

BOROUGH OF WATCHUNG

MINUTES

APRIL 14, 2011 - 7:30 P.M.

MAYOR'S STATEMENT: 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 a MOMENT OF SILENCE FOR OUR TROOPS

ROLL CALL

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

Also present were Administrator/Clerk Laureen Fellin, Attorney Michael Cresitello, and Deputy Clerk Michelle DeRocco. Borough Attorney Albert Cruz was not present.

There were 10 members of the public present.

SPECIAL PRESENTATION

Eagle Scout Request - Sean McKenna

A presentation was made by Eagle Scout candidate Sean McKenna who presented his proposal to build, install, observe and maintain wood duck boxes at Best Lake and Watchung Lake. Sean outlined his plan, and provided details regarding how he planned to accomplish this project. After questions from the Governing Body, Councilman Nehls said he recommended that Sean be allowed to move forward with this project, and all present agreed.

SPECIAL PRESENTATION

Budget Presentation - Watchung Hills Regional High School

WHRHS Superintendent of Schools Fran Stromsland and Business Administrator Timothy Stys presented the 2011-2012 budget. Also present were Board of Education members Dr. Paul Seelig, Dr. Peter Fallon, and Kathy Caldas. Dr. Stromsland provided an overview of the many areas of education the students are involved in. She provided statistics on test scores, the AP courses and said 1700 is the average SAT score. Mr. Stys reported the Board held many budget meetings, noting that the loss of state aid and surplus proved to be quite a challenge, but they are confident that this budget is effective and efficient. Dr. Stromsland announced this budget will increase taxes on an average home in Watchung by \$110.00.

Dr. Stromsland and Mr. Stys answered questions from the Governing Body and then the public. Councilman Pote inquired as to the status of the teacher's contract and Dr. Stromsland said it is due to expire June 30, 2011. Councilwoman Cassidy commended Dr. Stromsland and the Board of Education and asked if any programs were cut and inquired as to the level of grants, and Dr. Stromsland said none have been removed, but some with less interest have been reduced. Mr. Stys said the clerical staff has been reduced and will not be replaced, and that the transportation program has been outsourced and some routes have been dropped. He replied the grant level is down slightly. Councilman Franklin asked what percentage of students are from Watchung and Mr. Stys replied 14%. Councilman Nehls said he was very happy to hear the students are doing better and commended the Board for doing more with less. Councilman Black asked about the school's utility bills and Mr. Stys replied that they are looking into solar power and a power purchasing agreement. Dr. Stromsland noted that the attendance officer has been very aggressive and they are diligent about verifying residency of all students. She also said the student's and staff's safety is always the number one concern and additional video cameras are going to be installed. Former Mayor Anthony Addario, Rock Road, said he would like a copy of the full budget, and asked Dr. Stromsland what problems she anticipates. Dr. Stromsland replied that she would like to continue to grow the technology program. Mr. Addario said he sees a lack of the basics.

Mayor Mobus thanked all for coming and reminded residents to vote on April 27, 2011.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin reported the Administration and Finance Committee is winding up some personnel issues, and are advertising the position of Administrator. He said the 2011 Municipal Budget should be ready for introduction soon, and noted it is slightly under the mandated cap.

2. Police - Councilwoman Joren advised a Police Committee meeting was held yesterday and the Committee supports the Chief’s recommendation to apply for State Accreditation. She reported Chief Wenzel has provided an update on the police consolidation discussions, which has been forwarded to the Administrators, and that on April 30th the Department will hold another “drop off” to collect and dispose of old prescription drugs.

3. Public Works - Councilman Nehls said the Public Works Committee held a meeting on Tuesday and discussed the Allen/Ross Pond issue, and will be meeting with the homeowner soon.

4. Buildings and Grounds; Recreation - Councilwoman Cassidy was happy to announce the award of bid to Unlimited Builders, for the renovations to the Texier House. She advised options for improvements to the tennis courts are still being discussed, and that a strong fundraising effort for this project is already underway.

5. Public Affairs - In regard to Public Affairs, Councilman Nehls advised the Environmental Commission met and discussed the Green Team’s recommendations, and that they will be participating in Warren’s Earth Day celebration, providing information on styrofoam recycling. He said at the Board of Health’s meeting an issue of licensing and regulations for massage parlors was discussed and will be reviewed. He also noted that Warren is reviewing an application to construct an aquatic center near Hillcrest Road, which will result in an increase in traffic, especially around the circle, for Watchung. Mayor Mobus noted that Watchung did not receive notification of any hearings.

6. Fire - Councilman Black reported on the recent Green Brook Flood Control Commission meeting he attended. He advised the Fire Department is still addressing the dilemma with the radio frequency it shares with New York City, and are reviewing all possible options.

7. Laws/Ordinances - Councilman Pote said he was happy to see the award of bid for the Texier House Renovations on tonight’s agenda. He said the accreditation program for the Police Department that is being considered is particularly more important after listening to the JIF’s presentation this evening.

REPORTS - OTHER:

8. Engineer – No report was presented.

9. Police Chief – No report was presented.

10. Fire Department – No report was presented.

11. Rescue Squad - On behalf of the Rescue Squad, Councilman Nehls reported the Squad will participate in the Little League Opening Day ceremonies, in addition to sponsoring a team. He said they will also be in attendance at the Memorial Day Picnic, Triathlon, and the Bob Beckert Run. He reported the Squad’s fund raising drive will begin soon, and recruitment of new members is going well. Councilman Nehls reported the statistics for the month.

12. Attorney – Mr. Crisitello had nothing to report.

13. Administrator – Mrs. Fellin announced she spoke to the NJ DOT project manager for the Bonnie Burn Road project who advised that, regarding utilities, cable lines are halfway done, gas lines are completely moved and in testing right now. The retaining wall is being built and he anticipates that the right turn lane onto the overpass will be completed next month, weather permitting. Mrs. Fellin reported that she and Tom Herits met with PSE&G to discuss the cost of changing the lights on Somerset Street, and advised 4 lights did have a softer light installed. She asked the Governing Body to look at the lights, and the costs associated with replacement, and provide an opinion.

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UNFINISHED BUSINESS

A Public Hearing on Proposed Ordinance OR:11/02 entitled “AN ORDINANCE AMENDING CHAPTER VI OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG TITLED “POLICE REGULATIONS” BY ADDING A NEW SECTION, TITLED “DO NOT KNOCK LIST.” was held. Councilman Pote moved a public hearing be held with a second by Councilman Nehls and unanimously carried on roll call.

With no one from the public desiring to be heard, Councilman Pote 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.

A Public Hearing on Proposed Ordinance OR:11/04 entitled "AN ORDINANCE AMENDING SECTION 14-45.1, TITLED "SNOW AND ICE REMOVAL FROM SIDEWALKS AND DRIVEWAYS", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG TO INCLUDE CLEARING FIRE HYDRANTS." was held. Councilman Pote moved a public hearing be held with a second by Councilman Black and unanimously carried on roll call.

Former Mayor Anthony Addario, Rock Avenue, said this Ordinance puts the responsibility of the maintenance of the fire hydrants on the residents. Council Pote explained this is similar to the homeowner's mailboxes, and since they shovel them out, it would be a big help to all if they shoveled out the hydrants. Councilman Black asked for community support of this Ordinance, and suggested that neighbors should help each other if this poses a burden.

With no else one from the public desiring to be heard, Councilman Pote moved the public hearing be closed, the ordinance be adopted, and the Clerk be directed to publish the notice of adoption. Councilman Nehls seconded the motion, which carried unanimously on roll call.

A Public Hearing on Proposed Ordinance OR:11/05 entitled "AN ORDINANCE AMENDING SECTION 7-8.3, TITLED "TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG BY PROHIBITING ALL VEHICLES BEING PARKED ON ANY OF THE STREETS OR HIGHWAYS WITHIN THE BOROUGH FOR SNOW PLOWING AND REMOVAL" was held. Councilman Pote 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, Councilman Pote moved the public hearing be closed, the ordinance be adopted, and the Clerk be directed to publish the notice of adoption. Councilman Nehls seconded the motion, which carried unanimously on roll call.

A Public Hearing on Proposed Ordinance OR:11/06 entitled "AN ORDINANCE ACCEPTING A RIGHT-OF-WAY DEED OF DEDICATION AND A SIGHT RIGHT EASEMENT AGREEMENT FOR PROPERTY LOCATED AT 142 WASHINGTON DRIVE AND KNOWN ON THE TAX MAPS OF THE BOROUGH OF WATCHUNG AS BLOCK 17.02, LOT 7.01 TO THE BOROUGH OF WATCHUNG" was held. Councilman Pote 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, Councilman Pote moved the public hearing be closed, the ordinance be adopted, and the Clerk be directed to publish the notice of adoption. Councilman Nehls seconded the motion, which carried unanimously on roll call.

NEW BUSINESS

CONSENT AGENDA: The Consent Agenda listed below, with the exception of #21, was unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls, and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye".

Approval of the following Council Minutes:

March 24, 2011 - Regular and Executive Sessions
April 7, 2011 - Bid Opening

Acknowledging Receipt of the following Borough Reports:

Tax Collector's Report - February, March, 2011
Finance Department Revenue Report - February, 2011
Building Department Report - March, 2011
Police Activity Report - March, 2011

Acknowledging Receipt of the following Correspondence:

- #14 - Timothy Stys, WHRHS Business Administrator 3/15/11 Resolution supporting the elimination of a public vote on school district budgets that are within the 2% cap c: M & C, LBF
- #17 - Chief Timothy Wenzel, Watchung Police Department 3/24/11 Letter to Fire Commissioner Black commending the actions of Fire Chief Skip Bell on March 18, 2011 for the invaluable

Assistance given to Officer Scott Tallmadge at the scene of an accident c: M & C, LBF

- #18 - Franklin Township 3/16/11 Resolution supporting the restoration of CDBG to last year's funding; and Resolution supporting the repeal of Kyleigh's Law c: M & C, LBF
- #19 - PSE&G 4/5/11 Notice of Public Hearings for request for extension of Electric Capital Economic Stimulus Infrastructure Investment Program c: M & C, LBF, Post
- #20 - Kimberly Cowart, Somerset County 4/11/11 Thanking the Borough for the generous donation of food and clothing, gathered from the holiday party, to the Somerset County 2011 Point in Time Survey, benefiting the County's sheltered and unsheltered homeless persons c: M & C, LBF

Councilman Franklin asked for #21 to be removed from the Consent Agenda for discussion.

- #21 - Governor Chris Christie 4/4/11 Summary of proposed FY2012 Budget and requesting its support c: M & C, LBF

Councilman Franklin said the State is trying to emphasize keeping property taxes low, however, at the same time, the State is cutting funding to school and municipalities and imposing budget caps. He said he has a big problem with the State putting the squeeze

CONSENT AGENDA RESOLUTIONS: The Consent Agenda listed below was unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye":

- R5:04/14/11 Authorize Expansion of Contract - Shamrock Maintenance
- R6: Authorize Appointment of 911 Memorial Committee - Karen Cassidy, William Nehls, Ingrassia, Jr., Virginia Cooper, Sue Forton, Thomas Hartmann, Andrew Baldassarre, Robert
- R7: Award of Bid - Renovations to Texier House / Unlimited Builders

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.

None

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

	<u>Offered</u>	<u>Second</u>
R1:04/14/11 Adoption of Ordinance OR:11/02 - Amending Code / "Do Not Knock" Regulations	Pote	Black
Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye"		
R2: Adoption of Ordinance OR:11/04 - Amending Code / Snow and Ice Removal from	Pote	Nehls
Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye"		
R3: Adoption of Ordinance OR:11/05 - Amending Code / Temporary Parking Prohibition for Snow Plowing Removal	Pote	Franklin
Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye"		

R4: Adoption of Ordinance OR:11/06 - Pote Black
Accepting Right-Of-Deed Dedication and
Sight Right Easement Agreement /
142 Washington Drive,
Block 17.02, Lot 7.01

Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye"

R8: Authorize Appointment of Assessment Commissioners - Nehls
Black
Valley Road Sanitary Sewer
Improvement Project / Donald Pote, Donald Cox
Gloria Ingrassia

Joren, Black, Franklin, Nehls, Cassidy, "aye;" Pote, "abstain."

R9: Executive Session - Joren Nehls
Contract Negotiations / FMBA
Litigation - Rousseau v. Borough of Watchung

Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye;"

PUBLIC PORTION

Former Mayor Anthony Addario, Rock Avenue, in regard to school funding, said to Councilman Franklin through the Chair, that the problem is the Abbott District funding and noted that the Legislators do not run the State - the courts do. Mr. Addario inquired of the status with Mr. Gagliardi and pursuit of review of the unfair school funding issue at the High School, and Mayor Mobus advised the contract with Mr. Gagliardi is still open and he can not comment at this time. Mr. Addario said he believes the Borough should fight this issue in court. Mr. Addario advised that he attended the public hearing in Warren for the proposed aquatic center and said if this is approved, it will be a disaster for Watchung. Mr. Addario also reported on the recent meeting of the Green Brook Flood Control Commission and advised the Commission is going through some growing pains. He noted the Commission blames Watchung for the flood on 1973.

Council President Joren offered R9:4/14/11 authorizing an executive session, with a second by Councilman Nehls and unanimously approved. Upon return to regular session at 10:20 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 10:21 P.M. to the call of the Chair and the next scheduled meeting on April 28, 2011.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk