

BOROUGH OF WATCHUNG

MINUTES

MAY 25, 2006

MAYOR'S STATEMENT: Mayor Ellis 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, 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, Administrator/Clerk Lauren Fellin, and Deputy Clerk Michelle DeRocco.

There were 2 members of the public present.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin reported that a memo from the Administrator to the Engineer was sent requesting verification of project estimates so the Borough can proceed with the bonding of some smaller projects.

2. Police - Councilman Black had no report but commented that the Police Department is doing an excellent job and thanked the Echoes for the good coverage. Mayor Ellis said the department is still feeling the loss of Officer Matt Melchionda.

3. Public Works - Councilman Mobus reported progress on the Stirling Road sidewalk project with the cement being poured; Joan Drive and Parlin Lane are almost complete; and the brief expansion to the Anderson Road project will begin soon. He noted that on the agenda was a resolution authorizing the re-bid of the rock fall netting project behind the Police Station as all of the bids came in too high. Councilman Mobus said we are awaiting test results for Best Lake and the Corey/Sunbright project should be underway in June. Mayor Ellis commented that the change in the curve at Stirling Road was a wonderful idea.

4. Buildings and Public Affairs

Buildings - Councilman Pote reported that the first of the two scheduled Library Workshop meetings was held on May 18th and said he felt it went very well, and a lot of good input was received, as well as insight in regard to the inadequacies and alternatives for the Library. He announced that due to a conflict with an event at the school, the second session of the Workshop has been moved from May 31st to June 5th, at 7:00 pm. He said this session will focus on funding, design, and options. Councilman Pote also reminded residents that the annual Memorial Day Services will be held at 9:30 am at the memorial on the circle near the Texier House. He said the Fire Department will hold their ceremony at 9:00 am and the public is invited to attend both.

Public Affairs - Councilman Nehls reported that the Environmental Commission held their meeting on May 22nd and discussed the proposed Open Space and Recreation Plan. He said the Planning Board will be having a special meeting on June 27th to review and comment on the proposal. He explained that once it is approved, it will be sent to the DEP.

5. Fire - Councilman Nehls announced the Fire Department's annual steak dinner will be held on June 3rd.

6. Laws/Ordinances, and Recreation - Councilwoman Joren reported that the Laws and Ordinance Committee is finished with their review of the Land Development Ordinance and met and discussed it with the Planning Board and Mark Healey, the Borough Planner. She explained the next step will be to put together a final document and submit it to the governing body for final review. Councilwoman Joren had no report for Recreation but reminded all that the Community Picnic will be held on Sunday, May 28th, from 12:00 noon to 3:00 pm, and to hope for good weather.

REPORTS - OTHER:

7. Engineer - No Report.

8. Attorney - Mr. Cruz announced he has two items for Executive Session.

9. Administrator - Administrator Fellin announced that she has received a request for right of way use approval from a company called 4 Connections. She explained that they would like to make a presentation to the governing body and she will schedule it for a meeting in June.

Mayor Ellis announced that he will be endeavoring to schedule a presentation of the Governor's budget by our legislators, here at Borough Hall, possibly before a regularly scheduled meeting and said as soon as the arrangements are finalized, he will make the announcement.

Councilman Franklin reported that he met with Evelyn and John Holland who have requested a street sign for the corner of Rock Road for the people coming east, making a right onto Reynolds. He explained the current sign is deceiving.

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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"

See correspondence #43 - Request from Planning Board to "carry" this Ordinance to the June 22nd Council meeting. Planning Board is seeking an extension of the time for review and recommendation on this ordinance.

Councilman Black made a motion to carry the public hearing of OR:06/09 to the meeting of June 22, 2006. The motion was seconded by Councilman Franklin and upon roll call, unanimously carried.

Public Hearing of OR:06/10 entitled "AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO VILLA DOMENICO AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES." 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. Mr. Cruz explained that this ordinance is needed to enable the police to patrol and enforce regulations on private streets at Villa Domenico, which was a condition made by the Planning Board. Councilman Mobus questioned if this will include the "Whitting" track and Mayor Ellis explained that when the "Whitting" track is done, there will be a separate ordinance. 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:06/11 entitled "AN ORDINANCE AMENDING CHAPTER III, TITLED "POLICE DEPARTMENT", 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 that this ordinance establishes a line of authority within the Police Department. 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:06/12 entitled "AN ORDINANCE AMENDING SECTION 1-5.1, TITLED "MAXIMUM PENALTY", 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 that this ordinance basically allows the Judge to fine the maximum penalty allowed by state law. 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:06/13 entitled "AN ORDINANCE ACCEPTING UTILITY EASEMENTS FROM VARIOUS RESIDENTS TO 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 that this ordinance accepts easements necessary for the Borough to proceed with the

Sunbright/Corey sewer improvements. 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 was unanimously accepted on roll call following a motion by Councilman Black and a second by Councilman Franklin.

Approval of the following Council minutes:

Approval of the following Borough Reports:

- Police Activity - April, 2006
- Historical Committee Minutes - February 2, March 23, and April 6, 2006
- Planning Board Minutes - April 18, 2006

- #37- Township of Bridgewater 5/11/06 Notice of Adoption of Amendment of Stormwater Management Plan c: M & C, LBF, Pl. Board
- #38- Franklin Township 5/12/06 Resolution supporting the Community Development Program and urging congress to restore its funding c: M & C, LBF
- #39- NJ Transit 5/12/06 Public Hearing Notice, June 27, 2006 on programs for Senior Citizens and Disabled Residents c: M & C, Post
- #40- Mary Louise Malyska, Supt. Of Watchung Schools 5/16/06 Thanking governing body for the Installation of sidewalks along Stirling Road c: M & C, LBF
- #41- Witold Tarka 5/17/06 Requesting sanitary sewer capacity c: M & C, LBF, Eng.
- #42- Cozen O'Conner 5/19/06 Notice of Public Hearing re: Merger of Elizabethtown Water and Mount Holly Water Company into New Jersey American Water Company c: M & C, LBF, WH, Post
- #43- Don Speeney, Chairman/Watchung Planning Board 5/22/06 Request to carry the public hearing of OR:06/09 until the June 22nd Council meeting, providing an extension of time for Planning Board review c: M & C, LBF

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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.

- R6:5/25/06 Supporting proposed improvements for the I-78 Diamond Hill Road Interchange Improvements
- R7: Appointment of Jr. Member to Fire Department - Corey Rillo
- R8: Authorize release of escrow deposits - R. Cola Construction Corp., Pinnacle Construction
- R9: Establishing 2006-2007 payment schedule - Watchung Board of Education
- R10: Authorize Emergency Purchases - Municipal Information Systems, Camp Out Inc.
- R11: Purchases Over \$2,000. - Lee T. Purcell, Warnock Dodge
- R12: Authorize rejection of all bids received/Authorize Rebid - Rock Slope Remediation - Police Station and Court Facilities
- R13: Celebrate NJ Month
- R14: Authorize return of duplicate tax payment - Block 6701, Lot 4

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~~Introduction of OR:06/14 entitled: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 138 ENTITLED 'ZONING,' SPECIFICALLY SECTION 138-29 ENTITLED "R R RURAL RESIDENTIAL DISTRICT" OF THE CODE OF THE BOROUGH OF WATCHUNG,~~

ADOPTED 1971, AS HERETOFORE SUPPLEMENTED AND AMENDED" Public Hearing will be held on June 22, 2006. WITHDRAWN

Introduction of OR:06/15 entitled: "AN ORDINANCE AMENDING SECTION 11-3, TITLED "VENDING MACHINES", SECTION 11-3.1, TITLED "DEFINITIONS", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG" Councilwoman Joren moved the ordinance be given its first reading. So ordered. Mr. Cruz explained that this ordinance will expand the definition of a Vending Machine to include those which will accept paper money and credit cards. 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 June 8, 2006.

Proclamation - National Garden Week: June 4th through June 10th

Councilman Black read the Mayor's proclamation into the minutes (copy attached) and announced that the Garden Club will be holding a special dedication of a "deer proof" garden on Saturday, June 3rd.

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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:

Table with columns: Resolution ID, Description, Offered, Second, Abstain. Includes resolutions R1 through R19, with R15 marked as withdrawn.

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PUBLIC PORTION
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Lee Ehrenworth, Canterbury Lane, asked if the Police Department offers a course in defensive driving to residents who may not know how to handle the many deer that roam the roads and Councilman Mobus replied that the Police do have one but it is not offered to the public, but agreed it is needed.

Councilman Black offered R19:5/25/06 authorizing an executive session, with a second by Councilman Franklin and unanimously approved.

Upon return to regular session at 9:13 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 9:15 PM to the call of the Chair or the next regularly scheduled meeting of June 8, 2006 at 7:30 PM.

Respectfully submitted,

Michelle DeRocco
Deputy Clerk