

BOROUGH OF WATCHUNG

MINUTES

APRIL 27, 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 [A] Pote [P] Nehls [P]

Councilwoman Joren arrived at 8:00 P.M.

Also present were Borough Attorney Albert Cruz, Borough Administrator/Clerk Lauren Fellin, and Deputy Clerk Michelle DeRocco.

There were 13 people present from the public.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin said the Mayor and the Finance Committee have the unenviable task of having to review the defeated High School budget. He noted that on tonight's agenda the Council will be voting on the Cap Bank Ordinance and noted that there is a resolution accepting the 2005 Audit report, for which he said he was happy that there were no recommendations.

2. Police - Councilman Black thanked the Echoes Sentinel for the excellent coverage the Borough has been receiving and announced that the mobile radar unit is set up and working, and will be moved to various locations.

3. Public Works - Councilman Mobus reported on the status of several projects including Anderson Road, which he said was going very well and the residents seem to be pleased. He announced he will be meeting next week with the residents of Stanie Glen, and tomorrow will be meeting with Lee Purcell to discuss the sanitary sewer improvements for Johnston Drive. Councilman Mobus said that bids were received for the Corey /Sunbright project and hopes to be able to award the contract soon; and bids for the Rock Slope remediation of the Police Facility will be received on May 5th.

4. Buildings and Public Affairs

Buildings - Councilman Pote said he attended a meeting with Councilwoman Joren, Administrator Fellin, Charles Gunther, Maria Bachert, Councilman Mobus and representatives from the Board of Education, Little League and the Ponytail League to discuss a plan for protocol for the use of the fields. He said he met with the Arts Center to discuss their lease and explained that this is an on going process. In regard to the Library, Councilman Pote announced that the dates for the workshops have been scheduled for May 17th and May 31st, here in Borough Hall, from 7:00 am to 9:00 pm. He encouraged all to attend.

Public Affairs - Councilman Nehls reported that the Board of Health is contemplating an ordinance regarding the regulation of tanning salons in the Borough and said although the Borough does not have any now, regulations should be in place in the event that any do want to do business here.

5. Fire - Councilman Nehls reported the Fire Department, he said he will be meeting soon with Green Brook and North Plainfield to discuss shared services.

6. Laws/Ordinances, and Recreation - Councilwoman Joren reported the flyers are out for the Summer Playground Program and the Commission is getting ready for the Memorial Day picnic scheduled for May 28th. She announced that the Opening Day festivities for Little League and Ponytail League have been rescheduled for this Saturday, with the parade beginning at 9:00 am. She said the Youth Services Commission is already working on next year's grant application. In regard to Laws and Ordinances, Councilwoman Joren reported that the Committee continues to meet on a weekly basis and are just about finished with the review of the Land Use Ordinance and explained that the next step will be to refer some minor changes and recommendations to the Planning Board, and then refer it all to the Planner who will put it all together for a finished document for Council review.

REPORTS - OTHER:

7. Engineer - Mr. Herits reported that the curbs are in on Anderson Road and he has received an approval to do an extension to this project. He said the tree removal will begin on Stirling Road next week, to prepare for the installation of the sidewalks. He said bids will be received on May 5th for the Rock Slope Remediation work at the Police Facility, and the plans for Park Place/Hughes Lane have been approved by the County. He was happy to report that Villa Domenico is finally getting their CO and announced that he has applied for a Community Development Grant for the Watchung Arts Center.

8. Attorney - Mr. Cruz said he had one item for Executive Session.

9. Administrator - Mrs. Fellin reported she had a meeting with Steve Weinberg who was awarded a contract last year for the Accessory Apartment Program and he is trying to move the program forward, which is needed for the Borough's COAH Substantive Certification.

Mayor Ellis announced that he has met with the PARSA Chairman and they are working together on a proposal to provide sewer service and a contract for the future. He said he will discuss this further with Mrs. Fellin, the Public Works Committee and Charles Gunther.

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UNFINISHED BUSINESS

Public Hearing of OR:06/05 entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II, ENTITLED "FIRE PREVENTION", SECTION 12-2, TITLED "SMOKE SENSITIVE ALARM DEVICES" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG." 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 explained this Ordinance amends and supplements Chapter XII, entitled "Fire Prevention", Section 12-2, entitled "Smoke Sensitive alarm Devices" by requiring carbon monoxide alarm devices and increasing the inspection fees. She said that this is now a requirement by law, however, it is in everyone's best interest to have a carbon monoxide detector in their house as it can save your life. 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 of OR:06/06 entitled "AN ORDINANCE AMENDING CHAPTER XVIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG TITLED "SEWERS" BY ADDING A NEW SECTION TITLED "GREASE TRAPS." 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. Mayor Ellis explained that the Borough pays for the many problems caused by food establishments putting grease down their drains, however, without regulations in place, the Borough has no control over it. He said this should eliminate most of that problem. 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 of OR:06/07 entitled "AN ORDINANCE AUTHORIZING THE BOROUGH OF WATCHUNG TO CONVEY A RIGHT-OF-WAY EASEMENT TO THE COUNTY OF SOMERSET FOR A PORTION OF THE PROPERTY ALONG MOUNTAIN BOULEVARD KNOWN AS LOT 32.01 IN BLOCK 3.01." 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. Mayor Ellis explained that this is a "house keeping" item. 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 of Ordinance OR:06/08 entitled "ORDINANCE TO ESTABLISH A CAP BANK" 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.

Dr. Ehrenworth, Canterbury Lane, asked for an explanation and Mrs. Fellin explained the cap on the budget is 2 1/2 % and this Ordinance gives the Borough the authorization to go to 3 1/2% with any surplus going into a "cap bank" and can be saved for two years.

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 was unanimously accepted on roll call following a motion by Councilman Black and a second by Councilman Franklin.

Approval of the following Council minutes:
April 13, 2006

Approval of the following Borough Reports:
Building Department - March 2006

- 33 - Ljubin Necovski 4/17/06 Request to place a fence on Borough easement c: M & C, LBF, AMC
- #34 - PSE&G 4/17/06 Notice of Public Hearing on proposed rate increases c: M & C, LBF, WH, Post
- #35- Borough of North Plainfield 4/18/06 Resolution urging amendment of the Senior Property Tax Freeze Protection Act to provide for higher income limits c: M & C

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

- R5:4/27/06 Appointment of Seasonal Laborers to DPW - Anthony Vitelli, Caleb Bain
- R6: Acceptance of 2005 Annual Audit Report
- R7: Authorize Expansion of Anderson Road Project
- R8: Award Professional Contract - Maser Consulting for Borough Engineer T. Herits
- R9: Appointments to Village Center Preservation Commission - James Stout, Kate Kogler
- R10: Purchases Over \$2,000. - Coury's Auto Body Shop, Motorola, Inc.
- R11: Authorizing the waiver of electrical permit fees - Watchung Little League

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Introduction of Ordinance 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"

Councilwoman Joren moved the ordinance be given its first reading. So ordered. Councilwoman Joren explained this ordinance addresses lot shapes, and in particular, corner lots. and was an omission in the Land Use Ordinance. 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 May 11, 2006.

Request from the Gail R. Schoenbach F.R.E.E.D. Foundation to host their first annual walk around Best Lake on May 8th from 9:45 am to 11:30 am. After a short discussion, Councilman Black made a motion to approve this request. Upon a second by Councilman Frankli, this motion was unanimously carried.

Proclamation - Asian-American Heritage Month (copy attached)
Mayor Ellis read the proclamation into the minutes.

NON-CONSENT AGENDA RESOLUTIONS

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

<u>Abstain</u>		<u>Offered</u>	<u>Second</u>
R1:4/27/06	Adoption of OR:06/05 - Amending Code of the Borough pertaining to Smoke Detector Inspections and addition of Carbon Monoxide Alarm Devices	Joren	Black
R2:	Adoption of OR:06/06 - Amending Code of the Borough - Grease Traps	Joren	Black
R3:	Adoption of OR:06/07 - Authorizing Easement - Block 3.01, Lot 32.01	Joren	Black
R4:	Adoption of OR:06/08 - Establish a Cap Bank	Joren	Black
R12:	Introduction of OR:06/09 amending Chapter 138 "Zoning" Addressing Creation of Lot Shapes	Joren	Black
R13:	Waive Section 2-25.10 of the Borough Code - Gray's Florist & Greenhouse	Franklin	Mobus Black
R14:	Payment of Bills		Franklin Black
R15:	Executive Session: Attorney/Client Privilege	Black	Franklin

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PUBLIC PORTION

Lee Ehrenworth, Canterbury Lane, asked for an explanation of proposed ordinance OR:06/09 and Councilwoman Joren explained that this was an omission in the Land Use Ordinance and addresses lot size and requirements, particularly for corner lots.

Howard Greenbaum, Johnston Drive, said he was going to fight to ensure that the schools are funded properly and handed out literature that he had put together. He said he feels the Borough takes care of the elementary schools and is starving the high school. He said the high school's HSPA scores are at or near dead bottom and the solution depends on the budget. He said Watchung is the second richest town in the County and fixed costs cannot be cut. Mayor Ellis thanked Mr. Greenbaum for the information.

Dot Braun, Lakeview Terrace, said she was imploring the Council not to make any cuts to the high school budget, explaining that the school is faced with many mandated projects. She said the residents were faced with the same scenario a few years ago and the increase is projected now at \$179. per household and does not feel that this is unreasonable.

Bonnie Quigley, Hillside Avenue, said she has two children in the school system. She said NJ is known for their schools and well worth the funding. She said the number one question to relators is "how is your school system?". She said she is confused as to why the local budget passed and the high school did not, and feels we are neglecting the high school. She asked the Council to support the budget.

Susan Fenstermaker, Hughes Lane, said her children graduated from WHRHS and her daughter is at Princeton, and son is at Smith. She said the high school produces well rounded students who are attractive to colleges because they maintain a high level of competitiveness. She said as a teacher, a large class size limits the "hands on" time in the labs. She asked for an increase in staffing, and said just maintaining the staffing will not get the job done. She asked for support of the budget which will allow her as a teacher to purchase the needed books and supplies for her students.

Jeff Chainey, Science Supervisor at WHRHS, said the high school's science department is outstanding. He explained it offers 4 AP courses, extensive elective programs, and a pre-engineering program. He said 18 members of his staff are untenured. He said the superintendent stands behind personal development and have trained them, now the school must tell them that their jobs are in jeopardy. He explained that it is very competitive to get good teachers and asked the governing body to support the budget.

Mr. Ehrenworth said, in regard to the budget, he understands the distress, however, the voters have spoken. He said the question is not how many dollars are spent, but the percentage of graduates that go on to college. He said residents must wait to see what the new board members do.

Julia Gunther, Watchung Avenue, said she agrees with most of the previous comments. She said she is very proud to have watched her children grow, and cannot begin to explain all of the opportunities that have been available to them, including sports and athletics. She said many athletic programs are in danger of being lost and asked the governing body to look at all the aspects in what raises a child.

Paul Seelig, resident and WHRHS Board of Education member, said the honeymoon is officially over, and all present tonight share a common belief and that is that a good high school is an asset to any town. He said the governing body is faced with a difficult task - a lot to do in a little time. He said they must work with the other towns and knows that they will work diligently. He said the school staff will work with the governing bodies and trust a decision will be made that will protect our asset and our children's future.

Dr. Fran Stromsland, Superintendent of WHRHS, said she is here this evening also as a resident. First she complimented the recent improvements to Anderson Road, and suggested the engineer look at Stanie Glen because they have water problems. She said mostly everyone is here this evening to ask for support of the school budget. She referred to the budget newsletter which was sent to all of the homes and explained that many residents feel when they are voting they are supporting a 23 million dollar tax, however, the way the budget is calculated Watchung's share is a little over 5 million. She said they try to get the word out to make residents understand. She said many of her staff are fearful that they may lose their jobs and are looking for employment elsewhere. She said cool heads and wisdom will work hard around the table to maintain the budget. She said she hopes to be able to work together collaboratively over the next week for an amicable solution.

John Lunburg, High Oaks Drive, said he moved to Watchung from Hillsborough because of the schools here, and because Hillsborough could never pass their budget. He said his son is an ice hockey player and although this may seem minor to the governing body, it is not. Mayor Ellis explained that he is going into the budget meetings with great objectivity and some experience and is hopeful that it will be settled with good direction.

Councilman Black said last year at the budget meetings, the fact that Watchung pays the highest burden was recognized. He explained that last year they came out of the meetings with a good budget and hopes the same for this year. He said the voters did reject it.

Dr. Stromsland announced to the people in the audience and the governing body that on June 8th the NJEA is organizing a rally in Trenton. She said they are looking for creative alternatives as something different needs to be done.

Mr. Greenbaum, said his son has really blossomed at the high school and all the staff are doing a wonderful job.

Mrs. Gunther inquired as to the process that will be followed at the upcoming meetings and Mayor Ellis explained they have each received a complete, very large copy of the budget. He said the meetings will be attended by all three mayors and one or two committee people from each town. He said they will discuss what can be done, and added that he also reaches out to the Borough auditor for his input, and said all must be done by May 19th. Councilman Pote said the governing body has a responsibility to the residents and also the children. He said this is taken very seriously.

Councilman Franklin said he is a retired educator and thanked the Mayor for asking him to serve on this committee. He explained that a school budget is very complicated and the only budget that residents get to vote on. He said it bares the brunt of the tax revolt and he is not saying this is not justified, however, New Jersey is the worst state for taxes. He said there has to be a different way to fund the burden.

Councilman Black offered R15:4/27/06 authorizing an executive session, with a second by Councilman Franklin and unanimously approved.

Upon return to regular session at 10:13 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 10:15 PM to the call of the Chair or the next regularly scheduled meeting of May 11, 2006 at 7:30 PM.

Respectfully submitted,

Michelle DeRocco
Deputy Borough Clerk