

## RESOLUTION

WHEREAS, Section 2-25.13 of the Code of the Borough of Watchung requires that contracts for purchases or services involving more than two thousand dollars be awarded by a resolution of the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED that the Purchasing Agent be authorized to issue Purchase Orders as follows:

Vendor: EA Medical LLC, 10541 State Highway 81, Canton, Mo 63435  
Item: UV-C Disinfection Lamp  
Total Price: \$3,865.00  
Charged to: 0-01-205-231

Vendor: General Code, 781 Elmgrove Rd., Rochester, NY 14624  
Item: Code Supplement Update, plus 10 binders  
Total Price: \$6,250.00  
Charged to: 0-01-120-258

Vendor: First Battalion Firefighting, PO Box 6107, Bridgewater, NJ 08807  
Item: Ready Rack Extractor, House Gear Dryer  
Total Price: \$9,518.00  
Charged to: C-02-915-A12

Vendor: Bold Electric, LLC, 624 Somerset St., No. Plainfield, NJ 07060  
Item: Radio Tower Electrical Service  
Total Price: \$6,739.75  
Charged to: C-02-815-B01

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Council

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Keith S. Balla, Mayor

Date: May 7, 2020

INDEX: Purchases  
C: BH

DRAFT

**Resolution**

R2:05/07/20

WHEREAS, the costs for the operation and maintenance of the Watchung sewer system have been reviewed for the calendar year 2020 and the unit charge has been determined based upon the provision set forth in Chapter 18 of the Code of the Borough of Watchung.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that the unit cost in accordance with the provisions of Chapter 18-10c is established at the following for calendar year 2020:

\$465.00 per EDU (Equivalent Dwelling Unit)

Residential Dwellings (Single family home, duplex units, townhouses, condominiums, apartments)

3 Bedroom unit or larger	\$465.00
2 Bedroom unit	\$348.75
1 Bedroom unit	\$232.50

Residential Dwellings (Age and occupancy restricted developments of single family homes, apartments, mobile homes, etc.)

3 Bedroom unit or larger	\$348.75
2 Bedroom unit	\$263.50
1 Bedroom unit	\$170.50

BE IT FURTHER RESOLVED, that in accordance with Chapter 18-10b(3) Senior Citizens eligible for an annual property tax deduction, as defined in N.J.S.A. 54:4-8.40 et seq., and who have filed required forms to be eligible for the annual property tax deduction, shall be charged at a rate of one-half (1/2) of what their annual sewer usage charge would have been per the above chart.

\_\_\_\_\_  
Council

\_\_\_\_\_  
Mayor

Date:

Index: Sewers

**RESOLUTION**

R3:05/07/20

**A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.**

**WHEREAS**, the Borough of Watchung was awarded funding for a project under the Safe and Secure Communities Program, and

**WHEREAS**, the Mayor and Council has reviewed the accompanying application and has approved said request, and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the Borough of Watchung for the purpose described in the application;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that:

1. As a matter of public policy the Borough of Watchung wishes to participate to the fullest extent possible with the Department of Law and Public Safety and accepts this Safe & Secure Grant.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.
5. The amount of the award is \$60,000 with a match of \$135,000 by the Borough.
6. The Subaward Number is 20-1821 and the period is from April 8, 2020 – April 7, 2021.

\_\_\_\_\_  
Council

\_\_\_\_\_  
Keith S. Balla, Mayor

**CERTIFICATION OF RECORDING OFFICER**

This is to certify that the foregoing Resolution is a true and correct copy of a resolution finally adopted at the meeting of the Mayor and Council of the Borough of Watchung held on May 7, 2020 and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.

DATED: May 7, 2020

\_\_\_\_\_  
Signature of Certifying Officer  
Municipal Clerk  
\_\_\_\_\_  
Title of Certifying Officer

Index: Finance, Misc.  
CC: J. Cina  
W. Hance

DRAFT

R4:05/07/20

## RESOLUTION

Introduction of Cap Bank Ordinance / OR:20/02

“ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40a:4-45.14)”  
Public Hearing to be held on June 4, 2020.

NOTE:

RESOLUTION / ORDINANCE IN PROCESS

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Council

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Keith S. Balla, Mayor

Date: May 7, 2020

R5:05/07/20

RESOLUTION

Introduction of 2020 MUNICIPAL BUDGET

NOTE:

RESOLUTION / ORDINANCE IN PROCESS

Council

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Keith S. Balla, Mayor

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Date: May 7, 2020

**RESOLUTION**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung,  
that the Borough Treasurer be, and is hereby directed to pay bills in the amount of  
\$2,995,727.96 per the attached bill list. The expenditures can be broken down into  
the following categories:

Affordable Housing Trust	\$	-
Animal Control	\$	-
Assessment Trust Fund	\$	-
Capital Fund	\$	30,664.01
Developer's Escrow	\$	7,946.47
Other Escrow	\$	165.16
Watchung Board of Education Taxes	\$	984,420.00
Watchung Hills Regional High School Taxes	\$	592,567.00
Somerset County Taxes	\$	-
Somerset County Library Tax	\$	-
Somerset County Open Space Tax	\$	-
Current Fund	\$	1,379,717.43
Grant Fund	\$	247.89
Watchung Community Foundation	\$	-
<b>Total Expenditures:</b>	<b>\$</b>	<b>2,995,727.96</b>

\_\_\_\_\_  
Lindsay Goodloe

\_\_\_\_\_  
Daryl Eisenberg Knegten

\_\_\_\_\_  
Stephen Black

\_\_\_\_\_  
Ronald Jubin

\_\_\_\_\_  
Wendy Robinson

\_\_\_\_\_  
Pietro Martino

\_\_\_\_\_  
William J. Hance, CFO

\_\_\_\_\_  
Keith Balla, Mayor

\_\_\_\_\_  
James Damato, Administrator

**Date: May 7, 2020**  
**Index: Finance**  
**C: Finance**

## RESOLUTION

**WHEREAS,** Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b)(1-9)) permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS,** the Borough Council is of the opinion that such circumstances exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Watchung, County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action on the closed session of May 7, 2020.

2. The general nature of the subject matter to be discussed is as follows:

- Property Acquisition
- Personnel / Borough Clerk

3. Minutes of said discussion will be made available as soon as it is deemed in the public interest to do so.

4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

5. This resolution shall take effect immediately.

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Council

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Keith S. Balla, Mayor

Date: May 7, 2020  
Index: Misc.

R4:05/07/20

## RESOLUTION

BE IT RESOLVED that the Ordinance OR:20/02 entitled "**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14)**" having been adopted on first reading.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that the Borough Clerk is hereby directed to publish notice of said ordinance, along with notice of Public Hearing to be held on June 4, 2020 at a meeting beginning at 7:30 P.M. in the Municipal Building, 15 Mountain Boulevard, Watchung, New Jersey.

DRAFT

\_\_\_\_\_  
Council

\_\_\_\_\_  
Keith S. Balla, Mayor

Date: May 7, 2020  
Index: Finance Budget  
C: M. DeRocco, B. Hance

**CALENDAR YEAR 2020  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE  
AND TO ESTABLISH A CAP BANK  
WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 *et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

**WHEREAS**, the COLA for 2020 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5% and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Watchung in the County of Somerset finds it advisable and necessary to increase its 2020 budget by more than 2.50% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$113,786.21 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Watchung, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2020 budget year, the final appropriations of the Borough of Watchung shall, in accordance with this ordinance and N. J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$398,251.74 and that the 2020 municipal budget for the Borough of Watchung be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCED BY:

PASSED:

PUBLISHED:

ADOPTED:

ATTEST:

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Keith S. Balla, Mayor

### MUNICIPAL BUDGET NOTICE

**Section 1.**

Municipal Budget of the \_\_\_\_\_ BOROUGH \_\_\_\_\_ of \_\_\_\_\_ WATCHUNG \_\_\_\_\_, County of \_\_\_\_\_ SOMERSET \_\_\_\_\_ for the Fiscal Year 2020

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2020;

Be it Further Resolved, that said Budget be published in the \_\_\_\_\_  
Echoes- Sentinel

in the issue of \_\_\_\_\_ May 14 \_\_\_\_\_, 2020

The Governing Body of the \_\_\_\_\_ BOROUGH \_\_\_\_\_ of \_\_\_\_\_ WATCHUNG \_\_\_\_\_ does hereby approve the following as the Budget for the year 2020:

<b>RECORDED VOTE</b> <small>(Insert last name)</small>	<b>Ayes</b>	<b>Nays</b>	<b>Abstained</b>	<b>Absent</b>
<b>DRAFT</b>				

Notice is hereby given that the Budget and Tax Resolution was approved by the \_\_\_\_\_ COUNCIL MEMBERS \_\_\_\_\_ of the \_\_\_\_\_ BOROUGH \_\_\_\_\_ of \_\_\_\_\_ WATCHUNG \_\_\_\_\_, County of \_\_\_\_\_ SOMERSET \_\_\_\_\_, on \_\_\_\_\_ May 7 \_\_\_\_\_, 2020.

A Hearing on the Budget and Tax Resolution will be held at \_\_\_\_\_ Borough of Watchung \_\_\_\_\_, on \_\_\_\_\_ June 4 \_\_\_\_\_, 2020 at \_\_\_\_\_ 7:30 PM o'clock \_\_\_\_\_ at which time and place objections to said Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested persons.

R6:05/07/20

## RESOLUTION

BE IT RESOLVED that the Ordinance OR:20/03 entitled "AN ORDINANCE OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET, STATE OF NEW JERSEY, AMENDING CHAPTER XXVIII, ENTITLED, "LAND DEVELOPMENT", SECTION 28-502, ENTITLED "FENCES AND WALLS" OF THE REVISED GERNERAL ORDINANCES OF THE BOROUGH OF WATCHUNG" having been adopted on first reading.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that the Borough Clerk is hereby directed to publish notice of said ordinance, along with notice of Public Hearing to be held on June 4, 2020 at a meeting beginning at 7:30 P.M. in the Municipal Building, 15 Mountain Boulevard, Watchung, New Jersey.

DRAFT

\_\_\_\_\_  
Council

\_\_\_\_\_  
Keith S. Balla, Mayor

Date: May 7, 2020

Index: Code

C: M. DeRocco, C. Taylor, T. Snyder

**BOROUGH OF WATCHUNG**

**ORDINANCE OR:20/03**

**AN ORDINANCE OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET,  
STATE OF NEW JERSEY, AMENDING CHAPTER XXVIII, ENTITLED, "LAND  
DEVELOPMENT", SECTION 28-502, ENTITLED "FENCES AND WALLS" OF THE  
REVISED GERNERAL ORDINANCES OF THE BOROUGH OF WATCHUNG**

**WHEREAS**, the Borough of Watchung has determined that it is in the best interest of the residents to amend Chapter XXVIII, entitled, "Land Development", Section 28-502, entitled "Fences and Walls" to allow and provide for a six (6) foot fence above the ground to enclose the rear and side yards.

**NOW THEREFORE BE IT ORDAINED** by the Borough of Watchung, County of Somerset, State of New Jersey that Chapter XXVIII, entitled, "Land Development", Section 28-502(A)(1) is hereby amended to state as follows:

**§ 28 - 502            Fences and Walls**

Fences and walls may be erected on a lot, subject to the following provisions:

**A.    General Requirements.**

1. In a residential district, a fence or wall may be erected to a total height of four (4) feet above the ground, except that the supporting post may extend to a height of four and one-half (4 1/2) feet above the ground. However:

(a) Fences shall be no more than fifty (50%) percent solid;

(b) An estate fence may be erected to a height of six (6) feet above the ground, except that the supporting post may extend to a height of six and one-half (6 1/2) feet above the ground.

(c) Fences may be erected from the front edge of a residence and may extend into the side and rear yards to enclose an area ending at an edge perpendicular to the front of the residence at a height of six (6) feet above the ground, except that the supporting post may extend to a height of six and one half (6 ½) feet above ground. Fences erected pursuant to the within subsection are not required to comply with subsection (a) above.

**BE IT FURTHER ORDAINED** by the Mayor and Council that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable; and

**BE IT FURTHER ORDAINED** by the Mayor and Council that all prior ordinances, or sections of ordinances, inconsistent with the within ordinance are hereby repealed.

**BE IT FURTHER ORDAINED** by the Mayor and Council that all remaining sections of Chapter XXVIII, Section 28-502 not amended herein or inconsistent with the within ordinance shall not be affected thereby and shall remain in full force and effect.

**BE IT FURTHER ORDAINED** by the Mayor and Council that this ordinance shall become effective upon final passage and publication according to law.

INTRODUCED BY:

PASSED:

PUBLISHED:

ADOPTED:

ATTEST:

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Keith S. Balla, Mayor

DRAFT

R7:05/07/20

## RESOLUTION

BE IT RESOLVED that the Ordinance **OR:20/04** entitled "AN ORDINANCE OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET, STATE OF NEW JERSEY, AMENDING SECTION 7-34 SPEED LIMITS. AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF WATCHUNG" having been adopted on first reading.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that the Borough Clerk is hereby directed to publish notice of said ordinance, along with notice of Public Hearing to be held on June 4, 2020 at a meeting beginning at 7:30 P.M. in the Municipal Building, 15 Mountain Boulevard, Watchung, New Jersey.

DRAFT

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Council

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Keith S. Balla, Mayor

Date: May 7, 2020  
Index: Code, Police, Roads

C: M. DeRocco, J. Cina, J. Mack

BOROUGH OF WATCHUNG  
ORDINANCE NO. OR:20/04

AN ORDINANCE OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET,  
STATE OF NEW JERSEY, AMENDING SECTION 7-34 SPEED LIMITS.  
AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT  
THE BOROUGH CODE OF THE BOROUGH OF WATCHUNG,

**WHEREAS**, the Borough Council of the Borough of Watchung desires to lower the speed limit on Mountain Boulevard, Valley Road, Hillcrest Road, Stirling Road, and Somerset Street for the health and safety of our residents. And

**WHEREAS**, the residential density has increased greatly over the years from when the original speed limit was set until present conditions. And

**WHEREAS**, NJSA 39:1-1 defines the roadway as a "Suburban business or residential district" means that portion of highway and the territory contiguous thereto, where within any 1,320 feet along that highway there is land in use for business or residential purposes and that land occupies more than 660 feet of frontage on one side or collectively more than 660 feet of frontage on both sides of that roadway. And

**WHEREAS**, NJSA 39:4-98, "Rates of speed", sets the statutory speed limit at thirty-five (35) miles per hour in any suburban business or residential district. And

**WHEREAS**, Mountain Boulevard, Valley Road, Hillcrest Road, Stirling Road, and Somerset Street are the main roads children must walk to get to School. And

**WHEREAS**, A parks for our children and families are all adjacent or require access from these roads attracting children and families at all times of the day, evening and non-school hours. And

**WHEREAS**, A youth pedestrian was the hit by a vehicle and sustained serious injury while walking home from the park at Bayberry School on Valley Road. And

**WHEREAS**, Mountain Boulevard has no sidewalks except at Watchung lake, Valley Road has limited walking paths but no sidewalks, Hillcrest Road as no sidewalks and no shoulder, and Stirling Road has a limited length of sidewalks, and very few crosswalks for pedestrians. And

**WHEREAS**, Mountain Boulevard, Valley Road, Hillcrest Road and Stirling Road's lack of sidewalks forces pedestrians to walk in the shoulder of the roadway creating a pedestrian hazard.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Watchung, in the County of Somerset, State of New Jersey, as follows:

1. In accordance with NJSA 39:4-197.2 "County road lying within municipality" we hereby amend section 7-34 Speed Limits of the Borough Code. Mountain Boulevard (County 527) speed limit shall be lowered to 35 MPH between Wildwood Terrace and Brookdale Road. Mountain Boulevard speed limit shall be lowered to 25 MPH between Brookdale

Road and the Watchung Circle. Valley Road (County 527) speed limit shall be lowered to 35 MPH between Bonnie Burn Road and Knightsbridge. Valley Road speed limit shall be lowered to 25 MPH between Knightsbridge and the Watchung Circle. Stirling Road (County 653) speed limit shall be lowered to 25 MPH between Dogwood Lane and Watchung Circle. Somerset Street (County 531) speed limit shall be lowered to 25 MPH between Johnston Dr and Watchung Circle. Hillcrest Road (County 531) speed limit shall be lowered to 25 MPH between Crestwood Dr and Watchung Circle.

2. This act shall take effect 20 days after the approval of the Somerset County Board of Chosen Freeholders.

*Notes:*

*Currently Watchung has an ordinance for limiting speed for Union County Road CR 641*

*Bonnie Burn Road  
(CR 641)*

*35 mph*

*Between Valley Road and the  
Somerset-Union County corporate  
line*

*39:4-197.2. County road lying within municipality, regulation of traffic and parking  
Any municipality, which maintains a paid police force, may, by ordinance, resolution, or  
regulation, pursuant to R.S.39:4-197 and with the consent of the governing body of the county,  
regulate traffic and parking along and upon any county road or part thereof, lying within its  
corporate limits, in the same manner and to the same extent that it is authorized by law to  
regulate the same upon municipal roads and streets.*

*N.J.S.A. 39:1-1 Words and phrases defined"*

*39:1-1: As used in this subtitle, unless other meaning is clearly apparent from the language or  
context, or unless inconsistent with the manifest intention of the Legislature:*

*"Residence district" means that portion of a highway and the territory contiguous thereto,  
not comprising a business district, where within any 600 feet along such highway there are  
buildings in use for business or residential purposes which occupy 300 feet or more of frontage  
on at least one side of the highway.*

*"Suburban business or residential district" means that portion of highway and the territory  
contiguous thereto, where within any 1,320 feet along that highway there is land in use for  
business or residential purposes and that land occupies more than 660 feet of frontage on one  
side or collectively more than 660 feet of frontage on both sides of that roadway.*

*In this case, "suburban business or residential district" will probably fit the roadway in  
question.*

*According to NJSA 39:4-98, "Rates of speed", the statutory speed limit would be 35 mph.*

*b. (1) Twenty-five miles per hour in any business or residential district;*

*(2) Thirty-five miles per hour in any suburban business or residential district;*

*A speed survey could also be taken to establish the 85<sup>th</sup> percentile speed of the motorists using the roadway but is not required as long as all of the physical requirements of the "suburban business or residential district".*

INTRODUCED BY:

PASSED:

PUBLISHED:

ADOPTED:

ATTEST:

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Keith S. Balla, Mayor

DRAFT