

BOROUGH OF WATCHUNG

MINUTES

JANUARY 14, 2010 - 7:30 P.M.

MAYOR'S STATEMENT: Acting 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 SILENT PRAYER

ROLL CALL

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

Also present were Administrator/Clerk Laureen Fellin, Attorneys Albert Cruz, and Deputy Clerk Michelle DeRocco. Mayor Ellis was not present.

There were 19 members of the public present.

UNFINISHED BUSINESS

Wildlife Management Advisory Committee - Continued Discussion

Community Sponsored Sports Club Bow and Arrow Deer Hunting Recommendation
for the 2009 - 2010 Season

- Warren Blue Ridge Sportsmen - Ratio of bucks to antlerless deer response

Acting Mayor Gerald Mobus deviated from the agenda to allow for the scheduled continued discussion of the Wildlife Management Advisory Committee's recommendation for a Community Sponsored Sports Club Bow and Arrow Deer Hunt for the 2009-2010 season. Mrs. Fellin read the "recap" from the December 10th meeting at which the Council took no action. Councilwoman Joren read a statement she had prepared apprising all of her reasons not to support a bow and arrow hunt in the Borough, and Councilman Black said he also was not in favor of a bow and arrow hunt. Acting Mayor Mobus opened the meeting to the public for questions or comments. At the request of Lynda Goldschein, Wildlife Management Advisory Committee Chairperson Hans Juette reiterated the Committee's proposal which is in line with the State's recommendation of increasing the culling of deer by using certified bow and arrow hunters. Mrs. Goldschein, Sherwood Drive, said she encourages all to continue to lobby the State to reduce the radius required for gun hunting, and that she is in favor of the bow and arrow hunting only if it does not interfere with the current deer management program. Paul Michelson, Corey Lane, spoke in favor of bow and arrow hunting, as both a member of the Wildlife Advisory Committee and as a concerned resident. Ray Miller, Valley Road, said bow and arrow hunting is cruel, and that he has noticed a reduction in the number of deer on his property, in addition to being able to have success with a garden. Pat Moran, Valley Road, advised the Borough seek alternate ways to reduce the number of deer, suggesting that people purchase deer alarms for their cars, and use repellents. Cynthia Lubeck, Anderson Road, said she has never had a close call with a deer on any road, and spoke about how her family had to deal with a deer dying slowly in her driveway, as a result of an arrow. Margaret Chelnik, Johnston Drive, spoke of several incidents on her property where deer have died as a result of an arrow, one of the times during a family gathering and in front of small children. Mark Chelnik, Johnston Drive, asked if the sport hunting club carries insurance, and Mr. Nappe of the Warren Blue Ridge Sportsmen Club replied that they did. Dan Rindner, Woodledge Road, said Watchung already allows for bow and arrow hunting, and a permit can be obtained at the Police Department for \$50.00. He said he is a hunter and feels "priority" should be given to Watchung residents who would like to hunt. Mr. Juette explained that the reason this program has not been successful in Watchung is due to the fact that footwork needs to be done in order for the bow and arrow hunter to obtain a property to set their stand, abiding by the 450 degree radius rule and most hunters are not willing to do this. Maria Perez, said many properties in her area of town have "no hunting" signs up, however, the deer still die on these properties and then the homeowner is responsible for having it removed. Mrs. Lubeck said she has had her "no hunting" signs on her property removed, and recalled a situation where a hunter was nearby and she was on her deck with a baby, and had to chase the hunter away. Carl Carvalho, representing Deer Management, urged the Borough to be pro-

active in their quest for additional hunting sights, and suggested a new survey be sent to residents. Councilman Pote said he is a proponent of the current deer culling program, which has been successful. He said although he appreciates the work and recommendation of the Committee, he also has seen a deer "drop" on a neighbor's property, with the hunter coming two hours later. He said he feels safe with Deer Management culling the deer and is not in favor of bow and arrow hunting. Councilman Franklin said although the State's Division of Wildlife's recommendation is to allow for bow and arrow hunting, explained how difficult it is to obtain sites within the Borough, some sites needing the permission of as many as 14 neighbors. He said the deer die instantly with a bullet, and the idea of shooting a deer with an arrow and having it run till it drops is repugnant to him.

Councilwoman Joren made a motion to reject the Wildlife Management Advisory Board's recommendation to promote bow and arrow hunting in the Borough of Watchung. Councilman Black seconded the motion and it was unanimously adopted upon roll call vote.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin reported all departments have been requested to keep prudent while preparing their 2010 budgets. He noted the appointment of professional service contracts on tonight's agenda and explained the "fair and open" process that the Borough uses to determine award of contract.

2. Police - Councilman Mobus read a letter into the minutes from Chief Whelan to the Mayor and Council, commending both the Watchung Road Department and the Rescue Squad during a response to a call of an unresponsive person during a winter amidst a winter storm (copy attached). Referring to the Police Activity Report, Councilman Mobus said the increase in the number of juveniles detained is a concern and had been the subject of discussion at today's Committee meeting.

3. Public Works - Councilman Nehls referred to the letter read by Councilman Mobus from Chief Whelan and said the Road Department worked very hard during the past snow storms, and he commended Charles Gunther and his staff. He reported the Department fielded 1,224 service calls during 2009, and answered 1,869 work orders. He said during 2009 the Department responded to 12 snowstorms which required 980 tons of salt. This month the Department is making needed repairs to equipment, as well as performing maintenance and repairs on Borough buildings. Councilman Nehls reported the construction on Somerset Street is at a standstill, while the bridge on the circle is just about complete, and the work on Bonnie Burn Road is beginning.

4. Buildings and Public Affairs

Buildings - Councilman Pote reported the highlights of the Rescue Squad's stats for 2009, announcing they responded to 445 calls, noting that these occurred between 6:00 PM and 6:00 AM, and do not include the calls by Atlantic who cover the Borough during the day. He continued to report the total number of miles traveled by the Squad was 3,680, 92 calls were for motor vehicle accidents and 64 were fall victims. He noted that the squad responded to 85 mutual aid calls, 28 to North Plainfield and 47 to Plainfield, and said the Borough only required mutual aid on 2 occasions. He said Rob Winston is the new President and is sure he will do a great job. In regard to the Historical Committee, Councilman Pote reported at last night's meeting, plans for the Texier House were discussed, and arrangements are being made to visit other towns historical homes, and also a meeting with a representative from the New Jersey Heritage Committee is being planned. The Committee will also be meeting with Mrs. Fellin to discuss funding.

Public Affairs - Councilman Nehls announced the Board of Health will be meeting on the 20th, Environmental Commission on the 25th, and Middle-Brook Health Commission on February 2nd. He said the third H1N1 Clinic was held on January 11th at Watchung Hills Regional High School, and the next one will be in Middlesex on the 25th, with two more being scheduled in February, noting that the vaccine is now available to everyone.

5. Fire - Councilman Black said he attended the first meeting of the Fire Department, and reported it was well attended and upbeat. He said the Installation Dinner will be held in Berkeley Heights, and a member of the Rescue Squad has submitted an application for the Fire Department.

6. Laws/Ordinances, and Recreation - Councilwoman Joren said the Laws and Ordinance Committee will meet this Monday with the Planning Board Sub-committee to continue discussion on home height requirements, and also possibly change the definition of home office space. She reported the Police Department has provided clarification on language for the revision to the Towing Ordinance. In regard to Recreation, Councilwoman Joren announced that Commission has reorganized, and Bill Jacques is the new Chairperson, and Craig Zaikov is the Vice-chair. She reported the Commission received a \$1000.00 donation from Weldon, and are working on a budget that will be 10% less this year than last.

She said the winter programs are running well, the Basketball Shoot-out is scheduled for March 19th, and the Mah Jongg Club has been well attended, expanding their program to two days instead of one.

REPORTS - OTHER:

7. Engineer - In Tom Herits' absence, Councilman Mobus said he, Mr. Herits, Lt. Wenzel and Lt. Cina attended a meeting with the County to discuss traffic back-ups.

8. Police Chief - Lt. Wenzel, in regard to the Police Activity Report, noted that only 3 of the 41 juveniles detained in 2009 were from Watchung, and that 30 of the 41 charges were for shoplifting, and one is a habitual runaway, noting 6 incidents for the same teenager.

9. Fire Department - Chief Bell announced 2010 is the 100th anniversary year for the Fire Department and they are planning a celebration. He said the changes in the stipend program are responsible for the success within the department, and that they continue to recruit new members and work with other towns to share services.

10. Rescue Squad - Robert Winston, President, said the Squad has been very busy this year, responding to 445 calls and organizing the annual Tree of Lights celebration. He said he is looking forward to working with the Council in 2010.

11. Attorney - Mr. Cruz reported he has one item for discussion in Executive Session.

12. Administrator - Mrs. Fellin said that Hans Juette is the Borough's SEM (Sustainable Energy Joint Meeting) representative and the first assignment has been reviewing the options for natural gas, for which the Borough has decided to participate in an auction for a better price. She said she may have an update on the outcome by the next meeting.

UNFINISHED BUSINESS (Moved to beginning of meeting)

Wildlife Management Advisory Committee - Continued Discussion

Community Sponsored Sports Club Bow and Arrow Deer Hunting Recommendation
for the 2009 - 2010 Season

- Warren Blue Ridge Sportsmen - Ratio of bucks to antlerless deer response

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:

December 10, 2009, Regular and Executive Sessions
January 1, 2010

Approval of the following Borough Reports:

Planning Board Minutes - September 15, 2009

Historical Committee Minutes - November 11, 2009

Building Department - December, 2009

Recreation Minutes - June 4, September 11, October 9, November 5, 2008

February 4, April 1, June 3, October 7, November 4,
2009

Tax Collector's - December, 2009

Councilwoman Joren suggested that a resolution needs to be adopted, requiring all departments to submit their minutes to the Governing Body for approval in a more timely manner. Mrs. Fellin said she is in the process of issuing a directive to the Department Heads.

#86 - Mary Ann Walker Martinez 12/10/09 Advising interest an Environmental Commission membership and expressing concern with an influx of invasive species entering our borders causing a direct impact on properties c: M & C, LBF, Env.

#87 - Borough of North Plainfield 12/15/09 Notice of Public Hearing on Master Plan

Re-exam

#1 - Chris Blackadar 1/8/10 Letter of resignation as a member of the Recreation Committee
c: M & C, LBF, MB

Councilwoman Joren read Mrs. Blackadar's letter into the minutes (copy attached) and as Recreation Commission liaison and a member of the Governing Body, said she was very sorry to get this letter of resignation, and that it has been a pleasure to work with her commenting that her steadfastness and common sense has always been admired. She requested a resolution commending her years of service be presented to her at the February 11th meeting.

#2 - Shannon Marasco 1/8/10 Letter to Chief Whelan commending the actions of Officer Moberly at the scene of her husband's accident c: M & C, LBF

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.

- R1:01/14/10 Purchases Over \$2,000.00 - MTS Consulting Services, L-3 Communications Mobile- Vision, Inc., Applied Concepts, Inc., Communications Specialists
- R2: Supporting GFOA's (Government Finance Officers' Association of NJ) and Hopewell Borough in its action against Verizon Communication's efforts to no longer make Business Personal Property Tax (BPPT) payments
- R3: Authorize the Treasurer to Issue Overpayment Refund - Block 4313, Lot 1.105
- R4: Award of Contract - Affordable Housing Administrative Services / NJ Housing and
- R5: Authorize Participation in Paris Grant Program with Somerset County
- R6: Authorizing the execution of agreement for the services of James F. Hurley Insurance Agency Corp. as Professional Risk Management Consultants
- R7: Authorize Mayor to sign CY2010 Municipal Recycling Agreement w/Somerset County
- R8: Authorize Waiver of Construction Permit Fees - Watchung Rescue Squad
- R9: Authorizing Rejection of Proposals Received and Authorize Clerk to Re-advertise with Expanded Scope of work - Labor Attorney
- R10: Authorizing the Increase of Subsidy for Accessory Apartment Program
- R11: Appointment - Zoning Officer / Edward Bennett
- R12: Appointment of Officials - 1-year term / Borough Engineer, Prosecutor
- R13: Award of Professional Services Contracts - Borough Attorney, Auditor, Bond Counsel, Prosecutor, Borough Engineer, Planning Board Engineer, Board of Adjustment Engineer
- R14: Appointments to Cable Franchise Study Committee - Havas, Cooper, Reilly, Schaefer,
- R15: Clarification of Appointment Term - Board of Adjustment / Henry Kita
- R16: Authorize Clerk to Issue Raffle License - Children's Tumor Foundation

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

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

	<u>Offered</u>	<u>Second</u>
R17:01/14/10 Executive Session: Potential Litigation - Objections to Third Round Housing Element and Fair Share Plan	Black	Franklin

PUBLIC PORTION

Lynda Goldschein, Sherwood Drive, said Chris Blackadar has been with the Recreation Commission a long time and had coached her daughters in Ponytail League. She said she will be missed.

Councilman Black offered R17:01/14/10 authorizing an executive session, with a second by Councilman Franklin and unanimously approved. Upon return to regular session at 10:22 PM, all members previously present, with the exception of Mayor Ellis, were again in attendance.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:25 PM to the call of the Chair to the next scheduled meeting to be held at 7:30 P.M. on Thursday, January 28, 2010.

Respectfully submitted,

Michelle DeRocco, RMC
Deputy Clerk