

# BOROUGH OF WATCHUNG

## MINUTES

JANUARY 28, 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 [ A ] Pote [ P ] Nehls [ P ]

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

There were 3 members of the public present.

### REPORT OF STANDING COMMITTEES:

1. Administration & Finance - Councilman Franklin announced that this is budget time, and said that this is the second day of the Christie administration, noting that he has already signed 8 Executive Orders, one being a freeze on unfunded mandates.

2. Police - Councilman Mobus had nothing to report.

3. Public Works - Councilman Nehls reported the Department has fielded 71 service calls and generated 120 work orders, in addition to tending 3 winter weather events utilizing 158 tons of salt. He said the department has been busy removing xmas trees, tending to pothole repairs, cleaning catch basins, and performing sanitary sewer repairs.

4. Buildings and Public Affairs

Buildings - Councilman Pote reported the Department is working on building maintenance, including interior painting in the Violations Bureau, emergency generator maintenance, and building safety inspections. He said the Historical Committee is eagerly waiting for the departure of the engineering staff who have been occupying the Texier House for the past five or six months, and that the Library Advisory Committee has 2 or 3 drafts of preliminary designs, however, will wait until Mayor Ellis returns before making a presentation to the Governing Body.

Public Affairs - Councilman Nehls reported at the Environmental Commission's reorganization meeting, Jean Forlano and Lynn Franklin agreed to continue to share the Chairperson's position. He said the Commission is busy already planning for this year's Green Day program which provides for credits in the County's Energy Audit program. Mrs. Fellin reported a notice was received today from Somerset County, announcing a Countywide Renewable Energy Program and it will provide for renewable energy sources such as solar panels on municipal buildings, and recommended that a representative from the Environmental Commission attend the first information session on February 19th. Councilman Nehls referred to a letter from Board of Health member Bruce Ruck, urging the Borough's support against the State's recommendation to eliminate the Poison Control System, and asked the Council to consider a sending letter in this regard. He said that at the last Middle-Brook Regional Health Commission meeting it was announced that Bound Brook has decided to withdraw from the Commission and contract with the County for Health Services. He explained how their withdrawal would pose a financial burden on the Borough's budget, at a time where Middle-Brook was actually submitting a budget for 2010 that was less than 2009. After discussion from the Council, Acting Mayor Mobus suggested the formation of a review committee. Councilman Nehls did say that an official letter stating withdrawal has not yet been received. All agreed this discussion should be continued at another meeting.

5. Fire - Councilman Black said the Department has been very busy responding to a mutual aid call in North Plainfield, and another in Berkeley Heights, and responding to multiple accidents on Rt. 78 this morning. The Fire Committee met yesterday with Chief Bell, who laid out the Department's yearly projections. He said the recent changes to the stipend program have truly made a difference in the member's responses.

6. Laws/Ordinances, and Recreation - In Councilwoman Joren's absence, Councilman Franklin said the Laws and Ordinance Committee met and discussed building height requirements, and the language on a "grandfather clause".

**REPORTS - OTHER:**

7. Engineer - In Mr. Herits' absence, Councilman Nehls reported the bridge is complete, the Somerset Street Gateway project will resume when the weather breaks, and that the Contractor will be making sewer repairs on Mountain Boulevard and Johnston Drive, and Somerset Street at Interhaven. He announced Bayberry Lane is complete, the work on Stanie Glen will resume when the weather breaks, the Public Works Committee met with residents from Johnston Drive to discuss sanitary sewer connections, and that Mr. Herits is preparing a bonding estimate for Improvements to Ridge Road from High Tor Drive to Phillip Lane, and also the assessment report for Beechwood Place.

8. Police Chief - No report was presented.

9. Fire Department - No report was presented.

10. Rescue Squad - No report was presented.

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

12. Administrator - Mrs. Fellin said at the last meeting she announced the Sustainable Energy Joint Meeting provided options for natural gas pricing, by way of an auction, however, reported no lower bids have been received. She announced another auction is scheduled for February 17th.

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**UNFINISHED BUSINESS**

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**NEW BUSINESS**

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**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:  
January 14, 2010 - Regular and Executive Sessions

Approval of the following Borough Reports:  
Police Activity - December, 2009  
Historical Committee Minutes - December 9, 2009; 2009 Annual Report  
Board of Health Minutes - December 3, 2009

#5 - Melanie Novello 1/19/10 Letter to Councilwoman Joren thanking the Governing Body and Maria Bachert and the Recreation Commission for responding to her request to initiate a Mah Jongg Club which has been meeting and is very successful, and inviting new members to participate c: M & C, LBF, MB

#6 - Maria Perez 1/21/10 E-mail advising of an incident on her property where an unlicensed bow hunter lost an arrow, and urging the Borough to be proactive in its pursuit against unlicensed recreation

Mrs. Perez was present and Councilman Franklin explained that it is very difficult for the Police to locate poachers.

#7 - Susan Tucker 1/21/10 Invitation to M & C, all Scouts, Scout families, former Scouts, and all Public, to attend a brief candle lighting ceremony at Mobus Field on February 8th at 7:30 PM to celebrate the 100th Anniversary of Scouting c: M & C, LBF, all Departments

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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.

R1:01/28/10 Authorize submission of Recycling Tonnage Grant Application to NJDEP

R2: Authorize Tax Collector to Issue Tax Sale Redemption – Certificate #1-2007, Block 3401, Lot 10

R3: Authorize Appointment - Alternate Municipal Prosecutor / Josh Beinhaker

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**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.

Wildlife Management Advisory Committee - Deer Herd Population Survey Recommendation for 2010

Mrs. Fellin advised that the Committee had submitted this recommendation last year, and was asked to resubmit it this year. She explained that they are recommending a new ground survey be done, which is half the cost of an aerial survey. Acting Mayor Mobus suggested the Committee provide the Governing Body with the cost of both an aerial survey and a ground survey, for comparison.

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**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>	<u>Ab-</u>
<u>stain</u>			
Councilman Mobus recused himself from the following vote:			
R4:01/28/10	Purchases Over \$2,000. - ESI Equipment, Inc.	Franklin	Black
R5: Pote	Appointment to Local Assistance Board - Gloria Pote	Nehls	Black
R6: Franklin	Appointment to Green Brook Flood Control		Pote
		Commission - Stephen Black	

Councilman Mobus recused himself from the following vote:

R7:	Appointment to Fire Department - Brian Greves	Black	Nehls
R8:	Payment of Bills	Franklin	Black
R9:	Executive Session: Potential Litigation - Objections to Third Round Housing Element and Fair Share Plan	Black	Franklin

Councilman Franklin announced that the last of the requested RFP's were received on Tuesday, January 26th, and he was able to review and rate them with Mrs. Fellin today. Unfortunately, neither Councilwoman Joren or Councilman Pote was available during the day. He asked if Councilman Pote would like to review them prior to the appointment, and Councilman Pote said he would. Councilman Franklin announced the award of Labor Attorney would be done at the February 11th Council meeting.

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**PUBLIC PORTION**

Lee Ehrenworth, Canterbury Lane, asked for a clarification of the response to the Wildlife Committee's recommendation for new survey.

Maria Perez, Hill Hollow, advised of a recent situation in her area when an apparent hunter did not properly track his deer, and her neighbors were going to go after the hunter themselves, however, did not. The Police were called and they are in possession of the arrow, and she said it is her belief that the fine for poaching should be increased beyond the current maximum of \$1,250.

Councilman Franklin said if the hunter is caught, the State could take away his license for life.

Councilman Black offered R9:01/28/10 authorizing an executive session, with a second by Councilman Franklin and unanimously approved. Upon return to regular session at 9:16 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 9:17 PM to the call of the Chair to the next scheduled meeting to be held at 7:30 P.M. on Thursday, February 11, 2010.

Respectfully submitted,

Michelle\_DeRocco, RMC  
January 28,

