

**BOROUGH OF WATCHUNG**  
**MAYOR & COUNCIL AGENDA - REVISED**

**OCTOBER 7, 2021 | 7:30 P.M.**

**THIS MEETING WILL BE HELD VIRTUALLY FOR ALL PARTIES. PUBLIC COMMENTS WILL BE ACCEPTED THROUGH ZOOM OR VIA EMAIL TO THE BOROUGH CLERK. BELOW ARE INSTRUCTIONS:**

**To call into the meeting,** dial 1 (646) 558-8656. It will prompt you for a meeting ID. Type 99501390087#. You do not need a participating ID, just press #.

**To access the meeting using a smart phone or computer,** you can download the **Zoom app** from the app store for free. You have to type in the meeting ID 99501390087 or click on <https://zoom.us/j/99501390087> **Please enter your full name.**

**To submit your public comments in writing,** please mail them in or send an email before **6:00 P.M.** by the meeting date to the Borough Clerk at [publiccomment@watchungnj.gov](mailto:publiccomment@watchungnj.gov)

**MAYOR'S STATEMENT:** In order to comply with all NJ Executive Orders and to protect members of the public, this meeting will be held virtually for all parties. Public Comments will be accepted through zoom or by email to the Borough Clerk. For those joining through Zoom, please note that upon arrival you are automatically muted. If you wish to speak during the 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. 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 Revised Annual Meeting Notice to the Courier News, Echoes Sentinel, the Star Ledger, posted at Borough Hall and on 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 [ ] Goodloe [ ] Eisenberg Knegten [ ] Jubin [ ] Martino [ ] Hayeck [ ]

**REPORTS OF STANDING COMMITTEES:**

1. Administration & Finance
2. Police
3. Public Works / Buildings and Grounds
4. Public Affairs:
  - Environmental
  - Recreation
  - Historical
  - Board of Health

5. Fire
6. Laws/Ordinances

**REPORTS – OTHER:**

7. Engineer
8. Police Chief

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**OCTOBER 7, 2021 | 7:30 P.M.**

- 9. Fire Department
- 10. Rescue Squad
- 11. Emergency Management
- 12. Attorney
- 13. Clerk
- 14. Administrator
- 15. Youth Services
- 16. Planning Board
- 17. Municipal Alliance
- 18. Library Advisory Board
- 19. Traffic and Beautification

*A public portion is held prior to Council action **for comments of agenda items only**; another public portion is held at the end of the meeting for general discussion.*

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**PUBLIC PORTION / AGENDA ITEMS ONLY**

*Individuals commenting are limited to 3 minutes per person, and will not be permitted to speak again until everyone has had an opportunity to speak. For those joining us through Zoom, please note that upon arrival you are automatically muted. If you wish to speak during a 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. If a group is represented by an attorney, the attorney will be given 5 minutes to make the presentation for the group.*

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**DISCUSSION**

Design of Veterans Park

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**UNFINISHED BUSINESS**

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**NEW BUSINESS**

**REPORTS & CORRESPONDENCE:** Matters listed within this section 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, any item may be removed from the Consent Agenda by Council action.

Acknowledging Receipt of the following Borough Reports:

Board of Health Meeting Minutes

May 19, 2021

CERT Meeting Minutes

September 28, 2021

**BOROUGH OF WATCHUNG**  
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Environmental Commission Meeting Minutes	August 30, 2021
Green Team Meeting Minutes	August 16, 2021
Plainfield Area Regional Sewerage Authority (PARSA) Meeting Minutes	September 2, 2021
Planning Board Meeting Minutes BNE Transcript of Proceedings	August 10, 2021 (Special Mtg) August 10, 2021 August 17, 2021
Recreation Commission Meeting Minutes	June 2, 2021
Traffic and Beautification Meeting Minutes	September 13, 2021
Youth Services Commission Meeting Minutes	June 15, 2021

Acknowledging Receipt of the following Correspondence:

- #41- Letter and Resolution regarding Special School District Election on December 14, 2021,  
Watchung BOE - received 9/30/21 c: M&C, JD

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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.

- R1: Authorizing Purchase Orders over \$2,000 – BIS Digital, Inc. (PD -*Contract for Record Voice Logging System*)  
Ocean Resort (2021 *League Conference*)  
Sparta Discount Tire (PD – *Tires*)  
Motorola Solutions (FD-*Portable Radios*)  
MD Radio Services (FD – *Equipment*)  
Park Avenue Cleaning (PD- *Janitorial exps*)

- R2: Accepting Donation for Renovation of Veteran’s Park from Old Chester Road Associates

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

**ORDINANCES ON FIRST READING**

Introduction of Ordinance **OR 21/10– “AN ORDINANCE AMENDING OR:21/02 AMENDING CHAPTER 21, STORMWATER CONTROL, OF THE CODE OF THE BOROUGH OF WATCHUNG, TO ESTABLISH MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND CONTROL”** (Public Hearing to be held on October 21, 2021)

- R3: Introduction of Ordinance OR: 21/10 –Ordinance Amending OR:21/02, Amending Chapter 21 Stormwater Control

**BOROUGH OF WATCHUNG  
MAYOR & COUNCIL AGENDA - REVISED**

**OCTOBER 7, 2021 | 7:30 P.M.**

**Introduction of Ordinance OR 21/11 – BOND ORDINANCE PROVIDING FOR VARIOUS 2021 CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$198,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$188,400 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

- R4: Introduction of Ordinance OR: 21/11 – Providing for Various 2021 Capital Acquisitions and Improvements
- R5: Authorize Promotional Appointments of Sergeants of Police Dept. – Moberly, Sporer & Dunne
- R6: Awarding Emergency Contract for the Elsinore Drive Culvert Emergency Replacement Project - Black Rock Enterprises, LLC
- R8: Authorizing Field and Facility Permit Application – Watchung Hills Regional Municipal Alliance 5k Run and Family Fun Fitness Walk (October 23<sup>rd</sup>)

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**PUBLIC PORTION - GENERAL DISCUSSION**

*Individuals commenting virtually or from comments submitted in writing will be limited to 3 minutes per person, and will not be permitted to speak again until everyone has had an opportunity to speak. For those joining us through Zoom, please note that upon arrival you are automatically muted. If you wish to speak during a 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. If a group is represented by an attorney, the attorney will be given 5 minutes to make the presentation for the group.*

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- R7: Authorizing Executive Session: Contract Negotiations, Collective Bargaining Agreements and Attorney-Client Privilege Matters

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

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**ADJOURNMENT**

The next regular meeting of the Mayor and Council is scheduled to be held on October 21, 2021 at 7:30 P.M.

**BOROUGH OF WATCHUNG  
RESOLUTION: R1**

**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: BIS Digital, Inc., 1350 NE 56th Street, Suite 300, Fort Lauderdale, NJ 33334  
Item: Annual Support Contract for Record Voice Logging System (PD)  
Total Price: \$2976.00  
Charged to: 1-01-190-273

Vendor: Ocean Resort, 500 Boardwalk, Atlantic City, NJ 08401  
Item: 2021 Annual NJ League of Municipalities Conference  
Total Price: \$2,240.00  
Charged to: 1-01-120-276, 1-01-110-274, 1-01-115-276

Vendor: Sparta Discount Tire, Inc., 150 Woodport Road, Sparta, NJ 07871  
Item: PD – (24) Goodyear Enforcer W, (8) Goodyear UltraGrip, (4) Goodyear Eagle, (4) Goodyear Adventure, (12) Goodyear Enforcer W,  
Total Price: \$8,049.48  
Charged to: 1-01-190-249

Vendor: Motorola Solutions, Inc. P.O. Box 29, Chester, NJ 07930  
Item: ~~FD~~-XPR 3500E Portable Radios  
Total Price: \$2,693.64  
Charged to: 1-01-185-248

Vendor: MD Radio Services, PO BOX 969, Bound Brook, NJ 08805  
Item: FD-MD6 5ch Pager Sales  
Total Price: \$2,041.25  
Charged to: 1-01-185-248

Vendor: Park Avenue Cleaning, 3775 Park Avenue, Unit 11, Edison, NJ 08820  
Item: PD- Cleaning Bathrooms, Tiles, Strip and Wax Flooring (Janitorial expenses)  
Total Price: \$3,530.00  
Charged to: 1-01-190-238

\_\_\_\_\_  
Wendy Robinson, Council President

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

ADOPTED: OCTOBER 7, 2021  
INDEX: PURCHASING  
C: B. HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R2**

**WHEREAS,** Old Chester Road Associates (“Donors”) recognizes that Veterans Park located at 770 Somerset Street, Block 47.01, Lot 1, in Watchung, New Jersey, is in need of renovations; and

**WHEREAS,** Donors have offered to donate necessary material and equipment to the Borough to renovate the area; and

**WHEREAS,** it is the purpose of this Resolution to authorize the Mayor and/or Borough Officials to accept said donation.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey hereby accepts the generous donation by Old Chester Road Associates with gratitude, and authorizes the Mayor to sign a Donation Agreement, if applicable, in a form to be approved by the Borough Attorney and Administrator.

**DRAFT**

\_\_\_\_\_  
Wendy Robinson, Council President

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

ADOPTED: OCTOBER 7, 2021  
INDEX: BOROUGH PROPERTIES  
C: W. HANCE, J. HUTZELMANN

**BOROUGH OF WATCHUNG  
RESOLUTION: R3**

**BE IT RESOLVED** that Ordinance **OR:21/10** entitled:

***“AN ORDINANCE AMENDING OR:21/02, AMENDING CHAPTER 21, STORMWATER CONTROL, OF THE CODE OF THE BOROUGH OF WATCHUNG, TO ESTABLISH MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND CONTROL”*** Public Hearing October 21, 2021

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 21<sup>st</sup> day of October, 2021 at 7:30 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

\_\_\_\_\_  
Daryl Eisenberg Kneigten, Council Member

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

**ADOPTED: OCTOBER 7, 2021**  
**INDEX: CODE, MISC.**  
**C: GENERAL CODE, ENG**

**BOROUGH OF WATCHUNG  
OR 21/10**

**ORDINANCE AMENDING OR 21/10 AMENDING CHAPTER 21, STORMWATER CONTROL, OF THE CODE OF THE BOROUGH OF WATCHUNG, TO ESTABLISH MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND CONTROL**

*Explanation: This Ordinance is being amended as recommended by the Somerset County Planning Board to ensure conformance with the amended Stormwater Management Rules (N.J.A.C. 7.8) as required by NJ Department of Environmental Protection. Additions are bolded and underlined.*

**WHEREAS**, the New Jersey Department of Environmental Protection (“NJDEP”) recently amended its state-wide Stormwater Management Rules, N.J.A.C. 7:8, *et seq.*; and

**WHEREAS**, the Borough of Watchung (the “Borough”) has maintained and continues to maintain its municipal stormwater management regulations within its Borough Code located at Chapter 21, entitled “Stormwater Control”; and

**WHEREAS**, pursuant to the recommendation and instruction of the Borough Engineer, the Borough amended its local stormwater management regulations within Chapter 21 of the Borough Code to be consistent with NJDEP amendments and mandates via OR 21/02 adopted on February 18, 2021 and upon review of the Somerset County Planning Board, further amendments must be made.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Watchung, County of Somerset, and State of New Jersey that Chapter 21 entitled “Stormwater Control”, specifically **Sections 21-4 (P)(2) and 21-10(B)(7)(iii)** of the Code of the Borough of Watchung are hereby amended and replaced with the following:

**CHAPTER 21  
STORMWATER CONTROL**

**§21-4. Stormwater Management Requirements for Major Development**  
*(prior sections unchanged)*

**P. Groundwater Recharge Standards**

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff **and groundwater recharge calculations at 21-5, either:**
  - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
  - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.



**BOROUGH OF WATCHUNG  
OR 21/10**

**§ 21-10. Maintenance and Repair:**

- A. Applicability
- B. General Maintenance  
*(prior sections unchanged)*

7. The party responsible for maintenance identified under § 21-10(B)(3) above shall perform all of the following requirements:
- i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
  - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
  - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by § 21-10(B)(6) and (B)(7) above.

**§ 21-11. Penalties:**

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalty stated in Chapter 1, Section 1-5, General Penalty.

**§ 21-12. Severability:**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**§ 21-13. Effective Date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

INTRODUCED:           EISENBERG KNEGTEN  
PASSED:  
PUBLISHED:  
ADOPTED:

ATTEST:

APPROVED:

\_\_\_\_\_  
Edith G. Gil, Borough Clerk

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

**BOROUGH OF WATCHUNG  
RESOLUTION: R4**

**BE IT RESOLVED** that Ordinance **OR:21/11** entitled:

**“BOND ORDINANCE PROVIDING FOR VARIOUS 2021 CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$198,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$188,400 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF” - Public Hearing October 21, 2021**

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 21<sup>st</sup> day of October, 2021 at 7:30 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

\_\_\_\_\_  
Ronald Jubin, Council Member

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

ADOPTED: OCTOBER 7, 2021  
INDEX: MISC., FINANCE-BUDGET  
C: FIN, ENG, GEN. CODE,

**BOROUGH OF WATCHUNG  
ORDINANCE NO: 21/11**

**BOND ORDINANCE PROVIDING FOR VARIOUS 2021  
CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY  
AND IN THE BOROUGH OF WATCHUNG, IN THE  
COUNTY OF SOMERSET, STATE OF NEW JERSEY;  
APPROPRIATING \$198,400 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$188,400 BONDS OR  
NOTES OF THE BOROUGH TO FINANCE PART OF THE  
COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH  
OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY** (not less  
than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Watchung, in the County of Somerset, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$198,400, said sum being inclusive of the sum of \$10,000 as the aggregate amount of down payments for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$198,400 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$188,400 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$188,400 are

**BOROUGH OF WATCHUNG  
ORDINANCE NO: 21/11**

hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued, including, but not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Purchase of non-passenger sport utility vehicle, mobile video recorder, computers and radar units for the Police Department; and	\$74,200	\$70,400	\$3,800	5 years
(ii) Purchase of hoses, boots, coats, pants, helmets and self-contained breathing apparatus for the Fire Department;	124,200	118,000	6,200	10 years
<b>TOTALS</b>	<b>\$198,400</b>	<b>\$188,400</b>	<b>\$10,000</b>	

(b) The above improvements and purposes set forth in Section 3(a) shall also include all work, materials, appurtenances, equipment, labor, engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$188,400.

(d) The aggregate estimated cost of said improvements or purposes is \$198,400, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the aggregate amount of \$188,400, is the aggregate down payments for said purposes in the amount of \$10,000.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Somerset make a contribution or grant in aid to the Borough for the

**BOROUGH OF WATCHUNG**  
**ORDINANCE NO: 21/11**

improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Somerset. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Somerset shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest

**BOROUGH OF WATCHUNG  
ORDINANCE NO: 21/11**

rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.13 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes

**BOROUGH OF WATCHUNG  
ORDINANCE NO: 21/11**

provided for in this bond ordinance by \$188,400 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under

**BOROUGH OF WATCHUNG  
ORDINANCE NO: 21/11**

section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-(1)(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds, "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$188,400. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING  
DATED: October 7, 2021



**BOROUGH OF WATCHUNG  
ORDINANCE NO: 21/11**

\_\_\_\_\_  
EDITH G. GIL,  
Clerk of the Borough of Watchung

ADOPTED ON SECOND READING  
DATED: \_\_\_\_\_, 2021

\_\_\_\_\_  
EDITH G. GIL,  
Clerk of the Borough of Watchung

APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021

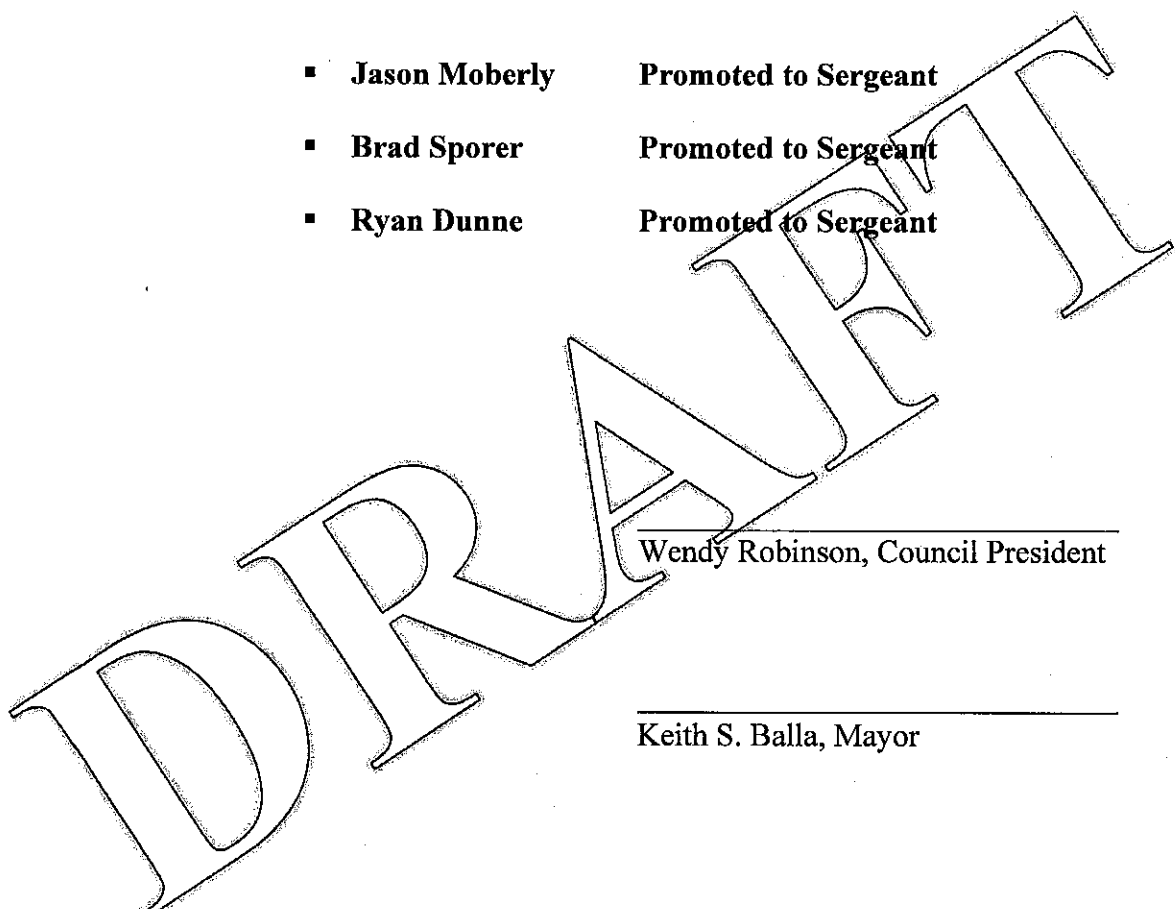
\_\_\_\_\_  
KETH S. BALLA,  
Mayor

INTRODUCED: JUBIN  
PUBLISHED:  
ADOPTED:  
INDEX:  
C:

**BOROUGH OF WATCHUNG  
RESOLUTION: R5**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the following appointments to the Police Department, are hereby confirmed, effective October 16, 2021 at a salary of \$133,524.00 prorated:

- **Jason Moberly**      **Promoted to Sergeant**
- **Brad Sporer**      **Promoted to Sergeant**
- **Ryan Dunne**      **Promoted to Sergeant**

  
\_\_\_\_\_  
Wendy Robinson, Council President

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

ADOPTED:    OCTOBER 7, 2021  
INDEX:      APPOINTMENTS, POLICE  
C:          B. HANCE, E. HORSFALL  
              A. HART

**BOROUGH OF WATCHUNG  
RESOLUTION: R6**

**WHEREAS**, the Borough of Watchung sustained significant damages during Tropical Storm Ida; and

**WHEREAS**, the Governing Body previously authorized Borough Officials to take all necessary action to procure an emergency contract for the repair and replacement of Elsinore Drive Culvert and Roadway and proposals were solicited; and

**WHEREAS**, the Qualified Purchasing Agent has determined that contracts can be awarded pursuant to N.J.S.A. 40A:11-6 due to the emergent need, hereby recommends the award of an emergency contract and certifies that funds are available from OR 21/04 adopted May 20, 2021.

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

**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 is authorized to award the following contract for the repair and replacement of Elsinore Drive Culvert and Roadway:

Award to: Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857  
Amount: Not to exceed \$200,000.

**BE IT FURTHER RESOLVED** that this contract has been awarded based on the emergent need and the merits and abilities of Black Rock Enterprises, LLC to provide these professional services described herein.

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized to advertise the award of this professional services contract within ten days from the date hereof in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.).

\_\_\_\_\_  
Daryl Eisenberg Kneigten, Council Member

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Keith S. Balla, Mayor

ADOPTED: OCTOBER 7, 2021  
INDEX: AWARDS, ROADS, FINANCE-MIS  
C: FINANCE, ENG.,

**BOROUGH OF WATCHUNG  
RESOLUTION: R7**

**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 October 7, 2021.
2. The general nature of the subject matter to be discussed is as follows:

Contract Negotiations, Collective Bargaining Agreements  
and Attorney-Client Privilege Matters

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.

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Wendy Robinson, Council President

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Keith S. Balla, Mayor

ADOPTED: OCTOBER 7, 2021

INDEX: MISC.

C:

**BOROUGH OF WATCHUNG  
RESOLUTION: R8**

**WHEREAS**, the Borough of Watchung has received a Field and Facility Permit Application which has been reviewed by the Recreation Coordinator and Borough Administrator; and

**WHEREAS**, Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey wishes to authorize said application at the recommendation of the Borough Administrator.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the use of Watchung Lake area is authorized for the intended use as noted below and is hereby approved.

1. Watchung Hills Regional Municipal Alliance, to hold 5K Run and Family Fun Fitness Walk, from 9 AM to 3 PM (set-up to begin at 7 AM).
2. All approvals are subject to having a covid plan approved by the Office of Emergency Management and the Board of Health, if deemed necessary.

**BE IT FURTHER RESOLVED**, that the Borough Administrator is hereby authorize to grant overtime as deemed necessary in order to allow this event being sponsored by the Watchung Hills Regional Municipal Alliance.

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Freddie Hayeck, Council Member

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Keith S. Balla, Mayor

ADOPTED: OCTOBER 7, 2021  
INDEX: RECREATION, MISC.  
C: LM, PD