

BOROUGH OF WATCHUNG

MINUTES

NOVEMBER 29, 2010 - 7:30 P.M.

MAYOR'S STATEMENT: Mayor Ellis called the meeting to order at 7:34 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 a MOMENT OF SILENCE FOR OUR TROOPS

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 11 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin said the large shortfall reported on October's revenue statement was due to the delay in collecting the 3rd quarter taxes. He said he anticipates that the Borough may be "ok" for next year, however, the budget packages have been distributed to the Departments and the Finance Committee would like to get an early start on the process. He said the Governor is implementing the 2% cap with little or no tools in the tool box. Councilman Mobus said he attended a seminar at the League of Municipalities Conference where the Governor's Tool Kit was discussed and is sure that tools will be available to municipalities before the end of the year. Councilman Nehls added that he attended the Board of Education's Budget meeting and there was a good turnout, and many good suggestions from the residents who were in attendance. He noted that "shared services" is a recommendation that continues to be brought up, and commented that joint meetings between school boards and municipalities are being encouraged. Mayor Ellis said that last year the Borough held several additional budget meetings, reaching out for public input, and the Council did consider some of the many suggestions received, however, these meetings were sparsely attended. He recommended that in addition to Saturday meetings next year, the Governing Body may want to hold one or two during the evening.

2. Police - Councilman Mobus said the Police Activity Report has been distributed and Chief Wenzel is here to answer any questions. He noted that confidential information has been distributed in the Council's mail, and reminded all that confidentiality is key and necessary so as not to jeopardize investigations.

3. Public Works - Councilman Nehls announced Mrs. Fellin has received notice from the DOT that they will open the easterly end of Johnston Drive by Bonnie Burn Road to northbound traffic only. He reported Public Works has fielded 42 service calls and generated 100 work orders. He said the Department continues the leaf and branch pickups, have removed the aerators from both lakes for the winter, continues to perform catch basin repairs, and are prepping the vehicles with salt spreaders.

4. Buildings and Public Affairs

Buildings - -Councilman Pote said Buildings and Grounds have been busy with the winter maintenance of the Borough's facilities, and the sidewalk on the walkway in front of Borough Hall has been repaired. He said the Energy Audit recommendations are being reviewed, and hopefully some suggestions will be implemented before the end of this year. In regard to the Historical Committee, 12 submissions were received for the RFP that was advertised and are being reviewed by the Engineer. Councilman Pote reminded all that the Rescue Squad's Tree of Lights will be held this Saturday at 5:30 P.M.

Public Affairs - Councilman Nehls reported the Environmental Commission met last week and discussed the implementation of the Energy Audit recommendations. He said the Board of Health met this week and approved the budget for 2011, and noted that Middle Brook will be relocating their offices into Green Brook at the end of the month.

5. Fire - Councilman Black had nothing to report.

6. Laws/Ordinances, and Recreation - Councilwoman Joren said the Recreation Commission will be meeting on Wednesday, and in regard to Laws and Ordinances, the house size discussion continues as Mr. Linnus researches the trends around the State.

REPORTS - OTHER:

7. Engineer - No report.

8. Police Chief - Chief Wenzel reported Black Friday went well, and that the Department did a great job this week – catching a burglary suspect coming out of a home. He commended the Officers involved for gathering a large amount of evidence, citing their determination to solve this case.

9. Fire Department - No report.

10. Rescue Squad - No report.

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

12. Administrator - Mrs. Fellin announced the employees have taken their last furlough day for this year, the departments have received their budget packets, and that she will be attending a Consolidated Services Feasibility Analysis meeting on Thursday, December 9th at the County with the Mayor, prior to the Council meeting. Mayor Ellis suggested and all agreed that the Council meeting scheduled for 7:30 P.M. on December 9, 2010 will be changed to begin at 8:00 P.M.

UNFINISHED BUSINESS

Public Hearing of Proposed Ordinance OR:10/18 entitled "AN ORDINANCE AMENDING SUBSECTIONS B AND C OF SECTION 6-2.10, TITLED "DISCHARGE OF FIREARMS, DESTRUCTIVE DEVICES, WEAPONS OR CAPS PROHIBITED; DISCHARGE OF BOWS AND ARROWS RESTRICTED", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG, TO DELETE REFERENCES TO THE LAWS OF THE STATE OF NEW JERSEY."

Councilwoman Joren made a motion to table this ordinance to be referred back to the Laws and Ordinance Committee for some changes. Councilman Mobus seconded the motion and upon roll call vote, it was unanimously approved.

NEW BUSINESS

CONSENT AGENDA: The Consent Agenda listed below, with the exception of #95, was unanimously accepted on roll call following a motion by Councilman Mobus and a second by Councilman Black.

Approval of the following Council minutes:
November 10, 2010

Approval of the following Borough Reports:
Police Activity - October, 2010
Board of Health Minutes - September, 2010

Councilman Mobus asked for the removal of #95 from the Consent Agenda for a separate vote:

#95 - Ptl. E. Michael Sugalski 11/16/10 Letter of Resignation, effective January 1, 2011 c: M & C, LBF, PHF

Councilman Mobus commended Mike Sugalski for his 25 years of devoted service to the Borough, noting his dedication to the DARE program. He said that when he attended the last DARE graduation ceremony he was touched to see the respect and admiration the kids had for Mike. Councilman Mobus said Mike is involved in his hometown community and Watchung has been lucky to have had his services. Mayor Ellis agreed and wished Mike luck in his future endeavors.

#96- Kathy DiFranco 11/10 Email expressing dislike for the lighting project along Somerset Street c: M &

#97 - PSE&G 11/17/10 Notice of Public Hearings in regard to petition submitted for rate changes c: M & C, LBF, WH, Post

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CONSENT AGENDA RESOLUTIONS: The Consent Agenda resolutions listed below, with the exception of R6, were unanimously adopted on roll call following a motion by Councilman Mobus and a second by Councilman Black.

- R2:11/29/10 Authorize Cancellation of Unexpended Capital Balances
- R3: Authorize Mayor to sign CY2011 Municipal Recycling Agreement w/Somerset County
- R4: Accepting Sanitary Sewer System - Rosegate / Johnston Drive
- R5: Ratification of Motion - Accept Receipt of Wildlife Management Advisory Committee's
Community Based Deer Management Recommendation for
2010 - 2011
- ~~R6: Ratification of Motion - Authorize Submission of Permit Application to the NJ DEP,~~
- R7: Authorize the Treasurer to issue Tax Overpayment Refund - 34 Wildwood Terrace
- R8: Authorize the Treasurer to issue Tax Overpayment Refund - 115 Skyline Drive
- R9: Authorize Sanitary Sewer Extension Reimbursement Agreement - 144 Johnston Drive
- R10: Authorize Clerk to Issue Liquor License Transfer - O'Connor's Beef 'Ale House, Inc.
to Watchung BWW Limited Liability Co.
- R11: Authorize Tax Sale Certificate #2-2007 Redemption - 292 Johnston Drive
- R12: Authorize Tax Sale Certificate #3-2009 Redemption - 292 Johnston Drive

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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.

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

Second

Offered

- R1:11/29/10 Adoption of OR:10/18 -
Amendment to Code - Sec. 6-2.10 / "Discharge of
Firearms..." - Deletion of a Reference to the Laws
of the State of New Jersey **TABLED**

Councilman Mobus recused himself from the following vote:

- | | | |
|------------------|--------------------------------------------------------------------|----------------|
| R13:
Franklin | Appointment to Fire Department - Timothy M. Erber | Black |
| R14:
Franklin | Appointment to Fire Department - John Francis Young / Junior | Black |
| Member | | |
| R15: | Payment of Bills | Franklin Black |
| R16: | Executive Session:
Contract Negotiations - Watchung Arts Center | Mobus Black |

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PUBLIC PORTION

Mary Ciccolella, Johnston Drive, commended the Borough on its effort to continue with the Deer management program, as she is finally seeing an improvement and would hate to see that end now. Mrs. Ciccolella asked if the improvements scheduled for the end of Johnson Drive near Somerset Street will result in that end being closed, and Councilman Nehls responded that it was hoped that one lane will be open through the construction.

Lynda Goldschein, Sherwood Drive asked if vacancies in the Police Department will be filled, and Councilman Mobus said it is being considered, noting that the opening left upon Chief Whelan's retirement has not yet been filled. Mrs. Goldschein said she believes it is in the public's best interest to know the area of town where any burglaries may be taking place; she does not see the need to start from scratch every time an ordinance needs to be reviewed; and she suggested that the towns that make up the Regional High School share superintendents.

Monica Schmeide, Rutger's student and resident of Johnston Drive, requested information for her studies regarding the deer management program, and Mrs. Fellin arranged to meet with her.

Hans Juette, Chairperson of the Wildlife Management Advisory Committee advised the Committee will be performing a deer survey in the next few weeks, and said it is the Committee's belief that a sporting club can provide an effective program with little or no cost to the Borough.

Councilman Mobus offered R6:11/29/10 authorizing an executive session, with a second by Councilman Black and unanimously approved. Upon return to regular session at 9:44 PM, all members previously present were again in attendance.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:45 P.M. to the call of the Chair and the next scheduled meeting to be held at 8:00 P.M. on Thursday, December 9, 2010.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk