

**BOROUGH OF WATCHUNG
COUNCIL MEETING MINUTES**

JUNE 18, 2020 - 7:30 P.M.

(THIS MEETING WAS A VIRTUAL MEETING)

MAYOR'S 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 the Annual Meeting Notice to the to the Courier News, Echoes Sentinel, and Star Ledger, and posted at Borough Hall.

Mayor Balla said the following: *“We mourn and grieve with our fellow Americans on the tragic death of George Floyd, a precious child of God, a father, a brother and a friend to many . As individuals and as a community, we are outraged by the horrific acts of those who murdered George Floyd. As public servants, they swore to protect and serve the public and did not. We see the inequality, racism and discrimination across the country. It is not just or right. We must come together to listen, learn, reflect and work together to ensure that no more Black lives are lost at the hand of police brutality and racial discrimination. We support peaceful protest and call for meaningful and lasting change to treat all people equally with honor, respect, love and dignity. As Mayor, I want every resident to be heard and have a voice in Watchung. I am asking all of our residents to join me for full inclusion in the discussion and plan of action to ensure that Watchung embodies diversity, equality, inclusion and justice. We must document the Watchung municipal policies and past practices, and identify the changes that have been made. Council Teams will meet with residents to expand dialogue to better understand the issues, and needs and formulate concrete action items. After the meetings with residents, the Council and Mayor will then meet to discuss the various issues and recommendations to develop the draft action plan. The plan will then be presented to the community for discussion, revision and implementation. I want all residents of Watchung to feel comfortable and safe in expressing their concerns as we collaborate to achieve meaningful solutions. We see the pain and suffering that has shuttered many communities across the country. We must come together to listen and commit to work together to implement reforms to ensure diversity, equality, inclusion, justice and education. Our Watchung family working hand in hand to craft intentional policies to address diversity, equality, inclusion and justice will certainly create a unique bond among our citizens working in unity for the betterment of all. I certainly do not have all of the answers. I do have a willing heart and a willing spirit and an open mind to listen and lead as we walk together to exercise our God given Rights, of Life , Liberty and the pursuit of Happiness. I pray today and everyday that each and every resident of Watchung would work with me in harmony with our neighbors, regardless of their national origin, color, race, religion, age, physical or mental abilities, sexual orientation or gender identity, economic status or political opinion. We will chart the course for Watchung and I pray that we become a model for other small municipalities across our state and country demonstrating that love for one another brings us all together.”*

SALUTE TO THE FLAG and a MOMENT OF SILENCE AS WE COMMEMORATE JUNETEENTH IN OBSERVANCE OF BLACK HISTORY AND FREEDOM, DECLARING BLACK LIVES MATTER AND IN UNITY WITH ALL OF THOSE WHO STRUGGLE WITH INEQUALITY, LET US LIFT UP OUR VOICES, LIFT UP OUR ARMS, OPEN OUR HEARTS AND LOVE ONE ANOTHER

ROLL CALL:

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

Also present were Administrator James Damato, Attorney Denis Murphy, Clerk Edith G. Gil, CFO Bill Hance and OEM Coordinator Carolyn Solon.

There were 50 members present virtually.

Mayor Balla issued a proclamation declaring June as LGBTQ pride month and announced the creating of an Ad-Hoc Committee to investigate matters and other policies related to the comments received at the last meeting. The three (3) Council Members to serve on committee are those not on the Governing Body in 2019, Council President Robinson, Council Member Jubin, and Council Member Martino.

REPORT OF STANDING COMMITTEES:

1. Administration & Finance – Council Member Jubin had no report
2. Police – Council President Robinson advised that meetings took place in regards to R4 and on-going negotiations took place with the dispatchers
3. Public Works / Buildings and Grounds – Councilman Black reported that DPW has software and training that needs to be implemented; issues on the sewer line by route 22 were discussed and methods to save the Borough money are being explored, there is also a great need to hire additional

employees for Public Works, the Committee is exploring pricing outside landscapers in order to free up current staff.

Mayor recommend discussing this matter under new business.

4. Public Affairs:

Traffic & Beautification – the committee met on the 16th and discussed their plans to spruce up the island in between Somerset Street and Watchung in the fall, they also received request from the Historical Committee to plant flowers on the 9/11 memorial, plans are in the works for enhancing the blue star memorial, and are requesting that a sign be installed in Best Lake

Environmental – Council President had no report

Recreation – Council Member Black stated the main discussion to be had is regarding the summer camp and whether the Borough should move forward or not given the current pandemic.

Mayor Balla deferred this item to new business

Historical – Council Member Goodloe had no report

Board of Health – Council Member Jubin reported that all new members were sworn in; the Board also discussed the summer camp and the Governor's Executive Orders on opening them up, the Boards recommendation was to not move forward with the summer camp, but urged opening up the parks for other shorter activities. He also thanked Chris Czuba and Shannon Long on their help in contacting businesses regarding water usage and legionella.

5. Fire – Council Member Martino had no report

6. Laws/Ordinances – Council Member Eisenberg Knegten had no report, but asked that under new business the Council discuss resuming Mayor/ Council hours.

REPORTS - OTHER:

7. Engineer – Bruce Koch his report remains the same, resolution R5 is a grant application for NJDOT and his office is preparing to submit that.

8. Police Chief – no report

9. Fire Department – no report

10. Rescue Squad – Council President Robinson announced that multiple members were graduating this month. They would like to recognize frontline worker and Volunteer Christina Wu for being featured in the New York Times. During the month of May, there were 13 calls which brings the year to date total to 90.

11. Emergency Management – OEM Coordinator Carolyn Solon reported that since the last meeting no additional PPE or food donation were brought in. The State is hiring 1,000 new employees to assist with contact tracing. Ms. Solon recommended that the Outdoor Dining Committee remind businesses to try to keep track of who is dining there in case anyone becomes sick and they have to do contact tracing. As it stands now, it is not a mandate by the state to obtain phone numbers. Currently still no update from the State on the opening up of playgrounds, personal care services will begin to open up beginning on Monday. It is currently anticipated that by July 6th sports practices may begin. Ms. Solon went over the details of the Borough's responsibility when playgrounds open up, she also recommended that the summer camp not be held this year, and is working on obtaining reimbursements for COVID related expenses which are currently at \$18,000 with a 75% reimbursement rate. Ms. Solon reported on 4 local protests that were held in the Borough and the \$4,108.48 cost incurred with the Police department.

Council Member Martino called a motion, second by Council Member Jubin to close the fields until further guidance is obtained. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino "aye."

12. Attorney – no report

13. Clerk – Mayor Balla asked the Clerk to introduce herself and provide an overview of her background. The Clerk also reported on the upcoming Primary Election and the changes as a result of the Governors Executive Order 144. The Primary election is mainly a vote-by-mail election, but the Borough will have 1 polling location open at the Firemen's Exempt Hall located at 31 Mountain Boulevard.

14. Administrator – Mr. Damato reported on the updates to the Covid cases submitted by Health Officer Kevin Sumner and updates on Somerset County conference calls, also in regards to covid. The Outdoor Dining Committee handled 2 applications received for Water and Wine and for Buffalo Wild Wings who are now operating. He reported on the plexiglass being installed at Borough Hall and the reopening procedures being implemented.

15. Wildlife Committee – no reports

16. Youth Services – no reports

17. Planning Board – Councilman Martino reported that they met on June 16th and passed an application for City MD and a final resolution was adopted to not provide a transfer of the application from BNE to current landowner for redevelopment site.

18. Board of Education – Council Member Eisenberg Knegten reported on the new Bayberry Principal, Denise Fechner, and the possibility of an in-person 8th grade graduation celebration.

19. Municipal Alliance – no report

20. Library Advisory Board – Council Member Goodloe reported on the Hands Free Hold curbside pickup program that was started, the County Library has posted several online programs for residents, and the re-opening of the library is scheduled under Phase 2 of the Governor’s reopening plan.

During the conduct of the meeting, unless a Public Hearing is held or the Regular Order of Business is waived, the audience does not participate. A Public Portion is held prior to action taken on Agenda items for agenda item discussion only, and another Public Portion is held at the end of the meeting for general discussion. Individuals commenting from the audience will be limited to three minutes per person, and will not be permitted to speak again until everyone has had an opportunity to speak. If a group is represented by an attorney, the attorney will be given five minutes to make the presentation for the group.

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PUBLIC PORTION / AGENDA ITEMS ONLY

No one appearing

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UNFINISHED BUSINESS

Public Hearing on OR:20/03 entitled: **“AN AMENDMENT TO THE 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 GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG”**

R1: 06/18/20 Adoption of OR:20/03 – Amend Code / Revises Regulations Pertaining to Placement and Height of Fences

Council Member Eisenberg Knegten called for second reading Ordinance 20/03 and asked the Clerk to read the ordinance by title. Following the reading, Council Member Eisenberg Knegten asked the Clerk to produce an affidavit of publication and certification of posting. Upon the Clerk producing affidavit and certification, Council Member Eisenberg Knegten moved, second by Council Member Black, to have a public hearing on this ordinance.

Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Martino “aye”; and Jubin “no”

Council Member Jubin expressed his position on fences and encouraged the Wildlife Committee and Environmental Commission to collaborate as residents may choose to plant or use smaller shrubs as fences. Council President Robinson also expressed her change in position on this ordinance.

No one from the public appeared.

Council Member Eisenberg Knegten moved, second by Council President Robinson, to close the public hearing, the ordinance be adopted, and offer a resolution directing the Clerk to advertise in accordance with law. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Martino “aye”; and Jubin “no”

R2: Amending the 2020 Municipal Budget

Council Member Jubin called upon the Clerk to read the amending resolution and offered the foregoing resolution and moved to adopt, second by Council Member Black. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

R3: Adopting the 2020 Municipal Budget

Council Member Jubin called upon the Clerk to read Section 2, the adopting resolution for the budget and offered the foregoing resolution and moved to adopt, second by Council President Robinson. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Council Member Goodloe expressed that the tax increase was unavoidable given the current situation and that the Borough must prepare to have possible shortfalls in next years budget, given the revenue decline.

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NEW BUSINESS

CONSENT AGENDA: Matters listed within the Consent Agenda have been referred to members of the Borough Council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action.

Acknowledging Receipt of the following Borough Reports:

- Building Department– May 2020
- Zoning Board of Adjustment Transcripts– May 2020

Acknowledging Receipt of the following Correspondence:

- #19 - Township of Berkeley Heights 6/10/20 Notice of Public Hearing/Adoption 06/16/20, Ordinances 2020-9, 2020-10 and 2020-11, re: Ordinances to create inclusionary overlay zones for certain properties within the Downtown Districts C: M& C, JD, Pl. Board

Council President Robinson offered the foregoing to be accepted and motioned to adopt, second by Council Member Goodloe. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

The Mayor brought up the following discussions from earlier:

The request for Public Works to hire additional summer help or part time employees. Council Member Jubin expressed concerns on having additional expenditures, but acknowledged the true need that Public Works has for additional support. Council Member Martino petitioned for a plan in place before any hires take place. Mayor Balla inquired on any shared service plans and Council Member Black mentioned that it was something that could be explored. Mayor Balla deferred any further action.

The suspension of recreation summer camp for 2020.
All Council Members expressed agreement in suspending these activities as it is in the best interest of the public for health reasons.

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CONSENT AGENDA RESOLUTIONS: The resolutions listed below were submitted to the Governing Body for review and will be adopted by one motion.

- R4: Confirmation of Completion of Probationary Year – Officers Kaneshige, Peltack

Council President Robinson offered the foregoing and motioned to adopt, second by Council Member Black. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

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NON-CONSENT AGENDA ITEMS: Items listed below will be individually addressed an acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion.

- R5: 06/18/20 Authorizing grant application for 2021 Municipal Aid

Council Member Black offered the foregoing and motioned to adopt, second by Council President Robinson. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

- R6: Payment of Bills

Council Member Jubin offered the foregoing and motioned to adopt, second by Council Member Black. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

- R7: Resolution condemning discriminatory practices

Council President Robinson offered the foregoing and motioned to adopt, second by Council Member Black. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Council Member Eisenberg Knegten spoke on the Black Lives Matter movement and noted that upon the suggestion of Council Member Goodloe additional words be added to the above resolutions. She urged that the words “as Black Lives Matter” be added to the resolution. A motion was made to amend the resolution, second by Council Member Goodloe, and upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Council President Robinson offered the foregoing amended resolution and motioned to adopt, second by Council Member Eisenberg Knegten. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Council Member Goodloe applauded the resolutions and stated this was only a first step, that an action plan must be created and urged the Mayor and Council to support the creation of a volunteer led diversity and inclusion committee.

R8: Plan of Action for Diversity and Inclusion

Council President Robinson offered the foregoing resolution and motioned to adopt, second by Council Member Martino. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Council Member Jubin urged residents to come out and speak when it is time to hold these meetings to speak on their experiences so that all voices are heard. Council President also mentioned that they would look into Professionals for their expert advice on this matter.

R9: Authorizing Payment of Accumulated Benefits- Michelle DeRocco

Council Member Jubin offered the foregoing and motioned to adopt, second by Council President Robinson. Upon a roll call the vote was as follows: Robinson, Black, Goodloe, Eisenberg Knegten, Jubin, Martino “aye.”

Council Member Martino expressed concerns and inquired on Borough policies regarding the unused time of employees. Administrator Damato explained that several years ago, employees were allowed to be paid out their unused time. This practice has since been curtailed and is no longer permissible for new employees. However, prior hires were grandfathered in.

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PUBLIC PORTION - GENERAL DISCUSSION

Tynisha Simmos, 124 Edgemont Road, spoke to express her thanks and excitement to the Governing Body on the resolutions presented tonight and looks forward to working together to see changes.

Rhea Williams, 11 Kappelmann Dr, also expressed her excitement on moving forward regarding the Councils action in light of the recent George Floyd matter and expressed the need for greater transparency. She recommended an anonymous line for residents who may not feel comfortable disclosing their experiences so that all may have a chance to be heard.

Calee Goldstein, 115 Oakwood Road East, who personally organized the vigil and march in support of the Black Lives Matter movement and hopes that the Mayor and Council can use their power to enact policies that limit the use of force.

The Mayor thanked Calee Goldstein for organizing both events.

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ADJOURNMENT

There being no further business to come before the Council, the motion to adjourn meeting was made by Council President Robinson, second by Council Member Goodloe, with a unanimous vote to adjourn at 9:55 PM.

The next Regular meeting of the Mayor and Council is scheduled to be held on July 16, 2020 at 7:30 P.M.

Respectfully Submitted,

Edith G. Gil
Borough Clerk