

**BOROUGH OF WATCHUNG
OR 21/01**

**ORDINANCE AMENDING SECTION 2-15 OF THE CODE OF THE BOROUGH OF
WATCHUNG AMENDING AND SUPPLEMENTING THE APPOINTMENT, POWER,
DUTIES, AND RESPONSIBILITIES OF THE PRINCIPAL PUBLIC WORKS
MANAGER OF THE BOROUGH OF WATCHUNG**

WHEREAS, *N.J.S.A.* 40A:9-140 requires municipalities to provide for the appointment of a municipal engineer; and

WHEREAS, § 2-13, *et seq.* of the Code of the Borough of Watchung (“Watchung Code”) provides for the office, appointment, duties and responsibilities of the Borough Engineer for the Borough of Watchung; and

WHEREAS, *N.J.S.A.* 40A:9-154.6g requires municipalities to provide for the appointment of a Principal Public Works Manager to perform administrative and supervisory duties relating to the installation, maintenance and repair of public works facilities, or to assist in planning, organizing and directing all programs relating to a public works activity, or a combination thereof, who is appointed by the local governing body, and who is not an elected member of that governing body, and who advises municipal elected officials and employees in proper compliance and administration of the various laws, regulations, technical practices, operations and management techniques with regard to public works activities conducted by the municipality; and

WHEREAS, *N.J.S.A.* 40A:9-154.6g specifically provides that the designation of principal public works manager shall not be considered a separate position or title within the municipality but shall signify the performance of duties by the person selected to advise municipal elected officials and employees; and

WHEREAS, § 2-15, *et seq.* of the Watchung Code establishes and provides for the position, appointment and duties of the Principal Public Works Manager; and

WHEREAS, the Mayor and Council have determined that in order to ensure the maximum efficiency of the operations of the Borough of Watchung and the Department of Public Works, it is necessary to amend the appointment, powers, duties and responsibilities of the office and position of the Principal Public Works Manager within the Borough of Watchung, who will assume all powers, duties and responsibilities of the Borough Engineer.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Watchung, the County of Somerset, State of New Jersey that the Section 2-15 of the Code of the Borough of Watchung, entitled “Principal Public Works Manager” is hereby amended to state as follows:

§ 2-15 PRINCIPAL PUBLIC WORKS MANAGER/ DIRECTOR OF PUBLIC WORKS.

§ 2-15.1 Creation of Office.

Pursuant to *N.J.S.A.* 40A:60-6(3), the position of Principal Public Works Manager/ Director of Public Works is hereby created in and for the Borough of Watchung. Unless waived by the

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Mayor and Borough Council, the Principal Public Works Manager/ Director of Public Works shall also serve as the Borough Engineer of the Borough of Watchung.

§ 2-15.2 Appointment.

The Mayor, with the advice and consent of the Council, shall appoint a Principal Public Works Manager/ Director of Public Works.

§ 2-15.3 Qualifications.

The Principal Public Works Manager/Director of Public Works shall be a person qualified by education, training and experience to perform the duties of the office and shall have and maintain such certifications or licenses as required by statute and as his/her duties may require. Unless specifically waived by the Mayor and Council, the Principal Public Works Manager/Director of Public Works shall possess all of the requirements of the Borough Engineer as well as the following:

- (a) B.S. in Civil Engineering or a closely related field combined with eight (8) years of increasingly responsible experience in civil engineering; street/highway experience preferred; or any equivalent combination of education and experience.
- (b) Valid Professional Engineer license in the State of New Jersey;
- (c) Public Works Manager Certificate, or to the extent permitted by law, the ability to obtain a Public Works Manager Certificate in a reasonable amount of time;
- (d) Certified Recycling Professional;
- (e) Public Wastewater Collection System License (C License);
- (f) Commercial Drivers' License (CDL)
- (g) NJ Pesticide Applicator Certification and License;
- (h) Dam maintenance and safety training;
- (i) Additional environmental certifications and/or training as well as training in horticulture, arboriculture, or agriculture, or any other license, certification and training to be determined by the Mayor, Administrator and/or Borough Council that is in the best interest of the efficient operations of the Borough and/or the Department of Public Works.

To the extent that a candidate, or individual appointed to the position of Principal Public Works Manager/Director of Public Works, lacks any of the aforementioned requirements and the Mayor and Council have determined to waive such requirements for the appointment, the Mayor and Council may require the commencement and completion of training and/or obtaining of such license and/or certification within a reasonable amount of time from the appointment as a condition of appointment and continued employment.

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§ 2-15.4. Powers, Duties and Responsibilities.

a. The Principal Public Works Manager/Director of Public Works shall assume all of the powers, duties and responsibilities of the Borough Engineer. In addition to all of the powers, duties and responsibilities set forth in § 2-13.2 and N.J.S.A. 40A:9-154.6g, the Principal Public Works Manager/Director of Public Works shall have the powers, duties and responsibilities to:

(1). Supervise and act as the head of the Department of Public Works and all of its employees and report to the Borough Administrator.

(2) Supervise the maintenance of all Borough streets, roads, sidewalks, parks, recreational areas, buildings and grounds, and all Borough-owned property, including streets, lawns and shrubs.

(3) Provide for and supervise the operation, installation, repair, and maintenance of all Borough-owned or controlled storm sewers, sanitary sewers and water lines and appurtenances, such as pumping stations, force mains, hydrants, water tanks or reservoirs, catch basins, manholes and the like and all connections thereto.

(4) Set up and maintain adequate inventory and control thereof of all materials and supplies needed for the maintenance and repair of all public works under his/her supervision.

(5) Submit to the Borough Administrator and the Chair of the Public Works Committee a monthly report of all work performed and services furnished as well as inspections made during the previous month.

(6) Submit to the Borough Administrator, the Chair of the Public Works Committee and the Borough Council his/her recommendations for budget appropriations for the ensuing year, and maintain records on all public works budget items.

(7) Recommend for approval the expenditure of all funds by voucher chargeable against the public works budget.

(8) Inspect or be responsible for the inspection of all sewer and water lines in the Borough individually or in conjunction with other designated officials.

(9) Supervise the operation, maintenance and repair of any Borough owned equipment used in the performance of the work assigned to him/her and/or the Department of Public Works.

(10) Set up, keep and maintain all the necessary books, records, field notes, maps, surveys and similar records necessary to perform the duties of his/her office and turn over all of such records to his/her successor and the Borough Administrator on the termination of his/her employment by the Borough.

(11) Recommend to the Borough Administrator and the appropriate committee chairman the need for any repairs and replacements to Borough-owned equipment, structures, buildings or grounds.

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OR 21/01

- (12) Direct all Road Department personnel and supervise the performance of any personnel assigned to his/her jurisdiction and/or the Department of Public Works.
- (13) Provide project management and oversight for the construction of municipal public works projects within the Borough of Watchung.
- (14) Assign and manage all general public works response during emergency storms with the Office of Emergency Management.
- (15) Oversee assigned projects to ensure contractor compliance with all project requirements.
- (16) Assist in the hiring, training, discipline, and evaluation of the performance of assigned staff.
- (17) Prepare operational guidelines for subordinate staff and monitors response.
- (18) Maintain, prepare, and/or update the sanitary sewer, water, storm drainage, and street system maps, along with associated databases.
- (19) Create and maintain an account with NJ One Call for sanitary and storm sewer infrastructure.
- (20) Respond to public or other inquiries relative to engineering and public works policies and procedures on specific projects and other information.
- (21) Evaluate issues and options regarding municipal engineering and public works and make recommendations to the Borough Administrator.
- (22) Serve as a member of the department head's management team and communicate key organizational issues to staff.
- (23) Participate and prepare long range plans for projects to be considered by the Public Works Committee for recommendation to the Mayor and Borough Council.
- (24) Establish work programs and implement plans and manage operations and functional programs within the Department of Public Works and Engineering.
- (25) Evaluate employees within the Department and make personnel recommendations to the Borough Administrator.
- (26) Prepare, inspect, and approve plans and specifications for development of lands within the Borough and consult with contractors on projects, as appropriate.
- (27) Prepare, develop, and submit the annual department budget to the Borough Administration.
- (28) With coordination and oversight by the Borough Administrator, provide general supervision over engineering and construction work by outside contractors, and all duties and responsibilities of the Department of Public Works, as established by ordinance, or as assigned by the Borough Administrator.

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OR 21/01**

(29) Maintain responsibility for the design, survey, construction, and inspection of all street, storm sewers, and other capital improvement projects and/or development projects.

(30) Coordinate capital improvement projects with consultants, private contractors, and affected Borough departments.

(31) In consultation with the Borough Administrator, oversee all projects assigned to the Borough's Consulting Engineers appointed by the Mayor and Council.

(32) Provide technical assistance on state/federal grants on all assigned projects.

(33) Provide advisory services to other Borough departments on matters related to professional civil engineering.

(34) Prepare the divisional budgets for review by the Borough Administrator and Chief Financial Officer.

(35) Participate in the development of the Capital Improvement Plan in terms of project priority recommendations and project cost estimates.

(36) Provide grant writing and administration services, as directed.

(37) Attend Mayor and Council meetings and any other meeting/s as requested by the Mayor, Council, or Borough Administrator.

The position and office of Principal Public Works Manager/Director or Public Works is an essential position of the Borough. In-person attendance at the Borough facilities is an essential function of this position. The Principal Public Works Manager/Director of Public Works is not eligible for remote work.

§ 2-15.5 Salary.

The Principal Public Works Manager/Director of Public Works shall receive as salary such sum as may be fixed and established by the annual Salary Resolution of the Borough and, in addition thereto, shall be provided with transportation for the performance of his/her duties. The salary range for the position of Principal Public Works Manager/Director of Public Works shall be Ninety Thousand Dollars (\$90,000.00) annually to One Hundred Thirty Thousand Dollars (\$130,000.00) annually, which may be amended from time to time by way of adoption of the annual salary ordinance of the Borough.

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 the within Ordinance shall take effect upon final passage and publication according to law.

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BE IT FURTHER ORDAINED by the Mayor and Council that the within Ordinance and all requirements contained herein shall have a prospective effect and the qualifications requirements and assumption of powers, duties and responsibilities of the Principal Public Works Manager/Public Works Director contained herein shall not apply to the existing Principal Public Works Manager.

INTRODUCED: JUBIN
PASSED: JANUARY 7, 2021
PUBLISHED: JANUARY 14, 2021
ADOPTED: JANUARY 21, 2021

ATTEST:



Edith G. Gil, Borough Clerk

APPROVED:



Keith S. Balla, Mayor

**BOROUGH OF WATCHUNG
RESOLUTION: R1**


BE IT RESOLVED that Ordinance **OR:21/01** entitled:

“ORDINANCE AMENDING SECTION 2-15 OF THE CODE OF THE BOROUGH OF WATCHUNG AMENDING AND SUPPLEMENTING THE APPOINTMENT, POWER, DUTIES, AND RESPONSIBILITIES OF THE PRINCIPAL PUBLIC WORKS MANAGER OF THE BOROUGH OF WATCHUNG” can now be adopted after public hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Borough Clerk is hereby authorized to publish notice of adoption in accordance with law. This ordinance shall become effective after final passage, adoption and publication in accordance with law.



Ronald Jubin, Council Member



Keith S. Balla, Mayor

Adopted:	January 21, 2021
Index:	Code, Misc.
C:	General Code

BOROUGH OF WATCHUNG
RESOLUTION: R2

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 by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Purchasing Agent be authorized to issue Purchase Orders as follows:

Vendor: ACE Tech Pest, 178 Stahl's Way, North Plainfield, NJ 07060
Item: Pest Control Services (Library, Borough Hall, PW Garage, Police, Texier)
Total Price: \$2,554.00
Charged to: 0-01-155-273

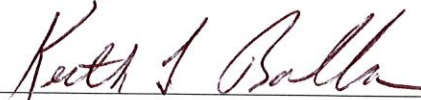
Vendor: Read Auto Parts, Napa Parts, 1632 E. 2nd Street, Scotch Plains, NJ 07090
Item: Plow Equipment & Supplies
Total Price: \$3,321.71
Charged to: 0-01-205-247

Vendor: Watchung Service Center, 700 Somerset Street, Watchung, NJ 07069
Item: Routine Oil/Tire Changes, Police Vehicles
Total Price: \$3,609.95
Charged to: 0-01-190-269

Vendor: Thyssenkrupp Elevator Corp. 4400 Raritan Center Parkway, Edison, NJ 08837
Item: Elevators Service Agreement, full maintenance (12/2020 to 11/2021)
Total Price: \$5,958.90
Charged to: 0-01-110-278

Vendor: AC Daughtry Security Systems, 381 Main Road, Montville, NJ 07045
Item: Fire System monitor & repairs (East End & Mt. Blvd Fire Houses, Brough Hall, Library, Texier House, DPW Garage)
Total Price: \$9,130.96
Charged to: 0-01-155-273; 0-01-415-267


Wendy Robinson, Council President


Keith S. Balla, Mayor

Date: January 21, 2021
INDEX: Purchases
C: Finance

**BOROUGH OF WATCHUNG
RESOLUTION R3**

WHEREAS, funds have been remitted by Susan Ozimek to redeem tax sale certificate #16-00015 held by Violet Potter on Block 7010 Lot 22, 22 Berkeley Square, assessed in the name Susan H. Ozimek, and the Mayor and Council must approve the distribution of these funds.

NOW, THEREFORE BE IT RESOLVED, by the Mayor & Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Treasurer is authorized to remit payment to the lienholders as follows:

Principal	\$41,022.08
Interest & Penalties	\$20,391.91
Premium	\$45,000.00
Total:	\$106,413.99


Wendy Robinson, Council President


Keith S. Balla, Mayor

Adopted: January 21, 2021
Index: Finance-Misc.
C:

Borough of Watchung

Resolution: R4

WHEREAS, the temporary budget adopted by the Mayor and Council was predicated on a timely adoption of the budget, and

WHEREAS, N.J.S.A. 40A:4-20 provides for an emergency temporary budget prior to adoption of the final budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the following temporary emergency appropriations be made inasmuch as the amounts listed will be included in the final adoption of the budget:

Administrative & Executive	\$34,000.00	\$15,000.00
Borough Clerk	\$51,000.00	\$15,000.00
Elections		\$500.00
Financial Administration	\$38,000.00	\$9,000.00
Auditor		\$15,000.00
Assessment of Taxes	\$23,000.00	\$10,000.00
Collection of Taxes	\$15,000.00	\$3,000.00
Legal Services & Costs		\$30,000.00
Engineering Services & Costs	\$29,000.00	\$30,000.00
Public Buildings	\$30,000.00	\$15,000.00
Bulk Pickup		\$500.00
Planning Board	\$5,000.00	\$5,000.00
Zoning Board of Adjustment	\$5,000.00	\$1,000.00
Recycling		\$15,000.00
Insurance:		
Group Insurance for Employees		\$300,000.00
Workers Compensation		\$45,000.00
Other Insured Premiums		\$50,000.00
Fire		\$25,000.00
Uniform Fire Safety Act	\$10,000.00	\$2,000.00
Police	\$891,009.20	\$55,000.00
Construction Code		
Building Inspector	\$25,000.00	\$5,000.00
Plumbing Inspector	\$6,000.00	
Fire Protection Official	\$6,500.00	
Electrical Inspector	\$6,000.00	
Emergency Management Services	\$1,500.00	\$500.00
First Aid Organization		\$500.00
Sewer System	\$12,000.00	\$5,000.00
Sewer Interlocal Agreements		\$100,000.00
Board of Health	\$500.00	\$25,000.00
Dog Regulation		\$2,000.00
Streets & Roads	\$205,000.00	\$50,000.00
Gas & Oil		\$45,000.00
Street Lighting		\$14,000.00
Traffic & Beautification		\$2,500.00
Environmental Commission		\$500.00
Historical Commission		\$500.00

Borough of Watchung

Resolution: R4

Recreation Commission	\$5,000.00	\$5,000.00
County Library		\$12,000.00
Utilities		\$4,000.00
Public Defender	\$100.00	
Electricity		\$32,000.00
Public Employees Retirement System		\$244,930.00
Police & Fireman Retirement System		\$999,421.00
DCRP Employer Contribution		\$5,000.00
Contribution to Social Security System		\$120,000.00
Municipal Alliance Contribution		\$500.00
Municipal Court	\$20,000.00	\$25,000.00
Safe and Secure Communities-Local	\$10,000.00	
Water		\$3,000.00
Heating Fuel		\$10,000.00
Fire Hydrant Service		\$50,000.00
Telephone		\$15,000.00
Sub Total	\$1,428,609.20	\$2,417,351.00
Total		\$3,845,960.20
Capital Improvement Fund		\$10,000.00
Payment of Notes		\$200,000.00
Note Interest		\$50,000.00
Payment of Bond Principal		\$1,100,000.00
Interest on Bonds		\$700,000.00
EIT Loan:Principal & Interest		\$80,000.00
Green Trust Loan:Principal & Interest		\$30,455.60
Best Lake Dam Loan		\$46,637.40
EDA Principal & Interest		\$12,297.80
Sub Total		\$2,229,390.80
Grand Total		\$6,075,351.00



Wendy Robinson, Council President



Keith S. Balla, Mayor

Adopted: January 21, 2021

Index: Finance-Budget

C: W. Hance

**BOROUGH OF WATCHUNG
RESOLUTION: R5**

WHEREAS, Mayor Balla has recommended the appointment of certain individuals for various terms as listed below

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the following appointments, with attendant expiration dates where applicable, be confirmed:

GREEN TEAM

Charlie Neiss

(1 Year Term ending on 1/20/2022)

HISTORICAL COMMITTEE

Elizabeth Titus
Chris Vander Fliet

(1 Year Terms ending on 1/20/2022)

RECREATION COMMISSION

Craig Zaikov
John Pennett
Michael Onuska

(5 Year Terms ending on 1/20/2026)



Wendy Robinson, Council President



Keith S. Balla, Mayor

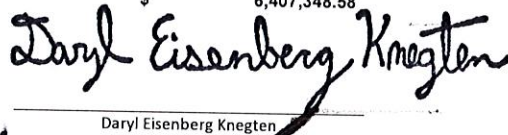
Date: January 21, 2021
Index: Appointments
C:

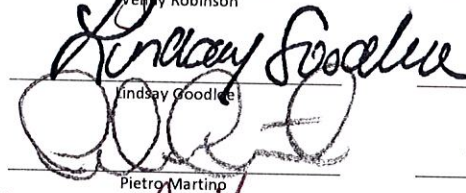
RESOLUTION R6

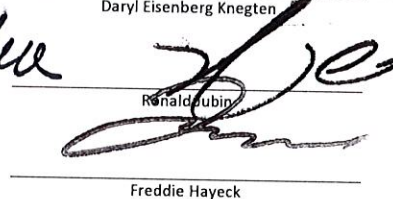
BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung,
that the Borough Treasurer be, and is hereby directed to pay bills in the amount of
\$6,407,348.58 per the attached bill list. The expenditures can be broken down into
the following categories:

Affordable Housing Trust	\$	752.00
Animal Control	\$	-
Capital Fund	\$	18,241.10
Developer's Escrow	\$	953.75
Other Escrow	\$	27,696.75
Somerset County Taxes	\$	1,438,164.11
Somerset County Open Space Taxes	\$	136,012.28
Somerset County Library Taxes	\$	209,678.80
Watchung Board of Education Taxes	\$	2,008,216.00
Watchung Hills Regional High School Taxes	\$	1,562,850.00
Current Fund	\$	1,004,783.79
Grant Fund	\$	-
Watchung Community Foundation	\$	-
Total Expenditures:	\$	6,407,348.58


Wendy Robinson


Daryl Eisenberg Knegten


Lindsey Goodlee


Ronald Rubin


William J. Hance, CFO


Keith Balla, Mayor


James Damato, Administrator

Date: January 21, 2021
Index: Finance
C: Finance

BOROUGH OF WATCHUNG
RESOLUTION: R9

WHEREAS, the Borough of Watchung needs to award contracts for the purchase of unleaded and diesel fuel; and

WHEREAS, the Qualified Purchasing Agent has determined that the best prices for the fuel are available through the Morris County Cooperative Pricing Council, of which the Borough is a member.

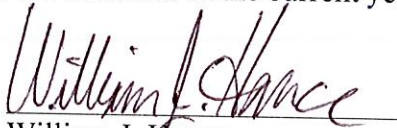
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Chief Financial Officer is authorized to make the following purchases for the 2021 - 2022 calendar years:

Diesel Fuel – MCCPC Contract #12
Allied Oil LLC
Delivery Cost Per Gallon Added to Cost of Diesel Fuel: \$0.1697

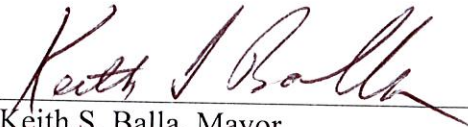
Motor Gasoline – MCCPC Contract #1
Allied Oil LLC
Trucking and Delivery Cost Per Gallon: \$0.1107

Not to exceed \$80,000.00 per year

The Chief Financial Officer has certified that funds are available in the current year budget.


William J. Hance
Chief Financial Officer


Daryl Eisenberg Knegten, Council Member


Keith S. Balla, Mayor

Adopted: January 21, 2021
Index: Awards, Purchasing,
C: Finance

**BOROUGH OF WATCHUNG
RESOLUTION: R10**

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

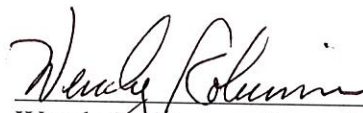
WHEREAS, the Governing Body is of the opinion that such circumstances presently exist.


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

1. The public shall be excluded from discussion of the closed session of January 21, 2021.
2. The general nature of the subject matter to be discussed is as follows:

Contract Negotiation
Anticipated Litigation

3. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.
4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.


Wendy Robinson, Council President


Keith S. Balla, Mayor

Date: January 21, 2021
Index: Misc.