

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

MAY 20, 2021 | 7:30 P.M.

[THIS MEETING WAS HELD VIRTUALLY FOR ALL PARTIES]

MAYOR'S OPENING STATEMENT: Mayor Keith S. Balla called the meeting to order at 7:31 PM and stated the following: *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 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 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 [P] Goodloe [P] Eisenberg Knegten [P] Jubin [P] Martino [P] Hayeck [P]

Mayor Balla read the following proclamation

PROCLAMATION National EMS Week

Mayor Balla stated that for resolution R2 El Coronado purchase order (2021 Fire Convention), would be removed and deferred to Fire Committee prior to Council action. He also clarified for resolution R3, that the state grant was an "all or nothing" grant.

PUBLIC PORTION / AGENDA ITEMS ONLY

- 1) Lefty Grimes – Mr. Grimes started to speak on the cannabis ordinance and was asked to hold his comments until the public portion for general discussion

DISCUSSION

- ❖ Kaleidoscope of Hope Ovarian Cancer Foundation / Ovarian Cancer Awareness

This organization petitioned the Borough to allow them to place teal ribbons on borough property during the month of September to raise awareness for ovarian cancer. Council Member Martino motion to approve their request, second by Eisenberg Knegten. All members voted unanimously to approve this.

- ❖ Styrofoam Recycling Program

The Environmental Commission petitioned the borough to move forward with their recommendation to start a Styrofoam recycling program to be collected at the Green Fair. Council President Robinson provided background information on the extensive discussions by the Commission and mentioned that Warren does not wish to have the program because of the pandemic. Mayor and Council Member's provided feedback and suggestions on the frequency of the program and possible ways to avoid overtime expenses.

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Rachel Funcheon, Chair of the Environmental Commission spoke before Council to speak on the process of how the commission envisioned the program working. She also stated that the commission proposed using monies from their budget to pay any over time expenditure of the DPW laborer. Ms. Funcheon also reported on what other towns nearby offer their residents regarding similar recycling options.

UNFINISHED BUSINESS

Motion to open public hearing by Eisenberg Knegten/ Second by Goodloe

RC: Robinson [Abstain] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

Public Hearing of Ordinance OR 21/04 entitled “BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO VARIOUS ROADWAYS, BY AND IN THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$1,100,000 THEREFOR (INCLUDING GRANTS RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$675,000) AND AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF,”

Public Hearing was opened, no one appearing

R1: Adoption of Ordinance OR: 21/04 – Bond Ordinance Providing for Improvements to Various Roadways

Motion to close public hearing and adopt the above/ second by Jubin

RC: Robinson [Abstain] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

NEW BUSINESS

CORRESPONDENCE: Matters listed within this section were enacted by one motion of the Council.

Acknowledging Receipt of the following Borough Reports:

Police Activity Report	April 2021
Board of Adjustment Minutes	April 8, 2021
Traffic & Beautification Meeting Minutes	April 8, 2021 and May 4, 2021
Engineer Capital Project Status Report	May 17, 2021

Acknowledging Receipt of the following Correspondence:

#23- Environmental Commission, 5/5/21, re: Recommendation to Mayor and Council to Establish a Styrofoam Recycling Program c: M&C, JD

#24- Letter of Resignation from Michael Cain, DPW Employee 4/4/21 c: M&C, JD, PW

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- #25- Board of County Commissioners, Kelly Mager Clerk of the Board, 5/7/21, re: Notice of Adoption of County Resolution R21-434, Land Development Review, Chapter 8, Section V - Recycling c: M&C, JD
- #26- Feeding Hands, 5/11/21, re: Letter of Appreciation for Food Donations (Borough donated 948 lbs of food) c: M&C, JD
- #27- Watchung Green Team, Charlie Neiss, Chair, 5/13/21, re: Letter Supporting the Recent Recommendation made by the Planning Board in Master Plan Revision to incorporate Sustainable Jersey Green Building checklist in Land Development Ordinance c: M&C, JD
- #28- Watchung Planning Board 5/13/21 Notice of Hearing, re: Preliminary and Final Major Site Plan Approval for Multi-Family Housing Development at Bonnie Burn Road, Karka Investments, Inc. and Phillip Properties, Inc. [Hearing date: May 26, 2021 at 6:30 P.M.] c: M&C, JD
- #29- Township of Warren 5/15/21 Notice of Adopted Ordinance 21-15, "Prohibiting the Operation of Any Class of Cannabis Businesses Within Its Geographical Boundaries and Amending Section 16-5.25" c: M&C, JD, PB, ZB

Motion to Adopt by Robinson / Second by Goodloe

RC: Robinson [Y] Goodloe [Y] Eisenberg Knechten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

Council President Robinson also announced that the Borough would be having it's Farmer's Market event from June through the end of October every Tuesday from 4-7pm. This event is being organized by the Borough's Green Team and things are moving fast with obtaining all necessary approvals.

CONSENT AGENDA RESOLUTIONS: The resolutions listed below were adopted by one motion.

R2: Authorizing Purchase Orders over \$2,000 - 50 Power DMS Professional (Trainings Aids & Programs)

~~El Coronado (2021 Firemen's Convention)*~~

**This item was removed from R2 and sent to Fire Committee for further review*

R3: Intent to Provide Local Matching Funds for Library Construction Grant[±]

[±] *Martino - Abstain*

R4: Authorizing Conditional Appointment as Patrol Officer – Michael Bahadourian

Motion to Adopt above by Robinson/Second by Eisenberg Knechten [±]

RC: Robinson [Y] Goodloe [Y] Eisenberg Knechten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

NON-CONSENT AGENDA ITEMS:

Motion to Adopt below by Martino/Second by Robinson

RC: Robinson [Y] Goodloe [Y] Eisenberg Knechten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

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R5: Designating Sterling Watchung, LLC as the Conditional Redevelopers of the Bonnie Burn Road Property and Authorizing the Entry Into and Execution of a Conditional Designation and Interim Costs Agreement

Motion to Adopt below by Jubin/ Second by Goodloe

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R6: Awarding Professional Services Contract for Website Redevelopment – Spatial Data Logic

Council Member Martino inquired on establishing a sub-committee to review the website changes and coordinate all changes with the various boards, commission, committee's who should provide input.

Motion to Adopt below by Robinson/ Second by Goodloe

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R7: Authorizing Employment Agreement for Police Chief – Andrew P. Hart

Motion to Adopt below by Jubin/ Second by Goodloe

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R8: Authorizing Expansion of Contract for CME Associates - Affordable Housing Administration Services

Motion to Adopt below by Hayeck/ Second by Goodloe

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R9: Authorizing Participation and Hold Harmless Agreement – Somerset County Cultural and Heritage Commission, Journey Through the Past Program

Motion to Adopt below by Jubin/ Second by Goodloe

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R10: Authorizing Release of Performance Surety Bond – Seritage SRC Finance LLC, 1660 Route 22 (Block 6201/ Lot 1) Bond #SUR0045218

PUBLIC PORTION - GENERAL DISCUSSION

- 1) Christine Ead, Washington Drive, inquired on moving the discussion of important topics to the earlier part of the council meetings so that the public did not have to wait so long on hearing these matters.
- 2) Catherine Leigh, Guinard Drive, spoke on an 18-wheeler truck driver driving on Hillcrest, the sign that the Borough placed there does nothing to stop these trucks. She urged on the importance of having a police officer present to give out tickets and to stop these trucks from going on Hillcrest. The town has done nothing to correct this safety-hazard. Ms. Leigh urged town officials to accomplish something if the County wasn't responding.

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- 3) Charlie Neiss, Dogwood Lane, spoke on the borough's redesign of its website. Mr. Neiss spent time exploring the current website as he had to compile information in order to locate points for Sustainable Jersey certification; he offered his assistance in working with the new website developers as he had knowledge on what the State is looking for in websites.
- 4) Martin Carol, Valley Road, spoke on his past experience with a tow truck coming from New York and the truck was about to go on Hillcrest. Mr. Carol had to tell the Driver that he could not go on Hillcrest and identified that the problem was because the Driver was using a GPS mobile application instead of a map geared towards truck drivers to identify locations where the trucks were not allowed.
- 5) Christine Ead, Washington Drive, inquired on video capturing license plates for those trucks that may be on Hillcrest.
- 6) Edward Lefty Grimes, Bayonne, state he was unable to participate in the last council meeting and he was booted out of the zoom meeting. He asked why or who considered him a zoom bomber. Council President Robinson, clarified that because he was wearing a mask, she asked that he be removed confusing him for a "zoom bomber" as there were recent reports of other towns experiencing this. Mr. Grimes proceeded to speak on schools and public buildings not being handicapped accessible and on home-growing.
- 7) Jeffrey King, Eatontown, decided to join tonight in support of his friend Edward Lefty Grimes and expressed disappointment that he was classified as a zoom bomber, but thanked Council for allowing Mr. Grimes to express his views.
- 8) Marina Redman, stated she was here in support of Lefty Grimes and reminded everyone that approximately 61% of voters in Watchung voted in favor of recreation cannabis. She also noted that sometimes people may be wearing masks because of a disability or they may be burn victims, that they may not necessarily be wearing a mask to do something nefarious.
- 9) Curt Dahl, spoke on the safety of the children and the neighborhood, he commented that while cannabis regulations are something new to many towns, that we should not lose focus on maintaining our communities safe.
- 10) Maria Dahl, inquired on why individuals not living in Watchung were allowed to comment at a town hall meeting. Attorney Denis Murphy explained the guidelines established by the Open Public Meetings Act.
- 11) Bruce Ruck, Lakeview Avenue, noted that the number of small children that get into marijuana is exponential, but also noted that no matter how Watchung chose to regulate this, this sad statistic would not change. We can only attempt to educate the public about safely storing cannabis and urged Council to do this regardless of the route they chose to take.
- 12) Christine Ead, Washington Drive, expressed compassion for anyone with an illness, but noted that medical marijuana is available for those that need it. She commented that residents have made it clear that they are not ready for it in Watchung right now.

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- 13) Bruce Ruck, Lakeview Avenue, asked for clarity from the Borough's Attorney on the consequences of deciding to opt out, if that's the course that the Council decided on. Attorney Murphy explained that the state has yet to determine how many licenses it would issue, these are still things that all towns are waiting on.
- 14) Marianne Candeloris, asked about the library grant and what the borough would spend if it was awarded the grant in order to construct the library. She urged Council to be judicious with taxpayers' money and spoke against having a dispensary in Watchung.
- 15) Martin Carol, Valley Road, agreed with earlier concerns in not wanting stoned individuals to be in Watchung's streets however, he argued that the same way we don't have drunk people around liquor stores, the same would apply in this situation. Any establishment, if run properly, would not cause the loitering of people.
- 16) Cristine Ead, Washington Drive, voiced concerns in a type of business where an armed guard would be required and noted that the town should not expect a flood of revenue from the limited number of establishments Watchung would be allowed to operate.
- 17) Martin Carrol, Valley Road, gave an overview of his experience at a dispensary in Massachusetts.
- 18) Christine Ead, Washington Drive, noted that everyone has a voice and that it was a good thing that residents came out to respectfully speak their concerns on this subject.

Motion to Adopt the below by Robinson/ Second by Jubin

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

R11: Authorizing Executive Session: Personnel Matters and Anticipated Litigation Matters

Mayor and Council went into executive session at approximately 9:21 P.M.

Motion to return to open session by Robinson/Second by Goodloe at approximately 10:12 P.M.

RC: Robinson [Y] Goodloe [Y] Eisenberg Knegten [Y] Jubin [Y] Martino [Y] Hayeck [Y]

ADJOURNMENT

Upon there being no further business before Council, meeting ended at 10:14 P.M. to the call of the Chair. The next meeting of the Mayor and Council is a Regular Meeting scheduled to be held on June 17, 2021 at 7:30 P.M.

Submitted by:

Edith G. Gil
Borough Clerk