

BOROUGH OF WATCHUNG

MINUTES

MAY 27, 2010 - 7:30 P.M.

MAYOR'S STATEMENT: Acting Mayor Gerald Mobus 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 Laureen Fellin, Attorney Albert Cruz, Engineer Tom Herits, and Deputy Clerk Michelle DeRocco.

There were 4 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin reported the Council did act on both school budgets at the special meeting of May 18th, authorizing a reduction of \$518,000 from the High School's budget and \$199,000 from the local school's budget. He commended the teachers for opening their contracts, resulting in a \$147,000 reduction. Council President Mobus thanked Councilman Franklin, Black, Pote, the Mayor, and Mrs. Fellin for their diligence while working on the budget.

2. Police - Councilman Mobus announced he was honored to attend the State's memorial for fallen Police Officers. He said due to budgetary constraints, the Police Department was trying to prolong the purchase of new guns, however, due to recent failures on the range, they will be replaced this year.

3. Public Works - Councilman Nehls reported since last month, the Department fielded 77 service calls and generated 216 work orders. He announced the bulky waste pickup will begin on June 7th in District #1, and June 14th in District #2. Councilman Nehls said the Department of Labor, PEOSH, conducted a spot inspection of the Public Works facility, and Mr. Gunther expects another inspection soon by an Occupational Health Consultant who will test noise exposures while the crew performs lawn maintenance. He said the Department continues to perform their monthly activities that include pot hole repairs and cleaning catch basins, in addition to preparing for community events such as the Triathlon and Community Picnic.

4. Buildings and Public Affairs

Buildings - Councilman Pote publicly thanked the local Teachers who opened their contracts in the midst of this budget crisis, and commented that they should be looked at as real leaders for taking that step. In regard to Buildings and Grounds, he reported the Department continues to perform monthly tasks such as grass cutting, and shrub trimming, in addition to performing air conditioning repairs at the Fire and Police Departments. Councilman Pote informed Mrs. Fellin continues to seek lower quotes for the installation of the overhang by the Tax Office. He said the Historical Committee would like to invite all to attend the annual Memorial Day Services to be held on Monday morning, beginning at 9:30 am, at the War Memorial in front of the Texier House. Councilman Pote thanked the Rescue Squad for their participation in the Triathlon.

Public Affairs - Councilman Nehls reported the Triathlon went smoothly and was well attended.

5. Fire - Councilman Black announced the Fire Department, in celebration of their 100th Anniversary, will be participating in the Community Picnic on Sunday, May 30th.

6. Laws/Ordinances, and Recreation - Councilwoman Joren reported the Recreation Commission has been working hard on the Community Picnic, which will be held Sunday from 12:00 noon to 3:00 PM. She announced that in addition to the food from Famous Dave's and the new practice field being dedicated to John Blackadar, Director Maria Bachert has a lot of surprises planned.

REPORTS - OTHER:

7. Engineer - Mr. Herits reported paving has begun on the Somerset Street Gateway project; the bridge work on the circle is complete; the improvements to the Stanie Glen cul-de-sac are complete; and the next phase of Johnston Drive will be ready to go to bid shortly. He said the Borough has received the County's plans for Mountain Boulevard and Councilman Mobus suggested another hearing be scheduled for the public. Mr. Herits announced Public Service will be using stimulus money to replace underground power lines in the Castle area of the Borough.

8. Police Chief - Lt. Wenzel advised all about a recent burglary and theft case in Jersey City, which turned up a remote connection to Watchung, which Det. Bill Kelly was instrumental in helping to solve. Lt. Wenzel said he received a personal call from the Chief of the Jersey City Police Department, who couldn't say enough good things about Bill and the Watchung Police Department. Councilman Mobus asked Lt. Wenzel what one should do in the event they accidentally dial 911 and it is not an emergency, and he advised that they should stay on the line, and explain that it was dialed in error.

9. Fire Department - No report presented.

10. Rescue Squad - No report presented.

11. Attorney - Mr. Cruz said he has one item for discussion in Executive Session.

12. Administrator - Mrs. Fellin announced the implementation of the Borough's furlough program will begin next Friday, and the Borough offices will be closed. She said the challenge of keeping services the same in less time will begin. Mrs. Fellin said the Borough has an excellent staff and thanked them for the work that they do. Councilmen Mobus and Pote agreed.

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UNFINISHED BUSINESS

Public Hearing on Proposed Ordinance OR:10/10 entitled: "AN ORDINANCE AMENDING SECTION 14 TITLED "PROPERTY MAINTENANCE", OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF WATCHUNG BY AMENDING SECTION 14-19, TITLED "RUBBISH AND GARBAGE", BY ADDING SECTION 14-19.4 ENTITLED "REFUSE CONTAINERS / DUMPSTERS" REQUIRING THE PROVISION OF REFUSE CONTAINERS/DUMPSTERS UNDER CERTAIN CIRCUMSTANCES." Councilwoman Joren moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

Lynda Goldschein, Sherwood Drive, asked for an explanation of this Ordinance and Councilwoman Joren explained this Ordinance sets the requirements for dumpsters and other refuse containers that are outdoors or exposed to stormwater and establishes the penalties for non-compliance.

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:10/11 entitled: "AN ORDINANCE AMENDING CHAPTER XXI TITLED "STORMWATER CONTROL", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY INSERTING A NEW SECTION 21-12, TITLED "PRIVATE STORM DRAIN INLET RETROFITTING." 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:10/12 entitled: "AN ORDINANCE AMENDING SECTION 2-70.3 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG REDUCING THE OPEN SPACE TAX RATE FROM TWO (\$0.02) CENTS PER HUNDRED (\$100.00) DOLLARS TO ZERO (\$0.00) CENTS PER HUNDRED (\$100.00) DOLLARS OF THE ANNUAL ASSESSED VALUATION AND TAX RATE." Councilwoman Joren moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

Lynda Goldschein, Sherwood Drive, asked how this Ordinance will benefit the taxpayer and if it will make a difference in the budget, and Councilman Franklin explained this is being done to provide the taxpayer a little relief during these tough times, and is being implemented this year only. He said it doesn't make a difference in the budget, but will in the tax bill.

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.

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NEW BUSINESS

CONSENT AGENDA: The Consent Agenda listed below, with the exception of #41, was unanimously accepted on roll call following a motion by Councilman Black and a second by Councilman Franklin.

Approval of the following Council minutes:
May 13, 2010 - Regular and Executive Sessions

Approval of the following Borough Reports:
Finance Revenue Report - April, 2010
Recreation Commission Minutes - April 7, 2010

- #38- Township of Warren 5/18/10 Notice of Public Hearing on Proposed Ordinance No. 10-07 – Amendment to Land Use Ordinance, in particular amending the definition of Minor Site Plan and am
- #39- Somerset County Board of Chosen Freeholders 5/17/10 Resolution supporting Proposed Bill A-2289, eliminating restrictions on the installation of solar panels c: M & C, LBF, Pl. Bd., Env. Comm.
- #40- Township of Bridgewater 5/14/10 Notice of Public Hearing on proposed Amendment to the Master Plan- Open Space and Recreation Plan Element c: M & C, LBF, DS

Councilman Nehls requested the removal of #41 from the Consent Agenda for separate consideration.

- #41- Wastewater Management Committee 5/11/10 Recommendation not to remove Twin Brooks Country

Councilman Nehls explained the Municipal Wastewater Management Committee met with representatives from Warren to discuss the DEP's proposal to remove all golf courses from the rule of the municipality in which it resides. He said this could mean that a golf course would have to remain as open space forever. Councilman Nehls said the Borough's Master Plan considers Twin Brooks as an overlay that could one day be developed. He said discussion with Warren will continue, however, Watchung will uphold the current Master Plan.

Councilman Nehls made a motion to accept #41, seconded by Councilman Franklin and unanimously adopted upon roll call vote.

- #43- Township of Warren 5/20/10 Resolution Certifying the Tax Levy for Watchung Hills Regional High School c: M & C, LBF, WH
- #44- Township of Long Hill 5/24/10 Resolution Certifying the Tax Levy for Watchung Hills Region

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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.

- R4:05/27/10 Authorize Treasurer to issue Disabled Veteran Refund - Block 1306, Lot 10
- R5: Authorize Treasurer to return Tax Overpayment - Block 5403, Lot 5
- R6: Authorize Clerk to issue Raffle License - Sisters of Mercy of The Americas
- R7: Authorizing the waiver of the nepotism prohibition policy in the Policies and Procedures Manual for Summer Recreation Program employee - Jacques
- R8: Appoint Summer Recreation Program Employees - Blackadar, Jacques, Baculis, Chamish, Malchow

- R9: Authorize Wrecker's License for Towing Purposes - Bardy Farms Automotive &
- R10: Appeal to DLGS for Extension of Time - Budget Introduction

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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.

#42- Samuel Lachs 5/13/10 Proposal to add additional property to the 1988 Property Development Agreement with the Borough c: M & C, LBF

Councilman Mobus questioned whether this request may have to go before either the Board of Adjustment or the Planning Board, however, recommended it be reviewed first by the Public Works Committee for a recommendation. Councilman Nehls said he is trying to set a meeting up for next Thursday.

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NON-CONSENT AGENDA RESOLUTIONS - The resolutions listed below, were unanimously adopted on roll call with offering and seconding as follows:

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| R1:05/27/10 | Adoption of Ordinance OR:10/10 -
Refuse Containers / Dumpsters - Stormwater | Joren | Black |
| R2: | Adoption of Ordinance OR:10/11 - Private
Storm Drain Inlet Retrofitting -
Stormwater Management | Joren | Black |
| R3: | Adoption of Ordinance OR:10/12 - Reducing the
Open Space Tax Rate | Joren | Black |
| R11: | Payment of Bills | Franklin | Black |
| R12: | Executive Session:
Potential Litigation - Objections to Third
Round Housing Element and
Fair Share Plan | Franklin | Black |

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PUBLIC PORTION

Lynda Goldschein, Sherwood Drive, said PSE&G will be replacing some underground wires in the Hill Hollow area and said it would be a good time to bring the FIOS to this area. Tom Herits said he would check on it. In regard to the DEP and Twin Brooks, Mrs. Goldschein asked how they could take it as open space if it is private property and Councilman Nehls said the DEP can take the development rights away. Mrs. Goldschein asked if the issue of busing was investigated any further after the school budget meeting and Council President Mobus said he would ask the Mayor. Mrs. Goldschein said she found Councilman Franklin's revenue explanation as unacceptable, that the budget crisis the Borough is in did not happen overnight, and there should have been some insight last year or the year before, and the Borough needs to take a more "business like" approach to the budget. She said the Police were told to hold off on the purchase of new guns, however, no one ever says "no" to the Fire Department.

Councilman Mobus offered R12:05/27/10 authorizing an executive session, with a second by Councilman Franklin and unanimously approved. Upon return to regular session at 8:49 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 was adjourned at 8:50 P.M. to the call of the Chair and the scheduled meeting will be held at 7:30 P.M. on Thursday, June 10, 2010.

Respectfully submitted:

Michelle DeRocco, RMC

