

**BOROUGH OF WATCHUNG
MAYOR & COUNCIL MEETING MINUTES**

NOVEMBER 5, 2020 - 7:30 P.M.

[THIS MEETING WAS HELD IN PERSON AND VIRTUALLY]

MAYOR'S OPENING STATEMENT: Mayor Keith S. Balla called the meeting to order at 7:30 PM and stated the following: *This meeting will be open to the public with appropriate social distancing rules and it will also be held virtually. In order to comply with executive orders, indoor gatherings are limited and on a first come first serve basis. All attendees must wear masks and remain six feet apart. Members of the public are encouraged to attend electronically. Public comments will be accepted in person, through zoom, or via email to the Borough Clerk. Instructions were provided. For those joining us through zoom please note that you are automatically muted. If you wish to speak during a public portion, you will need to click on the raise your hand feature so we may see you. For those joining through the conference call line, you will need to unmute yourself at that point. Welcome everyone. 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 the Annual Meeting Notice to the Courier News, Echoes Sentinel, and Star Ledger, and posted at Borough Hall and the Borough's website.*

SALUTE TO THE FLAG and a MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD.

ROLL CALL:

Robinson [P] Black [P] Goodloe [P] Eisenberg Knegten [P] Jubin [P] Martino [P]

Attending virtually were Council Member's Goodloe, Eisenberg Knegten, and Martino and Administrator James Damato. All other Council Members were physically present at the meeting.

Mayor Balla began by explaining that Council Member Jubin would be reporting on the report submitted by the Wildlife Management Advisory Committee after which a motion can be made about the deer cull in the borough. If the motion passes, we will address the rules and provisions when we get to R14.

REPORT OF WIDER COMMITTEE

Council President Robinson made a brief statement to advise that the WIDER Committee had not forgotten of the IDEA committee. They are grateful for their efforts and their input, but the WIDER Committee is still reviewing the voluminous information received and hope to engage with IDEA when appropriate.

Board of Education Ad Hoc – no report at this time

REPORTS OF STANDING COMMITTEES:

1. Administration & Finance – Council Member Jubin reported that this committee has an upcoming meeting to continue discussions on the budget objectives of other departments.
2. Police – Council President Robinson reported that she has been working with Acting Police Chief Kelly to gather additional speed data information along with accident data so that the speed limit on Hillcrest can be lowered.
3. Public Works / Buildings and Grounds – Council Member Black reported on the contemplated changes of combining the position of the Head of Public Works with the Assistant Engineer position and noted that he is a proponent of combining said positions, he asked for Council's input on this matter. Mayor and Council provided feedback in support of this idea. Administrator Damato offered a clarification on the lockbox to make announcements while the store is open

Council Member Goodloe reported that Traffic & Beautification is looking for authorization to purchase 35 snowflake lights to be posted along Somerset Street and stated that this Commission has the money in their 2020 budget.

Council Member Martino made a motion to proceed with this purchase at an amount not to exceed \$2,000.00, second by Council Member Goodloe. Upon roll call the votes were as follows: Robinson, Black, Eisenberg Knegten, Jubin, Martino "aye."

4. Public Affairs: Council Member Goodloe asked to have this committee take over the review of the proposals received for the redesign of the website as Administration and Finance had more items on their plate. Council Member Martino suggested that the Borough seek someone who would not only design it but would be able to maintain and host it as it was too much responsibility on someone from the Borough.

Environmental – Council President Robinson reviewed the tree report from September, there were 59 dead trees removed and 5 live trees removed, inspections are conducted by

BOROUGH OF WATCHUNG
MAYOR & COUNCIL MEETING MINUTES

NOVEMBER 5, 2020 - 7:30 P.M.

Jim Damato, Engineer Bruce Koch, DPW Manager Charlie Gunther and a Licensed Tree Expert from CME Associates. Discussions were held on the possibility of moving the cherry trees along the median strip, preliminary discussions were also made to amend the ordinance to add more tree plantings, and the commission provided input to the Planning Board on the proposed daycare. Changes to the tree removal application were also discussed to be in compliance with NJ requirements. Council President Robinson also reported on the dangers of the spotted lanternfly and noted some work being done on Camp Endeavor for community gardens, the commission suggests making the area handicap accessible.

Recreation – Council Member Black reported on the success of the pumpkin decorating contest and commended Linda Monetti on her hard work and commented on resolution R12 scheduled for today.

Historical – Council Member Goodloe reported that a meeting was held last night and deferred to Amber Murad, Chair of the Committee who virtually joined the meeting to provide an update to Council. Chair Murad reported that discussions were held on moving some services to be done online since Teixeira House cannot be opened. She also reported that Chris Vander Fliet received the Somerset County Historic Preservation Award for his historical education on October 28th. Chair Murad also reported that she recently attended a historical webinar on 2026, which is the United States semi quincennial and also happens to be the Borough's 100th year anniversary, she suggested that Watchung could possibly co-host a county program that year. She also reported that the mural would be transported at some point next week and on 2 resignations from members of the Committee, Chrissy Blackadar and Ralph Diem.

Board of Health – Council Member Jubin provided an update on the increasing covid numbers and the precautions everyone should be taking at all times. Council Member Robinson inquired on the travel restrictions that are in place in NJ, Council Member Jubin mentioned he would confirm details with Health Officer Kevin Sumner and report back.

5. Fire – Council Member Martino had no update, but asked for feedback on the handouts provided at the last council meeting. He asked for an update from Administrator Damato on the communications tower on Bonnie Burn Road. Administrator Damato reported that he had meetings on this matter today and there are plans in place to upgrade the copper wires to fiber optic service at the new tower, this would save about \$1,000/ month so it would be a great opportunity.
6. Laws/Ordinances – no update provided

REPORTS – OTHER:

7. Engineer – no update provided
8. Police Chief – Acting Police Chief Kelly was physically present and reported on the turnout of the pumpkin decorating contest and the trunk or treat event, the department will also be collecting data on Hillcrest Road to assist Council President Robinson, there were no election issues it was a quiet night. He also reported on Alyssa's Law, NJ Governor recently signed this legislation and it affects both of Watchung's public schools. The law states that all primary and secondary schools must install a panic alarm device that can silently and directly notify law enforcement of a life-threatening or emergency situation requiring their response. Acting Chief Kelly reported that both schools are compliant and he drafted a policy on this matter. An audit was conducted of all PPE, right now they have adequate levels and he provided clarity on the Walmart lock cops.
9. Fire Department – Both Fire Chief and Fire Inspector were unable to join
10. Rescue Squad – no update
11. Emergency Management – OEM Coordinator Carolyn Solon reported that since the last council meeting no additional food donations were provided. The cub scout covid plan submitted today was approved by OEM and the Board of Health, however the applicant for the basketball tryouts has not submitted a covid plan to date. She requested a policy be instituted requiring a covid plan be provided at least 3 business days before the event to allow proper review and edit of the covid plans. Coordinator Solon brought to the attention of the Mayor and Council the responsibility on cleaning the restrooms. Current executive orders call for the cleaning of any high touch surface and it needs to be clarified who shares this responsibility. She also reported on the rain gardens being moved to Bayberry site, Rutgers requested assistance from DPW on digging the site and possible curb cutting.

BOROUGH OF WATCHUNG
MAYOR & COUNCIL MEETING MINUTES

NOVEMBER 5, 2020 - 7:30 P.M.

12. Attorney – no update provided
13. Clerk – no updated provided, the Mayor inquired on how the election went, Clerk Edith Gil reported that things went smooth, polls closed at 8pm and by 8:30pm everything was already packed up and workers were heading home. The county will be certifying results on November 23rd.
14. Administrator – Administrator James Damato provided an update on covid cases and reported on this second wave of rising cases and reviewed the effects of executive order 192 which resulted in new office protocols. He also reported that the Auditors are currently reviewing and auditing the Borough. He also reported the Board of Education proposed meeting on November 18th at 3:30 PM if that works for other members.
15. Wildlife Committee – Council Member Jubin provided an update on their meeting from this past Monday. Discussions were held on the installation of deer signs and geese control. He requested information and past reports on geese addling, the Committee is also looking into joining forces with Police and DPW on better deer management.

Council Member Martino inquired if there was an inventory taken on the current deer signs, Council Member Jubin responded that he had requested on a map or master list of where the current signs are and is waiting on this information.

Council Member Martino commented on the lack of a back-up plan, he expressed concerns on not following a particular plan without having a backup. Last year there was a cull, therefore he makes a motion to continue with the cull. Upon there being no second, the motion failed.

Council Member Goodloe motioned to forego a deer hunt this year, second by Council Member Goodloe. Upon roll call the votes were as follow: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin “aye,” Martino “no.”

Council Member Black confirmed information that was brough to his attention on the parcel on Bonnie Burn Road. He stated that since this is currently under litigation with the Planning Board, he believed the property would therefore not be accessible. An inquiry on this was made of the Borough Attorney and Administrator Damato, they confirmed that permission had not yet been obtained from the property owner. Council Member Black stated that without this site, it was no longer a question of are you for or against the cull, he expressed disappointment of this particular committee and their lack of direction.

Council Member Jubin stated that unfortunately there were no other proven methods of controlling deer population besides hunting and contraceptive methods are far too costly. He mentioned that discussions have also taken place on having a deer count next year and then mentioned the possibility of joining efforts across surrounding municipalities who had the same issues.

Council Member Martino expressed that this was a major burden to place on the Wildlife Management Advisory Committee (WMAC) and that the Governing Body should be able to come up with a plan and not just say no. Council Member Black expressed that the Governing Body has always been very vocal on this subject and is aware that given the pandemic, things have taken an unexpected turn, however, this committee still has not produced an effective plan.

Council Member Goodloe expressed comments regarding her motion and stated why a cull would not be effective and called upon the County to take leadership in this issue.

Council Member Jubin expressed dissatisfaction and offense with the Council comments made this evening. He stated that no Council Member requested additional information at any particular moment either through him or through the WMAC and the report was provided with sufficient time to review so that a decision could be made tonight.

Council President acknowledged all of the hard work that went into the preparation of this report. However, she acknowledges that both sides of the WMAC state that the current employed deer management tools have not been effective. Therefore, how can a different outcome be expected if we keep doing the same thing.

Council Member Eisenberg Knegten agreed with Council President’s comments. The report is very thorough and full of information and has helped her come to the conclusion that the current methods in place are not working.

16. Youth Services – no update provided
17. Planning Board – no updated provided
18. Board of Education – Council Member Eisenberg Knegten reported that the board met remotely on October 22nd and accepted notice of retirement of two long-time employees. The board also adjusted

**BOROUGH OF WATCHUNG
MAYOR & COUNCIL MEETING MINUTES**

NOVEMBER 5, 2020 - 7:30 P.M.

their hybrid schedule and hired DRG Architects, who were hired to plan towards a referendum being on the ballot on September or December of 2021. She reported that the Bisignano Family made a generous assistance to help the schools with their connectivity issues, she also reported that the Board of Ed appointed Amber Murad to fill the vacancy left by one of the Board Members until the end of 2020. The Board is also looking for substitute teachers and can help anyone with at least 60 college credits that is interested in becoming a substitute teacher. The next Board of Ed meeting is November 12th.

19. Municipal Alliance – no report provided

20. Library Advisory Board - Council Member Goodloe reported that the library is still waiving any late fees through March of 2021. She also reported that the Governor announced 38 projects that will receive grant funding from the first round of the Library Construction Bond Act of which \$87.5 million is expected to be awarded. Watchung was not one of the announced recipients, but 15 remaining municipalities were not named, the Borough has reached out to the Governor's office for more information. There is a second round of recipients that is expected to receive \$37.5 million.

PUBLIC PORTION / AGENDA ITEMS ONLY

1) Kathy Corrigan, Price Drive, submitted a written public comment entitled "I say NO to the deer hunt!" The Clerk read the written submission onto the record.

"I am writing to express my disapproval of a deer hunt this year. As a mother of two small children, I worry about the safety risks. We have read the tragic news stories reporting the deaths of innocent children and adults due to hunting accidents. While supporters of a hunt claim that we have an overpopulation of deer, there are safer and more humane methods of managing the population that don't involve having to stay indoors for fear of being hit by a stray bullet. Also, some Watchung residents are unaware that hunting is taking place so close to their property-their safety is unknowingly being jeopardized. The deer hunt poses a danger to our entire community. As an animal lover and advocate for deer and other precious wild animals, I believe it is cruel and barbaric to cause innocent animals to suffer needlessly. Research has proven that deer hunts achieve the opposite effect. Rather than curbing the population, the hunting of deer results in even more deer being born: "And hunting creates the ideal conditions for overpopulation. After hunting season, the abrupt drop in population leads to less competition among survivors, resulting in a higher birth rate. If we were really concerned about keeping animals from starving, we would not hunt but instead take steps to reduce the animals' fertility. We would also preserve wolves, mountain lions, coyotes, and other natural predators. Ironically, many deer herds and duck populations are purposely manipulated to produce more and more animals for hunters to kill" (peta.org) If there really is an overpopulation of deer, let's solve this problem safely and compassionately. Let's stop killing what makes Watchung so beautiful and special. I say NO to harming the deer. I say NO to the 2020 hunt. Thank you for your time."

2) Anand Rangarajan, Valley Drive, submitted a written public comment regarding the opposition to the deer hunt. The Clerk read the written submission onto the record.

"To the Members of the Watchung Borough Council: I am writing to register my opposition to Deer Hunting in Watchung. It is unsafe. It is not necessary – there is no data (notwithstanding all the aerial survey results) that the current deer population in Watchung is responsible for any any issues related to public safety, environmental degradation or economic/financial consequence. I urge the council to vote to deny permission for a deer hunt in Watchung."

3) Karen Engelmeyer, Valley Drive, submitted a written public comment regarding the opposition to the deer hunt. The Clerk read the written submission onto the record.

"Dear Mayor and Members of the Council: I am opposed to the deer hunt as it is both unnecessary and dangerous. In a world already punctuated by senseless acts of violence, we need to set an example in our community. It is unreasonable and cruel to agree to the murder of innocent animals so that hunters may engage in a sport. Please abolish the 2020 hunt and all hunts going forward."

DISCUSSION

BOROUGH OF WATCHUNG
MAYOR & COUNCIL MEETING MINUTES

NOVEMBER 5, 2020 - 7:30 P.M.

Administrator Damato gave a brief overview of the Best Practices Inventory from the State, he stated that everything that is recommended to have, the Borough has in place. There were no questions from Council on this matter.

❖ Holiday Decorations

This matter was discussed in the earlier part of this meeting

❖ Donation of a Tree of Remembrance on Village Green

Donation is being made to replace the tree that had died in the Village Green with a White Swamp Oak tree, similar to those in the world trade center. Council Member Jubin asked for a sketch of the area in which the tree would be placed in. Council Member Martino mentioned there was a stake in the ground already and pointed out that in 2001 the original tree was a living memorial planted by the Garden Club. Council Members Eisenberg Knegten and Goodloe commended Council Member Martino for spearheading this, however their view is that the current location might obstruct the 9/11 Memorial. Mayor Balla recommended going back to the designer of the memorial to get his input. There was no objection with putting in the tree, just a matter of the location.

UNFINISHED BUSINESS

NEW BUSINESS

CONSENT AGENDA: Council President Robinson motioned to accept the following items, second by Council Member Black. Upon roll call the votes were as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Acknowledging Receipt of the following Borough Reports:

CERT Meeting Minutes	October 27, 2020
Environmental Commission Minutes	September 21, 2020
	October 6, 2020
Planning Board Minutes	September 15, 2020
Recreation Minutes	September 2, 2020
Wildlife Management Advisory	
Committee Meeting Recommendation	October 14, 2020

CONSENT AGENDA RESOLUTIONS: Council President Robinson motioned to adopt the following items, second by Council Member Black. Upon roll call the votes were as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

- R1: Purchase Orders over \$2,000 – MD Buying Group (N95 Masks)
BIS Digital, Inc. (PD-Annual Maintenance Contract)
NJ Fire Equipment CO. (FD- Equipment)
Sparta Discount Tire, Inc. (PD- Tires)
- R2: Authorizing Local Emergency Fund Grant Application with NJ DCA
- R3: Authorizing Insertion of Special Items of Revenue in 2020 Budget (Chapter 159)
- R4: Authorizing Extension of Grace Period Added / Omitted Tax Assessment Bills
- R5: Authorizing Duplicate Tax Payment Refund – 107 Lakeview Avenue
- R6: Authorizing Duplicate Tax Payment Refund – 225 Ridge Road
- R7: Authorizing Tax Collector to Return Escrow Balances
- R8: Authorizing Tax Collector to Waive Sewer Usage Fee

**BOROUGH OF WATCHUNG
MAYOR & COUNCIL MEETING MINUTES**

NOVEMBER 5, 2020 - 7:30 P.M.

R9: Authorizing Tax Collector to Waive Delinquent Interest – 869 Johnston Drive

NON-CONSENT AGENDA ITEMS:

Council Member Jubin motioned to adopt the following item, second by Council Member Black. Upon roll call the votes were as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Council Member Eisenberg Knegten mentioned she had asked for some clarification on bill 36723 from 11/1/20, vendor Shaine Shaeffer. Administrator Damato mentioned he would discuss with CFO Hance and get back to her.

R10: Payment of Bills

Council Member Goodloe motioned to adopt the following item, second by Council Member Black. Upon roll call the votes were as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Mayor and Council Members expressed their warm sentiment and gratitude towards all the contributions of Ms. Addario.

R11: Honoring Dorothy Addario – Historical Committee

Council Member Black motioned to adopt the following item, second by Council President Robinson. Upon roll call the votes were as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

R12: Authorizing use of Mobus Field for Borough Sponsored Basketball Tryouts

Council Member Jubin motioned to adopt the following item, second by Council Member Black. Upon roll call the votes were as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

R13: Authorizing Revised Payment of Accumulated Benefits – Arlene McCoy

Council Member Jubin motioned to pull the following item, second by Council Member Goodloe. Mayor Balla called for a voice vote, the majority “aye.”

R14: ~~Authorizing Rules and Regulations of the 2020 Deer Management Program~~

Council Member Eisenberg Knegten motioned to adopt the following item, second by Council Member Jubin. Upon roll call, the votes were as follow: Robinson, Black, Jubin, Martino “nay,” Goodloe, Eisenberg Knegten “aye.”

Council Member Goodloe requested to make a change to Exhibit A, to delete the first sentence and replaced with, “in person meetings will be held to the extent they can be held safely and in accordance with all state, federal and local guidance.”

Attorney Murphy offered clarification on the language and Council Members expressed their interpretation of the language.

Council Member Eisenberg Knegten motioned to amend Exhibit A and strike the “Governor declared emergency” language to read only “declared emergency”, second by Council Member Jubin. Upon roll call the votes were as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Council Member Jubin motioned to adopt as amended, second by Council President and upon roll call the votes were as follows: Robinson, Black, Jubin, Martino “nay,” Goodloe, Eisenberg Knegten “aye.”

R15: Adopting Public Meeting Procedures

Council Member Jubin motioned to adopt the item listed below, second by Council Member Black and upon roll call the votes were as follows: Robinson, Black, Jubin, Martino “nay,” Goodloe, Eisenberg Knegten “aye.”

R16: Authorizing Settlement of Borough of Watchung v. CenturyLink, Inc. et al.
Docket # SOM-L-1323-18

**BOROUGH OF WATCHUNG
MAYOR & COUNCIL MEETING MINUTES**

NOVEMBER 5, 2020 - 7:30 P.M.

PUBLIC PORTION - GENERAL DISCUSSION

- 1) Christine Ead, Washington Drive, appeared in person and inquired on resolution R16. Attorney Denis Murphy explained the resolution. Council Member Black offered historical context to the resolution.
- 2) Tracy DiFrancesco, Templar Drive, explained that her husband would not be holding tryouts as the schools would not allow access, therefore no need for resolution R12. She apologized that word had not reached Council in time.
- 3) Bruce Ruck, Lakeview Avenue, inquired on the votes that occurred regarding resolution R15 and if this was only for council meetings or for meetings of boards, committees, commissions. Attorney Murphy clarified and offered an explanation. Council Member Jubin inquired if the Board of Health also needed to adopt a similar resolution, since Planning and Board of Adjustment were preparing to do the same.
- 4) Council Member Jubin informed everyone that the CPAC Group was holding a fundraiser selling cakes for a good cause, in order to donate to the schools.

Council President Robinson motioned to adopt the item below, second by Council Member Eisenberg Knegten and upon roll call the votes were as follows: Robinson, Black, Jubin, Martino “nay,” Goodloe, Eisenberg Knegten “aye.”

R17: Authorizing Executive Session: Personnel Matters, Contract Negotiations, Litigation

Council Member Black also offered congratulations to Council Member Jubin and Council-Elect Freddie Hayeck

Mayor and Council entered executive session at approximately 10:45 PM and returned at approximately 11:50 PM. Upon return, Council President Robinson motioned to return to open session, second by Council Member Eisenberg Knegten. Upon roll the votes were as follows: Robinson, Goodloe, Eisenberg Knegten, Jubin, Martino “aye” Black “absent.”

ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 11:53 P.M. to the call of the Chair. The next regular meeting of the Mayor and Council is scheduled to be held on November 19, 2020 at 7:30 P.M., which is a change from the original posted date of November 23rd.