

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

DECEMBER 17, 2020 - 7:30 P.M.

[THIS MEETING WAS HELD VIRTUAL FOR ALL PARTIES]

MAYOR'S STATEMENT: Mayor Keith S. Balla called the meeting to order at 7:33 PM and stated the following: 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, the Star Ledger, posted at Borough Hall and on the Borough's website. In order to comply with all NJ Executive Orders and to protect members of the public, this meeting will be held virtual for all parties. Public Comments will be accepted through zoom at the designated time or in writing. For those joining through Zoom, please note that on arrival you are automatically muted. If you wish to speak during public portion, you will need to click on the "raise your hand" feature. For those joining us through the conference call line, you will need to press *6 to unmute yourself.

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]

SPECIAL RECOGNITION

Mayor Balla welcomed Senator Thomas Cain, Assembly Member's John Bramnick and Nancy Muñoz and proceeded to give a special recognition to Council Member Black and spoke of his contributions to the Borough of Watchung.

Mayor Balla presented Council Member Black with the Key to the Borough.

Council Member Black thanked everyone and spoke of his appreciation for everyone at the Borough.

Senator Kean and Assembly Member Bramnick also provided comments thanking Council Member Black for his contributions and virtually presented a Resolution by the State of New Jersey, sponsored by them, recognizing the outstanding work of Council Member Black.

All Council Members commented and spoke appreciatively of their time with Council Member Black.

R1: Recognizing and Commending Council Member Stephen L. Black

Council President Robinson moved and read onto the record the above resolution, second by Council Member Goodloe. Upon roll call the votes were as follows: Robinson, Goodloe, Eisenberg Knegten, Jubin and Martino "aye"; Black "absent."

REPORT OF WIDER COMMITTEE

Council President Robinson spoke on the inception of the WIDER Committee and made the following recommendations to eliminate or reduce similar events from occurring:

- 1) Set a policy for all organized events sponsored by or occurring in the Borough
- 2) As part of the policy, adopt an anti-bullying harassment and intimidation policy similar to the Board of Education's policy with appropriate revisions determined by the Administrator
- 3) All campers and their parents should sign off on a Code of Conduct that will include the foregoing policy
- 4) Those hired would go through an inclusion and diversity training
- 5) Efforts should be made to recruit a diverse group of counselors to whom various campers could relate because they are more like them.
- 6) Any incidents that occur must be documented by the observing Counselors and reported to the Borough Administrator who will alert the Mayor and Council if the reports have discrimination or are bias with certain confidentiality due to the minor status of campers

Council President Robinson also thanked those residents that chose to share their experiences with the committee and mentioned their goal is to raise awareness of these issues and to make Watchung a more desirable place to live in. They seek to do so by:

- 1) Establishing more inclusive hiring practices
- 2) All employees should undergo training in inclusion, diversity, equality and respect
- 3) Collaborate with the Board of Education on the measure they are taking to advance inclusion, diversity, equality and respect
- 4) Provide educational opportunities and other resources for our residents through the Borough's new and improved website
- 5) Hold more events that will express that unity is part of community

REPORTS OF STANDING COMMITTEES

1. Administration & Finance – Council Member Jubin reported that a meeting was held December 15th and discussions were held on the Animal Control Services contract, the impact of vacancy rates with

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the Tax Assessor, reported that the Borough is moving forward with renewing pet licenses online in 2021 and that proposals were requested for website development.

2. Police – Council President Robinson commended the Police Department for reporting on the storm preparations that took place and handling the road closures caused by the storm.
3. Public Works / Buildings and Grounds – Council Member Martino reported that he received no complaints on the recent storm.
4. Public Affairs: Council Member Goodloe reported on the recommendation of the Traffic and Beautification Commission, they wish to use their remaining funds for the purchase of deer lights for 2021. Council Member Goodloe motioned to move the purchase of these lights, with a second from Council Member Eisenberg Knegten.

Council Member's Eisenberg Knegten, Martino and Robinson made additional inquiries on the proposed purchase. Council President mentioned that the budget of various committee's were currently frozen and Council Member Martino and Jubin suggested that this be revisited in the future after re-visiting the details of the purchase. Motion was withdrawn.

Environmental: Council President Robinson gave the tree report, noted there was a deficit, and spoke on a tree replacement plan. Concerns from the Commission on the proposed day-care center were submitted to the Planning Board; at the commission's last meeting they spoke of the spotted lantern mitigation issue and they are working on revisions to the tree removal permit and the tree bank ordinance. A consensus was reached on where to place the bench at best lake. The concerns of various residents on bamboo were also discussed.

Recreation: Council Member Martino inquired on the ice-sculpture contest and the holiday decoration competition. Mayor Balla clarified that this year there was no holiday decoration competition as participation was extremely low last year. Mayor Balla asked that the Recreation Commission lay out a full year plan in the beginning of next year in collaboration with other Watchung businesses. Council Member Goodloe confirmed that there is currently a snow sculpture contest.

Historical: There was no report provided.

Board of Health: Council Member Jubin reported on the last meeting held by the Board and mentioned that the animal control contract was also discussed in addition to the Board's budget. He clarified on where everyone gets their information from and reported on vaccine information.

5. Fire: Council President Martino spoke on the new fire volunteers on tonight's agenda and mentioned that he still did not have an update on the fee's to be returned by the State on the outstanding fire prevention program. Administrator Damato provided an update on the communication tower of the Weldon site.
6. Laws/Ordinances: no report was provided, but Council Member Eisenberg Knegten asked for a consensus from the Council on the proposed bamboo ordinance. Council Member Martino suggested setting an agenda setting meeting and proposed that the Laws and Ordinance Committee look in this, same was echoed by Council Member Eisenberg Knegten.

REPORTS – OTHER:

7. Engineer: Malay Patel reported on behalf of Engineer Bruce Koch on the capital status report and provided Council with an update on Culvert.
8. Police Chief: Chief Kelly provided data on the month of November.
9. Fire Department: Assistant Chief Pivnichny reported on the volunteers scheduled to be confirmed,
10. Rescue Squad: Council President provided an update on the change of leadership for the Rescue Squad.
11. Emergency Management: OEM Coordinator Carolyn Solon provided an update on food and winter clothing donations and commended the cooperation of the various departments in dealing with the storm. Council Member Jubin thanked all the departments for their leadership in dealing with the storm.
12. Attorney: Attorney Denis Murphy spoke on the ordinance scheduled for public hearing and adoption at this meeting.
13. Clerk: Clerk Edith Gil informed the public that online pet renewals would be possible as of January 2021. Council President thanked the Clerk for revamping the volunteer form.

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14. Administrator: Administrator James Damato provided more information on the Public Works report and commended their hard work during the storm and spoke on their operations. He also provided a status update on covid cases. Council Member Eisenberg Knegten motioned that covid data be made available to the public on a regular basis, second by Council Member Goodloe.
- OEM Coordinator Solon mentioned that the data is not stable enough to be released and expressed the sentiment of the Middle Brook Reginal Health Commission. Council Member Jubin engaged Board of Health Member Bruce Ruck and offered comments on this subject. All Members expressed their concerns for releasing this information.
- Upon roll call, the votes were as follows: Robinson, Jubin “no;” Goodloe, Eisenberg Knegten, Martino, “aye,” Black “absent.”
15. Wildlife Committee: no report was provided
16. Youth Services: no report was provided
17. Planning Board: Council Member Martino reported that the planning board had public input on the master plan at their last meeting and the plan was adopted. He also reported on the discussions of the board’s special meeting.
18. Board of Education: no report was provided
19. Municipal Alliance: no report was provided
20. Library Advisory Board: no report was provided

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.

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PUBLIC PORTION / AGENDA ITEMS ONLY

- 1) Bruce Ruck, Lakeview Avenue, spoke on the bamboo ordinance and suggested that poison ivy and tree overgrowth also be looked into, as it is invasive onto other properties.
- 2) Ray Barret, Valley Road, commented on Council Member Black’s departure and on the proposed new website to ensure transparency.
- 3) Anthony Ingrassia, High Oaks Drive, submitted a written comment and thanked Council Member Black for his time, congratulated Chief Kelly and offered comments on resolution “R10 Accepting Donation to Replace Tree of Remembrance.” The Clerk read the written comments submitted onto the record *“Thank you Steve Black for your dedication and service of so many years to Watchung. Congratulations to Watchung Police Chief Kelly. I am writing today with comments on Non-consent agenda item “Accept donation to replace a tree of remembrance.” I encourage the council to accept this generous donation to replace the tree that was donated by the Beautification Committee immediately after the 9/11 attacks in 2001, which was removed due to poor health. If the proposed/previous location of the tree is deemed unaesthetic or infeasible given its proximity to the new memorial, I encourage the council to work together with constituents and committee members to determine a mutually agreeable location, rather than just voting this resolution down tonight. Doing so is essentially refusing to accept a donation honoring those who died in the September 11th terrorist attacks, no matter where the tree is placed. This council can and should accept the donation and amend the resolution, leaving the location to be determined. Thank you for your consideration.”*

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DISCUSSION

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UNFINISHED BUSINESS

Council Member Jubin motioned, seconded by Council President Robinson to open the public hearing for the below ordinance.

Public Hearing of Ordinance OR 20/06 entitled: “AN ORDINANCE TO AMEND ORDINANCE NOS. OR:19/015 and OR: 18/20, ADOPTING A "REDEVELOPMENT PLAN" FOR A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT CONSISTING OF BLOCK 7402, LOTS 19.01 AND 19.02 AND BLOCK 7403, LOTS 5 AND 10 AND FURTHER IDENTIFIED AS THE "BONNIE BURN ROAD REDEVELOPMENT AREA", AS SHOWN ON THE BOROUGH OF WATCHUNG TAX MAP IN ACCORDANCE WITH N.J.S.A. 40A:12A-7.”

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There being no one appearing for the public hearing, motion was made by Council Member Jubin, second by Council President Robinson to close the public hearing. Upon a roll call vote, the votes were as followed: Robinson, Goodloe, Eisenberg Knegten, Jubin, Martino “aye,” Black “absent.”

R2: Adoption of OR 20/06 - Amending OR 19/05 and OR 18/20

Council Member Jubin motion to adopt OR 20/06, second by Council President Robinson and upon a roll call vote, the votes were as followed: Robinson, Goodloe, Eisenberg Knegten, Jubin, Martino “aye,” Black “absent.”

NEW BUSINESS

CONSENT AGENDA: Matters listed within the Consent Agenda were referred to members of the Borough Council for reading and study, and were enacted by one motion of the Council.

Acknowledging Receipt of the following Borough Reports:

Building Department	November 2020
Environmental Commission Minutes	October 26, 2020
Police Activity Report	November 2020
Master Plan Re-Examination Report	2020-2030

Acknowledging Receipt of the following Correspondence:

- #37- Suburban Municipal Joint Insurance Fund 12/15/20 Notice of 2021 Adopted Budget c: M&C, JD
- #38- Watchung Planning Board 12/15/20 Resolution PB20-R18 Review and Report to the Borough Council on Proposed Amendment to the Bonnie Burn Redevelopment Ordinances c: M&C, JD, DM

Council President Robinson motioned the acceptance of the above items, second by Council Member Eisenberg Knegten and upon a roll call vote the votes were as followed: Robinson, Goodloe, Eisenberg Knegten, Jubin, Martino “aye,” Black “absent.”

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

- R3: Purchase Orders over \$2,000 – OSI Technology (PD-phone maintenance for 2021)
BODE Technology (PD-evidence processing)
Emergency Accessories (PD-lights & equipment for 2021)
- R4: Demanding that NJ Legislature Accept its Responsibility to Administer the Provisions of the Affordable Housing Act and Stay Further Action Until Such Time as it Has Promulgated Rules Governing its Implementation
- R5: ~~Authorizing a Shared Services Agreement with the County of Somerset for the Construction and Use of a Salt Storage Building~~ **Item removed**
- R6: Authorizing the Placement of a Mid-Block Crosswalk Across Bayberry Lane and the Installation of the Appropriate Signage and Re-Stripping of the Street for the Same
- R7: Accepting a Grant from the NJ Office of Attorney General for FY 2021 Safe & Secure Communities Program in the amount of \$32,400.00

Council President Robinson motioned the adoption of the above items, with the exception of R5 which was removed from agenda, second by Council Member Jubin and upon a roll call vote the votes were as followed: Robinson, Goodloe, Eisenberg Knegten, Jubin, Martino “aye,” Black “absent.”

NON-CONSENT AGENDA ITEMS:

R8: Authorizing Bill List

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

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R9: Authorizing an Employment Agreement for Police Chief – William P. Kelly, III

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

Mayor Balla performed the oath of office for Chief Kelly.

R10: ~~Accepting Donation to Replace Tree of Remembrance.~~ **Item Removed.**

Mayor Balla thanked Council Member Martino for his donation but asked to defer R10 from the agenda until weather permitted.

R11: Appointing John Edward Malchow to the Historical Committee for a 1-year term

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

R12: Awarding Contract for Snow Plowing services to ASL Group, LLC.

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

R13: Recognizing and Commending Harriet Stambaugh

The Mayor and Council Members expressed their appreciation for Ms. Stambaugh and commended her for her various years of dedication and volunteerism to Watchung. Ms. Stambaugh was present and expressed her sentiments to all.

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

R14: Authorizing a Merchant Processing Agreement to Allow an Online Pet Renewal Process

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

R15: Authorizing 1-year Contract for Animal Control Services – St. Hubert’s Giralda, Inc

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

R16: Authorizing Appointment of Fire Volunteers

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

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PUBLIC PORTION - GENERAL DISCUSSION

No comments were provided

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R17: Authorizing Executive Session: Contract Negotiation, Personnel Matters, Pending Litigation and Attorney-Client Privilege Matters

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

Upon return from executive session, Council President motioned to return to open session, second by Council Member Goodloe. Upon roll call, the vote were as followed: Robinson, Goodloe, Eisenberg Knegten, Jubin, Martino “aye,” Black “absent.”

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ADJOURNMENT

There being no further business, Council President moved to close the meeting. The meeting adjourned to the Call of the Chair at 11:45 P.M. The next meeting of the Mayor and Council is the Re-Organization Meeting scheduled to be held on January 7, 2021 at 6:00 P.M.

Respectfully submitted,

Edith G. Gil
Borough Clerk