budget c: M & C, LBF

#30 - State of NJ - DOT 3/31/09 Denial of grant request for Valley Road Sidewalk Improvements c: ASE, LBF, PWC, TH

#31 - Borough of North Plainfield 4/2/09 Invitation to participate in Borough's July 4th Parade c: M & C, LBF, PD, FD, RS, Boy Scouts, Girl Scouts

#32 - Dr. Malyska, Bd. of Education 4/7/09 Letter of appreciation for participation in Community Forum c: M & C, LBF

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CONSENT AGENDA RESOLUTIONS: The Consent Agenda listed below, with the exception of R16, was unanimously adopted on roll call following a motion by Councilman Mobus and a second by Councilman Black

R3:4/16/09 Appointment to Fire Department - Josh Frisoli

R4: Waive Chapt. 16-1.15b of the Code of the Borough - Swimming at Watchung Lake
1 for Triathlon / May 31, 2009

- R5: Appointment of Assessment Commissioners - Skyline Drive/Johnson Drive Sanitary Sewer Project, Beechwood Place Curb Improvement Project
- R6: Purchases Over \$2,000. - Spacesaver Systems
- R7: Authorize Agreement w/Special Tax Attorney - Zipp and Tannenbaum, L.L.C.
- R8: Authorize Payment of Certain Purchase Orders - As listed
- R9: Authorize Payment of Certain Purchase Orders Over \$2,000 - As listed
- R10: Authorize the establishment of a Petty Cash Fund and designation of Custodian - Municipal Clerk
- R11: Authorize the establishment of a Petty Cash Fund and designation of Custodian - Police Chief
- R12: Appointment to Recreation Commission - Andrew Baldassarre
- R13: Accept Donation - 2 Police Bikes from the Bernards Police Department
- R14: Authorize Expansion of Contract - Maser Consulting / Survey Construction Stakeout
- R15: Authorize Grant Application Submission - COPS Hiring Recovery Program (CHRP)
- R16: Rejection of Fire Department Shared Services Feasibility Study by Jersey Professional Management

Councilman Black requested R16 be removed for separate consideration. Councilman Black read this resolution into the minutes (copy attached) and explained that although this resolution rejects this particular report, the Governing Body is not against sharing services. He said a lot of good ideas came from this report and they may be used in the future. Upon roll call vote, this resolution was unanimously accepted.

- R17: Authorize Monthly Payment Option for Curb Agreement - Block 28.03, Lot 2.03
- R18: Authorize Execution of Agreement with NJDOT for Provision of Traffic Control Officers - Rte. 22/Park Avenue/ Bonnie Burn Road Improvements
- R19: Authorize Clerk to publish the Synopsis of the Audit Report for 2008

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NON-CONSENT AGENDA

Girl Scout Troop #163 - Requesting permission to install Wood Duck nesting boxes in Best Lake in an effort to obtain their Bronze Award (moved to beginning of meeting)

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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>
R1:4/16/09	Adoption of Ordinance OR:09/07 - Amend Code / All Terrain Vehicles Regulations	Joren	Black
R2:	Adoption of Ordinance OR:09/08 - Accept Easements / Valley Rd. Sewer Ext.	Joren	Black

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PUBLIC PORTION

Geraldine Seylaz, Schmidt Circle, representing a group of residents from Villa Domenico, came forward and read a prepared statement requesting the Borough's assistance in reducing the age restriction in their development from 62 to 55, and seeking advice on what steps can be taken to have the developer repave the roads leading into the development that are now in disrepair and pose a danger.

Barbara Potashkin, Schmidt Circle, said it is hard to get in touch with the attorney for property owner JDN.

Pio DeMatteo, Schmidt Circle, said his particular unit is crumbling, and the development in general, needs touch-ups that would not cost a lot of money.

Mary Lou Mauro, Schmidt Circle, said the building is deplorable, and an embarrassment to the Borough.

Attorney Cruz advised that he has reached out to the developer's attorney, who is unable to reach the developer. Mr. Cruz advised the residents that upon authorization from the Mayor and Council, he can move forward on the resident's behalf and on behalf of the Borough, within the boundaries of the law, however, he said the homeowners association should preserve their own remedy and not rely on what the town can do.

Councilwoman Joren said the Laws and Ordinance Committee can review the Ordinance that restricts the age and discuss a revision.

Walter Niegisch pointed out a typo on the agenda.

Lynda Goldschein asked if the Green Brook Hockey League is ice or roller and Councilwoman Joren said it is roller. Mrs. Goldschein reminded all to keep June 27th open as that is the day of the Rescue Squad's wet-down, open house, and dedication of the Building.

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ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned to the call of the Chair to the next scheduled meeting, a Budget Workshop meeting scheduled for Saturday, April 18, 2009 at 10:30 A.M. and the next regularly scheduled meeting to be held at 7:30 P.M. on Thursday, April 30, 2009.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk