

BOROUGH OF WATCHUNG

MINUTES

FEBRUARY 26, 2004

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, The Journal and Star Ledger, and posted at Borough Hall.

SALUTE TO THE FLAG and SILENT PRAYER

ROLL CALL

Black [P] Franklin [P] Otto [P] Mobus [P] Joren [P] Harding [P]

Also present were Borough Attorney Albert Cruz, Engineer Richard Moody and Borough Clerk/Administrator Laureen Fellin. There were 21 people in the audience.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Mr. Franklin reported interviews for the secretarial position are in progress and a recommendation will be forthcoming. Finance and Administration will meet to discuss any further movement. Mr. Franklin stated the deer culling program has had a yield of 98 deer to date. A letter was received from a Mr. Breslin, under the letterhead of the mail carrier's union, threatening to have the mail delivery in the Borough stopped because of the deer hunt. Mr. Franklin contacted the Plainfield postmaster and the head of the National Association of Letter Carriers in New York, and both persons advised there is no substance to the communication as the writer holds no authority. Both persons contacted stated Mr. Breslin uses his position in the union to advance his personal agenda and both individuals assured there would be no interruption in mail delivery service. Mr. Franklin spoke on the inadvisability of feeding deer under any circumstances.

2. Police - No report.

3. Public Works - Mr. Mobus related that the Public Works crew is working on stabilizing the edge of the pavement on Oakwood Road. The snow fence which had been placed at Watchung Lake will be moved to the Phillips Field tract. Mayor Ellis noted that the request for Phillips Field had been for a chain link fence. The pothole repair program will be undertaken when weather allows. Mr. Mobus advised a resolution is on this evening's agenda to renew the Engineer's contract; he commended Mr. Moody on his day-to-day and Planning Board duties.

4. Buildings and Public Affairs

Buildings - Mr. Otto reported a meeting is scheduled for 7:30 PM next week with the Historic Committee to discuss the Santucci House lease, among other things. A Buildings and Grounds Committee meeting is set for March 10 at 3:00 PM to review the beginning steps of a five-year plan. He is optimistic he will get a report from Paul Ost on the potential for joint housing of the Fire Department and Rescue Squad.

Public Affairs - Mr. Harding reported attending this month's Board of Health meeting; the Board would like to place poison control stickers in the next newsletter for distribution to residents. Environmental Commission advised that they have received a \$2,000 NJDEP "Green Communities" match grant to contract a consultant to prepare a Forestry Management Plan for the Borough.

5. Fire - Mr. Harding noted that a resolution was withdrawn from this evening's agenda which would have appointed a new fireman; Chuck Abel was to be appointed but left the area for two months and asked that his application be held for his return. Mr. Harding informed he had sent

data on the radio repeater system to North Plainfield Administrator John Katilis.

6. Laws/Ordinances, and Recreation - Mrs. Joren reported that Laws and Ordinances Committee had held its first meeting last month, at which time Engineer Moody gave an overview of the grease trap and driveway ordinances. The next meeting will be held on March 9. Recreation Commission held its first meeting on February 4 and elected officers. Jeff Kaye, Little League, and Elaine Perry of Ponytail League, raised the issue of the need for fencing at Phillips Field; the Recreation Commission had expressed its concern that fencing be placed before the seasons start, and Ms. Joren commented she had visited the site and protection was needed there. Bathroom facilities for Mobus and Phillips Field had been previously discussed. Little League was moving to rent port-a-johns for nine months of the year at a cost of \$75.00 per month, and is talking to the Board of Education. Ms. Joren said she would like to see the funding come from the municipal budget. In addition, Recreation Commission has discussed a keyless system for the bathrooms at Mobus, and would like to research that further. Mr. Mobus inquired as to why port-a-johns were needed at Phillips Field and Mrs. Joren responded that Little League will not open the shack except for a Little League event. Mr. Harding wondered why Little League is involved if the port-a-johns are not for Little League, adding that this should be a Recreation Commission request. Mrs. Joren advised the Commission is supportive of the request. Mr. Mobus offered a motion to provide funding not to exceed \$2000.00 to obtain a keyless entry system for Mobus Field rest rooms and enter into a nine-month contract for rental of port-a-johns for Phillips Field. Motion was seconded by Mr. Black and adopted unanimously on roll call vote.

REPORTS - OTHER:

7. Engineer - Mr. Moody informed he had been in touch with Recreation Commission member Bob Butkocy regarding temporary fencing for Phillips Field and will be communicating with Little League and the Public Works department. Sunbright Road draft easements are complete and he will schedule a meeting with property owners. Interest has been expressed on the Verdic building on Route 22, which received approvals 12 years ago but was delayed by lack of availability of water to the site; water will now be obtained from across the road. He reported he met with school officials regarding the gabion retaining walls; site improvement items should be complete in the next six weeks for the Bayberry School construction project. Mr. Black queried on the Sunbright/Corey sewer and water project and Mr. Moody stated it could be ready for construction in six months if no objections to the easements were received. Mr. Otto asked for an update on Washington Rock Road and Mr. Moody responded that NJDOT will have the plans in the next few weeks. He is sending a letter to DOT requesting an extension of project funding and a resolution will be needed to send with that request.

8. Attorney - No report.

9. Administrator - No report.

Mayor Ellis stated that one requirement in the grant application for the Municipal Stormwater Regulation Program is adoption of an ordinance prohibiting feeding of wildlife. The Mayor informed he is meeting the Traffic and Beautification Chairperson Sue Forton at 9:30 AM tomorrow to review three plans for the new Somerset Street park.

UNFINISHED BUSINESS

Open Space

Old Somerset Road - Trail Proposal

Mayor Ellis stated a request was received from the Open Space Committee to use the Department of Public Works to work on making Old Somerset Road trail more formal, through clearing of brush, placement of chips, etc. The Committee was asked on August 7, 2003 to go back to the residents for a public meeting. Mayor and Council had received a report from the Committee following that public meeting and now must decide if they want to involve the DPW on the trail work. Mr. Black noted that the majority of the people contiguous to the trail were against it. Mr. Franklin stated that he is in agreement with having the builder on Old Somerset improve access to the existing trail through creation of a series of switch backs. Mr. Moody gave

an update on the work being done there, adding it would naturalize the trail entrance. Mr. Franklin asked if there were no markings along the trail and Mr. Moody responded there were some, but they could be made more visible. Mr. Franklin suggested that perhaps boundary markers could be placed with no advertisement or fanfare. Mr. Harding said his unscientific study revealed that people living further away from the trail support it, while those living closer opposed it. Mr. Harding noted it is public property, but he has a difficult time supporting it because he has heard concerns on trespassing on private property; perhaps some low-profile boundary markers could be placed. Mr. Mobus stated he would support rustic markings and Ms. Joren concurred with his statement.

Mayor Ellis opened the discussion to the public. Maureen Caswell, Tuttle Road, stated the old trail runs through her property and she used to have "dirt bikes" traveling through there every day; she opined it will never be just a walking trail. She spoke of beer bottles found and debris from parties, adding she bought her home for a place of serenity. She implored Council members not to expand and open up the trail. Richard Ross, Phillip Lane, asked how the trail would be marked and Mr. Black responded that there would simply be enhancement of monuments that are already there. Ted Rundlet, Vail Lane, stated that it is public property and the kids should be allowed to use it. Lynda Goldschein, member of Open Space, informed that the original request to DPW was withdrawn as the Committee did not like what was planned. She stated there never was a discussion on changing the trail topography, the only idea was to mark a narrow strip 3 feet wide. She noted Mr. Diana lives directly on the trail and he supports it. No dramatic change will occur, just marking of the trail. She advised the only place clearing would need to be done would be next to Mr. Ross' property; she felt the town should make the trail accessible. Harriet Stambaugh, Tuttle Road, said she lives next to Mr. Ross and has a drainage problem now, without any further brush clearing. Chris Jessen, Orchard Road, stated he has two ponds, a portion of one being on Borough property. He spoke of a liability burden placed on him through inviting kids to the area, adding the Building Department has told him he cannot put up a fence. Maureen Caswell asked for a guarantee that no vehicles will use the trail, adding she has no objection to people walking the trail but does have concerns on parking.

Mayor Ellis said the consensus appears to be that no one wants a defined trail. He recalled that an Eagle Scout had done a project years ago along the stream to the Public Works garage area; he suggested that Scoutmaster Rich Brown be contacted to see if an Eagle Scout candidate would like to take the trail as a project, following approval of a project plan by the Council.

NEW BUSINESS

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

Approval of the following Council minutes:

Workshop Meeting - September 15, 2003
Council Meeting - September 25, 2003

Approval of the following Borough Reports:

Historical Committee Minutes - January 6, 2004
Historical Committee Strategic Plan - 2004
Police Department Activity Report - January, 2004
Planning Board Minutes (Special Meeting) - February 17, 2004

#17- J. Mascola, Mrs. Spiegel, E. Karam, National Association of Letter Carriers, N. Stevens,
2/04 Various correspondence opposing Deer Hunt c: Mayor and Council, A. McCoy

#18- Claire Ohl, 2/11/04 Supporting the Deer Hunt and response from Councilwoman Joren
c: Mayor and Council, A. McCoy

#19- R. & M. Buccarelli, 2/11/04 Asking Mayor and Council to mark and make improvements
to the Indian Trail so that it will become walkable and bikable c: Mayor and Council,
H. Kita

- #20- J. & L. Goldschein, E. & W. Niegisch, M. Martinez, P. Michaelis, K. Onaufreiczuk,
Various correspondence 2/04 supporting Deer Hunt c: Mayor and Council, A. McCoy
- #21- Petition from residents supporting Deer Hunt 2/04 c: Mayor and Council, A. McCoy
- #22- E. & E. Patterson 2/19/04 - Opposing improvements to Proposed Walking Trail c: Mayor
and Council, H. Kita
- #23- Township of Green Brook 2/10/04 - Resolution opposing "Property Tax Reimbursement
Program" c: Mayor and Council

CONSENT AGENDA RESOLUTIONS: The resolutions listed below, with the exception of R4:2/26/04 and R9:2/26/04 which were removed for separate action, were adopted on roll call following a motion by Mr. Black and a second by Mr. Franklin with all voting in favor.

- R1:2/26/04 Appointment of members to the Youth Services Commission
- R2: Award Professional Contracts - Land Use Board Consultants
- R3: ~~Withdrawn Appointment of Chuck Abel for membership in the Watchung Fire Department~~
- R4: Authorizing Sanitary Sewer Connection, Block 5702, Lot 5.01
Mr. Mobus noted that the Borough, in an attempt to satisfy COAH requirements for accessory apartments, is looking for locations and the property addressed by this resolution has an officially recorded apartment on site. Mr. Moody responded that the apartment in question is for a full-time, on-site supervisor for the property and would not qualify. Mr. Mobus offered R4:2/26/04 for adoption. Motion was seconded by Mr. Franklin and unanimously approved on roll call vote.
- R5: Authorize Tax Appeal Stipulation of Settlement - Block 7007, Lot 7
- R6: Authorize Tax Appeal Stipulation of Settlement - Block 6802, Lot 1
- R7: Authorize Tax Appeal Stipulation of Settlement - Block 6905, Lot 8
- R8: Authorize signing of Lease Agreement for Phillips Field
- R9: Appointment of Borough Engineer - Richard Moody, 3 yr. Term
Mr. Mobus noted the dates and terms cited in the resolution were in conflict as to length of term and Mrs. Fellin corrected the term length. Mobus offered R9:2/26/04 for adoption. Motion was seconded by Mr. Franklin and unanimously approved on roll call vote.
- Mrs. Joren thanked Mayor Ellis for his work in establishing the Youth Services Commission, adding the first meeting will be held on March 2, 2004.

NON-CONSENT AGENDA

None

NON-CONSENT AGENDA RESOLUTIONS

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

as follows:

Offered Seconded

R10:2/26/04 Payment of Bills

Franklin Mobus

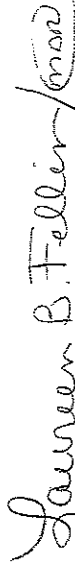
PUBLIC PORTION

Richard Ross, Phillip Lane, asked clarification of the Mayor's remark regarding an Eagle Scout project. Mayor Ellis responded that consensus of the Council was that limited trail marking was wanted. An Eagle Scout candidate could accept the trail as a project, getting approval of the Mayor and Council for a proposed marking plan. Council has rejected the use of the members of the Public Works Department to create a defined trail. Emi Havas, Valley Road, stated she read in the New Jersey Jewish News publication that the late Mack Ness left his property to the Jewish Federation, asking where that left the Borough with regard to acquisition. Mayor Ellis answered the property is not lost to the Borough, it is still negotiable. Anthony Addario, Rock Avenue, asked if the Valley Drive suit was ended. Attorney Cruz answered that a 30 day period for appeal began to run from February 12. Mr. Addario commented on how much this suit has cost the Borough. Lynda Goldschein, Sherwood Drive, queried as to why the ice skating rink is not in use this year and Mr. Otto responded that the rink has an undetermined leak. Mrs. Joren clarified that the Recreation Commission was given the information that the drain was leaking.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:40 PM to the call of the Chair or the next scheduled meeting of Thursday, March 11, 2004.

Respectfully submitted,



Laureen B. Fellin, RMC
Municipal Clerk/Administrator