

## BOROUGH OF WATCHUNG

07/21/06

### MINUTES

JULY 20, 2006

**MAYOR'S STATEMENT:** Mayor Ellis called the meeting to order at 7:35 P.M. 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, Messenger-Gazette and Star Ledger, and posted at Borough Hall.

### SALUTE TO THE FLAG and SILENT PRAYER

### ROLL CALL

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

Also present were Attorney Albert Cruz and Administrator/Clerk Laureen Fellin. There were 3 members of the public present.

### REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin announced that Administration and Finance Committee had met to finish "odds and ends" decisions on various employees. The Min/Max salary ordinance is to be adopted tonight, as are the schedules for the tax levies for the two Boards of Education. He informed he reviewed the Tax Appeal Status Report and the findings were very good.

2. Police - Councilman Black reported that the Police Committee will be meeting next week. Mayor Ellis commented that Police Aide Melissa Howell had submitted her resignation and had been accepted by Plainfield Police Department, entering the Police Academy today. He thanked Melissa for her service and wished her the best in her new position.

3. Public Works - Councilman Mobus reported projects at Joan Drive and Phillip Lane are complete, with overlay needed yet on Joan. The overlay of Ridge Road from Hillcrest to High Tor should be scheduled soon. Tomaro Contractors should be back on Anderson Road on Monday. A portion of Johnston Drive will be closed from 7 AM to 5 PM until September 1. Somerset County showed up unexpectedly on Valley Road to mill and pave as part of their 2007 overlay program. Regarding Best Lake Dam and Spillway, sedimentation sampling is done and finalization of the spillway and dam design should be completed in September. The Rockslope Netting project may be rebid in August. The Engineering Department will be open five days a week, closing one hour for lunch, for a trial period ending October 1. The Public Works Committee met with residents of the Corey/Sunbright Sewer and water project on July 10, and met with residents for the completed Century/Oakwood/Woodledge Assessment Project on July 12. The Committee also met with Consulting Engineer Lee Purcell regarding a small sanitary sewer project along Valley Road near Bayberry Lane and will be developing plans.

### 4. Buildings and Public Affairs

Buildings - Councilman Pote provided best wishes to Councilman Tom Franklin on today being his birthday. Replacement of the Firehouse windows is almost complete, with Borough Hall to be done in the near future, and he wished to announce publicly that Borough residents Ken and Claudia Silverman had provided the new windows. He stated an additional announcement and an acknowledging plaque would be scheduled when the projects are complete. A new ball field drag machine was purchased by the Borough, with funding assistance from the Board of Education and Ponytail Softball League. Red, white and blue bunting was purchased for Borough Hall and the Texier House. Public Works is busy keeping the spillway clear of debris, reporting that they rescued a stranded cat from the spillway and were nursing it back to health. A meeting of Buildings and Grounds will be held next Thursday. He informed that a copy of the draft minutes from the second Library Workshop were available at the front of the room. A resolution is on the agenda tonight to appoint a committee to explore the options for the future of the Watchung Library. Rescue Squad handled 29 calls and Mr. Pote thanked them for their service. No Historical meeting is scheduled for July or August. Mayor Ellis commented the Library Committee should be getting together by mid-September. He said they were a great group of people, and very enthusiastic.

Public Affairs - Councilman Nehls announced he had no report for Public Affairs.

5. Fire - Regarding Fire, Mr. Nehls said the Shared Service Committee from Watchung, North Plainfield and Green Brook met last night to complete a grant application to submit to the State. The Fire Department answered 19 calls in June, with 139.78 man hours logged. He stated he sat in on a joint exercise with the Watchung and Warren Fire Departments on a shuttle tanker drill. Mayor Ellis commented that the grant process is important in aiding municipalities, and we will be in on the ground

Approval of the following Borough Reports:

Planning Board Minutes - May 16, 2006  
Historical Committee Minutes - May 4, 2006  
Treasurer's Report - 2006 1st Quarter  
Tax Collector's Report - June, 2006  
Police Activity Report - June, 2006

- #48 - NJ American Water Company, Inc., Elizabethtown Water Company, and the Mount Holly Water Company 6/26/06 Notice of Filing of Proposed Rate Increase Application c: ASE, TF, GM, SP, WH
- #49 - PSE&G 7/3/06 Notice of Filing of Proposed Rate Decrease and Changes to the Balancing Charge c: ASE, TF, GM, SP, WH
- #50 - Joseph Murray, Esq. 7/13/06 Correspondence opposing proposed ordinance OR:06/09 c: M & C, AC, LBF
- #51 - Environmental Commission 7/14/06 Comments in regard to "4 Connections Corporation" fiber optic proposal c: M & C, LBF, AC  
Mayor Ellis commented he found the Environmental Commission report very interesting and enlightening.

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**CONSENT AGENDA RESOLUTIONS:** The Consent Agenda listed below was unanimously accepted on roll call following a motion by Councilman Black and a second by Councilman Franklin.

- R3:07/20/06 Authorize Engineer to sign DEP construction related permits
- R4: Expressing intent to provide funds necessary to satisfy Borough's Affordable Housing Obligations
- R5: Requesting extension of NJDOT Commissioner's Approval for Temporary Parking Prohibition along Park Place
- R6: Appointment of Public Works Seasonal Employee
- R7: Authorize Borough's participation in the NJ State Health Benefits Program - Dental Coverage
- R8: Purchases Over \$2,000. - Warnock Dodge, Inc.
- R9: Authorize Issuance of 3 Raffle Licenses for Sisters of Mercy of New Jersey
- R10: Appointment of Brook Drive/Will Lane Road Improvement Assessment Commission- Ciccollella, Pote, Gausz
- R11: Certify 2006 Calendar School Year Tax Levy - Watchung Board of Education
- R12: Certify 2006 Calendar School Year Tax Levy - Watchung Hills Regional H.S.
- R13: Authorize return of Escrow deposits
- R14: Authorize Interlocal Agreement with Board of Education - Field Grooming Machine
- R15: Authorize Sanitary Sewer Capacity and Connection - Block 44.05, Lot 3
- R16: Accept Donation - One (1) Computer for Tax Office
- R17: Supporting the Mayors Wellness Campaign
- R18: Establish 2006 Employee Base Salaries
- R19: Appoint Library Study Committee Members
- R20: Authorize Participation in Somerset County Business Partnership Share Grant Appl.
- R21: Extend Grace Period for Third Quarter Tax Payment

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**NON-CONSENT AGENDA**

Introduction of Ordinance OR:06/19 entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 138 'ZONING,' SPECIFICALLY SECTION 138-29 ENTITLED "R-R RURAL RESIDENTIAL DISTRICT," BY AMENDING SECTION 138-29C AS IT PERTAINS TO ACCESSORY APARTMENT USE AS A CONDITIONAL USE" 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 August 17, 2006.

Introduction of Ordinance OR:06/20 entitled "AN ORDINANCE AMENDING SECTION 2-44 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG TITLED "WILDLIFE MANAGEMENT ADVISORY COMMITTEE" 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 August 17, 2006.

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### NON-CONSENT AGENDA RESOLUTIONS

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The resolutions listed below were unanimously adopted on roll call with offering and seconding as follows:

Offered                      Second

R1:07/20/06	Adopt OR:06/09 - Amending Chapter 138 "Zoning" Addressing Creation of Lot Shapes	<b>WITHDRAWN</b>
R2:	Adopt OR:06/18 - Set Minimum/Maximum Salaries	Joren                      Black
R22:	Intro OR:06/19 Amend Ch.138 - Section 138-29 Accessory Apartments	Joren                      Black
R23:	Intro OR:06/20 Amend Section 2-44 - Wildlife Mgt. Advisory Committee	Joren                      Black
R24:	Payment of Bills	Franklin                      Black
R25:	Executive Session: Contract Negotiations Litigation: Borough v. Mohammed Badr Bouaichi, et al	Black                      Franklin

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### PUBLIC PORTION

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No one from the public wished to be heard.

Councilman Black offered R25:7/20/06 authorizing an executive session, with a second by Councilman Franklin and unanimously approved.

Upon return to regular session at 9:07 PM, all members previously present, were again in attendance

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### ADJOURNMENT

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The meeting was adjourned at 9:07 PM to the call of the Chair to the regularly scheduled meeting of August 17, 2006.

Respectfully submitted,

*Laureen B. Fellin*

Laureen B. Fellin, RMC  
Municipal Clerk/Administrator

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floor. Mr. Mobus noted that the new sewer and water projects will provide 90% for the Borough in regard to fire hydrants.

6. Laws/Ordinances, and Recreation - Mrs. Joren reported Laws and Ordinance committee had a very productive meeting regarding the "corner lot ordinance" with representatives from the Planning Board, Board of Adjustment and the Borough Planner. Mayor Ellis thanked all participants for their efforts, and for the outcome of the meeting. Mrs. Joren said the group did react and worked on those issues raised by the public. They are working on clarifying the language and making some other changes. The Committee has finished its review of the Land Development Ordinance and have referred it to the Planner to make some requested changes. An amendment to the Wildlife Committee ordinance will be introduced tonight. She has received a request from the Environmental Committee to review the Tree Ordinance. Regarding Recreation, Summer Playground is open with the highest attendance ever at 120 children. They have planned swimming outings to Brook Hill Swim Club. Softball League is ongoing on Wednesday nights and the Field Hockey League has 60 girls enrolled. The 2005 Grant from Somerset County has been approved for a bike/walking trail path at Best Lake. The Committee will meet within two weeks to finalize plans for the Mayor's Regatta to be held September 10 from 2PM to 4PM.

#### **REPORTS - OTHER:**

7. Engineer - No report.

8. Attorney - Attorney Cruz reported the Assessment Commission held a public hearing on the Century/Cardinal/Price, Oakwood and Woodledge Road Sewer and Water Assessment draft report on July 12. Eight to ten people attended and the Commissioners will meet again on July 25 to consider comments from the public and finalize the report. The final report will be sent to the residents with the report presented to the Mayor and Council for acceptance. Mr. Pote commented he received two phone calls complimenting Mr. Cruz and the Commissioners for their handling of the meeting.

9. Administrator - Administrator Fellin said she attended a meeting on Tuesday with other Somerset County Administrators regarding shared services. The Administrators are providing front line advice on what impediments there are to sharing services and what legislation or incentives may be needed. A resolution authorizing the Borough's participation on a joint grant application with the Somerset County Business Partnership is on tonight's agenda. Mrs. Joren noted that Somerset County Business Partnership is the poster child for shared services, with a major push by the Governor for this type of sharing.

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#### **UNFINISHED BUSINESS**

Public Hearing of OR:06/09 entitled: "AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 138, ENTITLED "ZONING" TO ADDRESS THE CREATION OF LOT SHAPES IN THE BOROUGH, PARTICULARLY ON CORNER LOTS, THROUGH NEW DEFINITIONS OF "LOT DEPTH," "LOT WIDTH" AND "LOT FRONTAGE" AND THE CREATION OF MINIMUM LOT DEPTH REQUIREMENTS IN THE BOROUGH'S 'R' RESIDENTIAL DISTRICTS"

6/16/06 Heyer & Gruel & Associates - Planner's Report on proposed ordinance OR:06/09

6/22/06 Correspondence received from Planning Board Attorney, Robert Rusignola - Letter advising the Planning Board's determination that proposed ordinance OR:06/09 is consistent with the Borough's Master Plan and recommending its passage

**ORDINANCE OR:06/09 WITHDRAWN**

Public Hearing of OR:06/18 entitled "AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG CH. 5 THEREOF, "SALARIES," AND TO FIX AND DETERMINE MINIMUM AND MAXIMUM SALARIES AND COMPENSATIONS TO BE PAID TO CERTAIN EMPLOYEES" 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 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 the June 5, 2006 Minutes of the Library Workshop Meeting, was unanimously accepted on roll call following a motion by Councilman Black and a second by Councilman Franklin. Councilman Pote asked that the Library Workshop Minutes be removed as they had not been distributed to the Mayor and Council for approval prior to the meeting.

Approval of the following Council minutes:

Borough of Watchung

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July 20, 2006