

BOROUGH OF WATCHUNG

MINUTES

MARCH 25, 2010 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Albert 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, Engineer Tom Herits, and Deputy Clerk Michelle DeRocco.

There were 17 members of the public present.

SPECIAL PRESENTATION

Honoring Christine Blackadar for her years of service to the Recreation Commission

Councilwoman Joren read R6 into the minutes (copy attached). This resolution was seconded by Councilman Black and upon roll call, unanimously carried. Councilwoman Joren presented Chris with the Resolution and also a crystal bowl, from the Recreation Commission. Councilwoman Joren said Chrissy is from a long line of families who have grown up in Watchung and Chris loves this town so much that she wanted to give something back. She said Chris has given back 18 years to this community and it is appreciated by all. The Council all thanked Chris for her service and Mayor Ellis said she is the spirit of Watchung.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin said that because of the cut in State aid, the Borough is under the financial gun and this year's budget will be a challenge. He said everything is on the table, and there are no sacred cows. He announced there will be a special budget workshop meeting this Saturday from 11:00 AM to 1:00 PM, and all are invited to attend and share their ideas.

2. Police - Councilman Mobus announced he will be attending tomorrow's DARE Graduation.

3. Public Works - Councilman Nehls reported that because the Borough has received \$250,000. in funding from the DOT, the improvements to Ridge Road, however, will be done next year since the deadline on this award is 2011. He reported the Department fielded 78 service calls and generated 87 work orders. He said the recent storms were responsible for attention to 5 uprooted trees over the weekend.

4. Buildings and Public Affairs

Buildings - Councilman Pote reported the weekend storms were also responsible for some flooding at the Texier house, in addition to washing away of newly-installed fall-zone materials from the Mobus play area. He said the tennis courts are now open, and spring cleanup to parks and play grounds is underway. In regard to the Rescue Squad, he announced they responded to 30 calls this month, noting that Adam Wexler responded to 21 of the 30, that they recently participated in Haz Mat awareness training, and said they were appreciative to Patrolmen Michael Bouchard and Kyle Poulsen on their recent cardiac save. In regard to the Library, Councilman Pote thanked Echo Sentinel reporter Denis Kelly for his accurate account of the Library Study Committee's status update presentation.

Public Affairs - Councilman Nehls thanked Charles Gunther for his recent presentation to the Environmental Commission on Pesticide Management, and said the Commission will be providing information to the Laws and Ordinance Committee, requesting an ordinance that would regulate the use of pesticides on the Borough's grounds and playing fields. He announced Peter Wright of the Somerset County Business Partnership will be attending the next Board of Health meeting, and said Middle Brook Regional Health Commission continues to look for ways to reduce their budget.

5. Fire - Councilman Black said he had no report, however, noted Chief Bell was present and would present a report.

6. Laws/Ordinances, and Recreation - Councilwoman Joren said the Recreation Commission held the Basketball Shootout on Friday night and a good time was had by all. She announced that this year's winners were an out-of-town women's soccer team.

REPORTS - OTHER:

7. Engineer - Tom Herits announced the improvements to Bayberry Lane are complete and the contractor is working on the curbing on Stanie Glen. He said the rock wall netting behind the Police Complex received it's first workout, and it worked well. In regard to the Gateway project, he reported the walks are being poured. He said he will look at the flooding problem at the Texier and that Hillcrest Road, a County project will be paved shortly, with the work being done at night.

8. Police Chief - Lt. Wenzel said he had nothing to report this evening.

9. Fire Department - Chief Bell said the Department has been busy tending to 30 calls and included 6 mutual aid calls for structural fires. He reported 20 members attended a sprinkler drill at Chubb, coordinated with Warren's department. Councilman Mobus, referring to Resolution R:11 on the agenda, asked the Chief if the fire hoses were checked once a year, and Chief Bell responded yes, however, he was not sure why this purchase order is on the agenda this time of year.

10. Rescue Squad - No report was presented.

11. Attorney - Mr. Cruz announced he had one item for discussion in Executive Session.

12. Administrator - Mrs. Fellin announced the energy audit is complete and the Borough's Energy Committee will review it. She reported the Administration and Finance Committee is working hard to complete the revisions to the Personnel Manual, and that she will be scheduling the EPL training for the Council soon.

Mayor Ellis said he attended a meeting at the County with County Engineer Mike Amoroso, who will be working with Municipalities to implement solar panels on buildings, and Watchung has applied for consideration. He announced the County's tax is flat this year, however, they cut some grant funding, namely the Recreation Grant; however, the Youth Services Grant will still be available. He advised that residents should be in receipt of their census forms and said if anyone has a question, they can call the help line number at 609-955-5856. Mrs. Fellin said many calls are coming in from people who said the town is listed incorrectly as Plainfield on their forms. Mrs. Fellin said the instructions are to fill in the correct information and to make sure the bar code is present on the return envelope.

=====

UNFINISHED BUSINESS

Public Hearing on Proposed Ordinance OR:10/03 entitled "AN ORDINANCE AMENDING SECTION 28-107, TITLED 'COMPLIANCE' AND SECTION 28-403, TITLED 'NONCONFORMING STRUCTURES, USES AND LOTS', OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG, CLARIFYING THE 'GRANDFATHERING' PROVISIONS OF THE LAND DEVELOPMENT ORDINANCES." Councilwoman Joren moved a public hearing be held with a second by Councilman Black 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. Councilman Black seconded the motion, which carried unanimously on roll call.

Public Hearing on Proposed Ordinance OR:10/04 entitled "AN ORDINANCE AMENDING SECTION 28-401, TITLED 'GENERAL ZONING DISTRICT REGULATIONS', OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY AMENDING SECTION 28-401i, TITLED 'PARKING OF COMMERCIAL, RECREATIONAL, INOPERABLE OR UNREGISTERED VEHICLES IN SINGLE-FAMILY RESIDENTIAL ZONES', AND REPEALING SECTION 28-401i2, TITLED 'PARKING OF RECREATIONAL VEHICLES.'" Councilwoman Joren moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

Phil Whitting, Fawn Lane, inquired if he would be in need of a waiver, as he owns several vintage cars that are in his driveway and Councilman Franklin said this ordinance pertains to the parking of rusty, inoperable vehicles, and/or the restriction of continual mechanical work to be done on residential driveways.

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 Black seconded the motion, which carried unanimously on roll call.

Public Hearing on Proposed Ordinance OR:10/05 entitled "AN ORDINANCE AMENDING SECTION 14-14, TITLED 'EXTERIOR PROPERTY AREAS', OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY REPEALING SECTION 14-14.8, TITLED 'FRONT YARD PARKING - MOTOR VEHICLES', AND REPEALING AND REPLACING SECTION 14-14.9, TITLED "FRONT YARD PARKING PROHIBITED - BOATS, RECREATIONAL VEHICLES OR TRAILERS." Councilwoman Joren moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

Mr. Whitting again questioned if this would prohibit the parking of his vintage vehicles and Councilman Franklin suggested that he be sure his vehicles had valid registrations.

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 Black seconded the motion, which carried unanimously on roll call.

Public Hearing on Proposed Ordinance OR:10/06 entitled "AN ORDINANCE ACCEPTING A STORM SEWER AND DRAINAGE EASEMENT FROM JOSEPH AND MARIANNE DeNICHOLAS TO THE BOROUGH OF WATCHUNG." Councilwoman Joren moved a public hearing be held with a second by Councilman Black 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. Councilman Black seconded the motion, which carried unanimously on roll call.

Public Hearing on Proposed Ordinance OR:10/07 entitled "AN ORDINANCE AMENDING SECTION 2-40, TITLED "RECREATION COMMISSION", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY AMENDING SECTION 2-40.1, TITLED "ESTABLISHMENT; MEMBERS; APPOINTMENT", TO PROVIDE FOR TWO (2) ALTERNATE COMMISSIONERS, AND SECTION 2-40.2, TITLED "TERMS OF OFFICE", TO ESTABLISH THE TERM OF OFFICE FOR THE TWO (2) ALTERNATE COMMISSIONERS." Councilwoman Joren moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

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 Black 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 Mobus and a second by Councilman Black.

Approval of the following Council minutes:
March 11, 2010 - Regular and Executive Sessions

Approval of the following Borough Reports:
Building Department - February, 2010
Recreation Commission - January 6, 2010 Minutes
Planning Board - March 2, 2010 (Special Meeting) Minutes
Historical Committee - February 17, 2010 Minutes

- #25 - Dennis Scalera 3/12/10 Requesting an inventory of veteran's foot markers, and calling for volunteers to remove debris from foot markers, in an effort to honor all veterans on this and every Memorial Day c: M & C, LBF
- #26 - Lois Fritsch 3/16/10 Thanking Charles Gunther for his assistance with flooding in her basement and commending him for going the "extra mile" c: M & C, CG, PHF

=====

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.

R6:03/25/10 Honoring Christine Blackadar for Years of Service / Recreation Chairperson

R7: Expansion of Contract - Maser Consulting / Continuing Housing Advisory Services

In regard to R7, Councilman Nehls confirmed that the funding for this contract is from Developer's Fees, not the general fund.

R8: Ratify Motion to Pursue the Library Study Advisory Board's request to Distribute the

R9: Ratify Motion to Charge a Local Volunteer Group with the responsibility of a Ground Survey to be completed within 90 days

=====
NON-CONSENT AGENDA: Items listed below will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion.

Introduction of Proposed Ordinance OR:10/08 entitled "AN ORDINANCE AMENDING SECTION 28-401, TITLED "GENERAL ZONING DISTRICT REGULATIONS", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY AMENDING SECTION 28-401C, TITLED "PROFESSIONAL RESIDENT HOME OFFICES" TO PROVIDE THAT A PROFESSIONAL RESIDENT HOME OFFICE SHALL NOT EXCEED NINE HUNDRED (900) SQUARE FEET." 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 April 8, 2010.

#24 - Kevin Page, Page Engineering Consultants 3/11/10 On behalf of his client Karka Investments, Inc., requesting the Borough apply to the Township of Berkeley Heights for sanitary sewer

Borough Engineer Tom Herits reported he has already reached out to Berkeley Heights and is awaiting a reply.

Proclamation - Honoring Joan Plasner / Somerset County Commission on the State of Women honoree in the field of Arts/Entertainment

Mayor Ellis read the Proclamation (copy attached) and announce that he and Mrs. Fellin will be attending a dinner tomorrow evening where Mrs. Plasner will be honored.

Proclamation - April as "Donate Life Month"

Mayor Ellis read the Proclamation (copy attached) and encourage all to sign up to be organ donors.

Proclamation - Honoring Mary Matullo for years of service on Watchung Hills Regional Municipal Alliance

Councilman Mobus read the Proclamation (copy attached) for Mrs. Matulo.

=====
ON-CONSENT AGENDA RESOLUTIONS - The resolutions listed below, with the exception of R17, were unanimously adopted on roll call with offering and seconding as follows:

Table with 4 columns: Resolution ID, Description, Offeror, and Secondor. Rows include R1:03/25/10, R2, R3, R4, R5, and R10.

Councilman Mobus recused himself from the following vote (R11):

R11: Purchases Over \$2,000.00 - Fail Safe Fire Hose Black Franklin

Discussion ensued regarding the timing of payment for the annual safety maintenance on the fire hoses, and it was the consensus of the Council members voting to authorize this payment contingent upon the Clerk's confirmation that this invoice is for 2010.

Upon roll call, the vote was as follows: Black, Franklin, Joren, Pote, Nehls.

R12: Payment of Bills Franklin Black

R13: Executive Session: Mobus Franklin
Potential Litigation -
Objections to Third Round Housing Element and
Fair Share Plan

=====
PUBLIC PORTION
=====

No one from the public desired to be heard.

Councilman Mobus offered R13:03/25/10 authorizing an executive session, with a second by Councilman Franklin and unanimously approved. Mayor Ellis recused himself. Upon return to regular session at 9:10 PM, all members previously present, with the exception of Mayor Ellis, were again in attendance.

=====
ADJOURNMENT
=====

There being no further business to come before the Council, the meeting was adjourned at 9:12 PM to the call of the Chair and the next Special Workshop meeting to be held on Saturday, March 27, 2010 at 11:00 AM and the next regularly scheduled to be held at 7:30 P.M. on Thursday, April 8, 2010.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk