



BOROUGH OF WATCHUNG

15 Mountain Boulevard
Watchung, New Jersey 07069

MAYOR & COUNCIL MEETING AGENDA

THURSDAY, JUNE 2, 2022

7:30 P.M.

MAYOR

Keith S. Balla

COUNCIL

Ronald Jubin, Ph.D.

Wendy Robinson

Pietro Martino

Freddie Hayeck

Curt S. Dahl

Christine B. Ead

James J. Damato
Business Administrator

Edith G. Gil
Borough Clerk

Joseph Sordillo, Esq.
Borough Attorney

THIS MEETING WILL BE HELD IN-PERSON AND BROADCASTED LIVE VIA ZOOM. PUBLIC COMMENTS MAY BE SUBMITTED IN-PERSON, 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, download the free **ZOOM** app. 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. **Agenda items can also be requested by emailing egil@watchungnj.gov**

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

JUNE 2, 2022 - 7:30 P.M.

MAYOR’S STATEMENT: This meeting is being held in compliance with the Open Public Meetings Act. 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. Public Comments will be accepted in-person, through zoom or by email to the Borough Clerk. For those joining through Zoom, please note that upon arrival you are automatically muted.

**SALUTE TO THE FLAG and MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN,
SERVING HOME AND ABROAD**

ROLL CALL

Jubin [] Robinson [] Martino [] Hayeck [] Dahl [] Ead []

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
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

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

JUNE 2, 2022 - 7:30 P.M.

PUBLIC PORTION / AGENDA ITEMS ONLY

*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. 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, 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 *9 to raise your hand, when prompted 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.*

DISCUSSION

- ❖ 2022 Roadway Improvement Projects

UNFINISHED BUSINESS

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 by Council action.

Acknowledging Receipt of the following Borough Reports:

Board of Health Meeting Minutes	March 16, 2022
Engineers Status Report	May 2022
Environmental Commission Meeting Minutes	April 25, 2022
Mayor and Council Meeting Minutes	May 19, 2022
Planning Board Meeting Minutes	March 15, 2022
Traffic and Beautification Meeting Minutes	April 11, 2022

Acknowledging Receipt of the following Correspondence:

#15 – Township of Green Brook, 5/24/22, re: *Amending Land Development Ordinance "Stormwater Control" Public Hearing Scheduled for June 6, 2022 at 7:30 P.M.* c: M&C, JD, TS

CONSENT RESOLUTIONS

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

R1: Authorizing Clerk to Issue Raffle License - Fathers Club of Mount St. Mary Academy

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

JUNE 2, 2022 - 7:30 P.M.

- R2: Authorizing Clerk to Issue Raffle License - Sisters of Mercy of the Americas, Mid-Atlantic
- R3: Authorizing Submission of DMHAS Youth Leadership/ Municipal Alliance Grant Application
- R4: Authorizing Appointment of Regular Member to Board of Adjustment – Wayne Hanlon
- R5: Urging NJ Legislature to Amend the Budget Cap Law to Appropriate Funds for Increasing Insurance Costs
- R6: Authorizing Bill List
- R7: Authorizing Field and Facility Permit Application for Use of Mobus Field by Warren Baseball & Softball, Inc.
- R8: Waiving Chapter 16, *Recreational Use Prohibitions and Limitations*, Section 1.15 of the Code of the Borough to hold Mayors Regatta at Best Lake on June 11, 2022

NON-CONSENT RESOLUTIONS

- R9: Authorizing Appointment of Recreation Director & Camp Counselors for 2022 Summer Camp
- R10: Authorizing Interlocal Services Agreement for Emergency Management Services with County of Somerset

PUBLIC PORTION - GENERAL DISCUSSION

*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, 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 *9 to raise your hand, when prompted 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.*

EXECUTIVE SESSION

- R11: Authorizing Executive Session: Contract Negotiations, Anticipated Litigation, and Personnel Matters

The Borough Council may take official action on those items discussed in executive session upon return to open session.

ADJOURNMENT

The next meeting of the Mayor and Council will be held on Thursday, June 16, 2022 at 7:30 P.M.

**BOROUGH OF WATCHUNG
RESOLUTON: R1**

WHEREAS, the Father's Club of Mount Saint Mary Academy High School has made application to the Borough of Watchung, County of Somerset, for two (2) Licenses; and

WHEREAS, said applications have been presented as required for Findings and Determinations; and

WHEREAS, the Borough Clerk has reported the proper fees have been paid and therefore recommends its approval.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey that the Borough Clerk is hereby instructed to issue the two (2) Raffle Licenses as follows:

**NAME AND ADDRESS
OF ORGANIZATION**

The Fathers Club of Mount
Saint Mary Academy
1645 Route 22 East
Watchung, NJ 07069

DATE OF RAFFLE

RL#661 -10/3/22
On Premise Merchandise Draw Raffle
RL#662 - 10/3/22
Off Premise Merchandise Draw Raffle

Ronald Jubin, Council President

Keith S. Balla, Mayor

ADOPTED: JUNE 2, 2022
INDEX: LICENSES
C: R. ANGELO

**BOROUGH OF WATCHUNG
RESOLUTION: R2**

WHEREAS, Sisters of Mercy of the Americas, Mid-Atlantic Community has made application to the Borough of Watchung, County of Somerset, for two (2) Raffle Licenses; and

WHEREAS, said applications have been presented as required for Findings and Determinations; and

WHEREAS, the Borough Clerk has reported that the proper fees have been paid and therefore recommends its approval.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey that the Borough Clerk is hereby instructed to issue the two (2) Raffle Licenses as follows:

**NAME & ADDRESS
OF ORGANIZATION**

DATE OF RAFFLE

Sisters of Mercy of The Americas
1645 US Highway 22 West
Watchung, NJ 07069-6587

RL#663 – July 13,14,15,16
On Premise Raffle / 50/50

RL#664 – July 13,14,15,16
On Premise Raffle / Tricky Tray

Ronald Jubin, Council President

Keith S. Balla, Mayor

ADOPTED: JUNE 2, 2022
INDEX: LICENSES
C: R. ANGELO

Governor's Council on Alcoholism and Drug Abuse
BOROUGH OF WATCHUNG
RESOLUTION: R3
FORM 1B – DMHAS Youth Leadership Grant

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, The Borough Council of the Borough of Watchung, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Somerset;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Watchung, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for DMHAS Grant funding for the Watchung Hills Regional Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:

DMHAS Grant Funding	\$3,702.50
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2. The Borough Council acknowledges the terms and conditions for administering the DMHAS Youth Leadership/Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Borough Council accepts subsequent award of this grant.

APPROVED: _____
Keith S. Balla, Mayor

CERTIFICATION

I, Edith G. Gil, Municipal Clerk of the Borough of Watchung, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this ____ day of June, 2022.

Edith G. Gil, Municipal Clerk

Governor's Council on Alcoholism and Drug Abuse
FORM 1A

FOR COUNTY USE ONLY	
Approved:	____ YES ____ NO
Date:	

DMHAS YOUTH LEADERSHIP GRANT - MUNICIPAL ALLIANCES

Year One Grant Term: 7/1/22 – 3/14/23

APPLICANT MUNICIPALITY/IES: Warren Township, Green Brook Township, Watchung Borough	COUNTY: Somerset
ALLIANCE NAME: Watchung Hills Regional Municipal Alliance	ALLIANCE WEBSITE: www.watchungnj.gov/Municipal_Alliance_main
ALLIANCE STREET ADDRESS: 46 Mountain Blvd., Fl. 2	
TOWN: Warren STATE: NJ ZIP: 07059	
TELEPHONE: (908) 753-8000 Ext. 294	FAX: N/A
ALLIANCE CHAIRPERSON: Cynthia Webster	ALLIANCE COORDINATOR: Alicia Carman
STREET ADDRESS: 3 Old Church Rd.	STREET ADDRESS: 201 Bexley Lane
TOWN: Warren STATE: NJ ZIP: 07059	TOWN: Piscataway STATE: NJ ZIP: 08854
EMAIL: caldora65@gmail.com	EMAIL: whma@warrennj.org
DATE OF RESOLUTION AUTHORIZING THE DMHAS Grant Application (MM/DD/YYYY): / /	

DMHAS Grant Allocation \$ 3702.50

No Cash Match or In-Kind Match is required to accept DMHAS Grant.

BOROUGH OF WATCHUNG KEITH S. BALLA, MAYOR
*MUNICIPALITY NAME/ MAYOR/Head of Governing Body SIGNATURE

*MUNICIPALITY NAME/TITLE OF GOVERNING BODY REPRESENTATIVE SIGNATURE

*MUNICIPALITY NAME/TITLE OF GOVERNING BODY REPRESENTATIVE SIGNATURE

Cynthia Webster

ALLIANCE CHAIRPERSON SIGNATURE DATE

*** If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirements.**

Governor's Council on Alcoholism and Drug Abuse

FORM 1C

DMHAS Youth Leadership Grant - STATEMENT OF ASSURANCES

In accepting this grant it is understood that the grantee agrees to abide by the following rules and conditions:

1. The activities proposed herein will be conducted in compliance with the provisions of P.L. 1989,c. 51, and in accordance with state and Federal statutes, as well as regulations and policies promulgated by either the state or Federal government.
2. All proposed prevention/early intervention efforts have been coordinated with existing services and systems in the community and demonstrate strong linkages with existing alcoholism, drug abuse and related agencies and services.
3. The activities proposed herein identify and address identified logic model problem sequence.
4. The Municipal Alliance Committee has been consulted in the development of this strategic plan.
5. The proposed project is designed to be one component within a larger context of planning for alcoholism and drug abuse prevention, education and intervention in the community.
6. The proposal includes provisions for the training of key alliance members. The municipal alliance shall consult with the County Alliance Steering Subcommittee to plan such training.
7. The municipality has committed the necessary financial resources and administrative support to accomplish the activities proposed herein.
8. The municipality shall use the proposed funding to increase the level of funds that would, in the absence of such a grant, be made available by the municipality for the purposes described herein. In no case will funds supplant, or will efforts funded pursuant to section 2 of P.L. 1983, C.531 be duplicated.
9. The municipality shall provide data to the Governor's Council on Alcoholism and Drug Abuse for the purpose of evaluating the effectiveness of the projects funded by this grant program.
10. If the use of funds changes from the uses proposed herein, the municipality shall request a budget revision pursuant to guidelines established by its County Alliance Steering Subcommittee.
11. The municipality shall keep such records and provide such information to the Governor's Council on Alcoholism and Drug Abuse and/or the County Alliance Steering Subcommittee as may be required for fiscal audit.
12. In the event that a final audit has not been performed prior to the closeout of the grant, GCADA retains the right to recover any appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.
13. The facts, figures and representations made in this strategic plan, including exhibits and attachments hereto, are true and correct to the best of my knowledge.

FORM 1D

DMHAS Youth Leadership Grant FISCAL REQUIREMENTS

In accepting this grant it is understood that the grantee agrees to abide by the following rules and conditions:

1. The applicant agrees to develop a comprehensive plan.
2. The applicant agrees to submit detailed and accurate accounting of the expenditures to the funding source in accordance with County Steering Subcommittee regulations.
3. The applicant agrees not to use any of the funds to directly influence legislation or the outcome of an election or to undertake any activity for any purpose foreign to the purpose of this grant.
4. At the end of the fiscal year in which this grant falls, the applicant shall submit a financial statement explaining its use as well as any statistics and narrative which will indicate what this grant has accomplished in accordance with County Alliance Steering Subcommittee regulations.

DRAFT

**BOROUGH OF WATCHUNG
RESOLUTION: R4**

WHEREAS, Mayor Keith S. Balla has recommended the appointment of the individual for the term as listed below.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Watchung, County of Somerset, State of New Jersey that the following appointment is hereby confirmed:

BOARD OF ADJUSTMENT

Wayne Hanlon, Regular Member

TERM

Ending on December 31, 2022
Filling Unexpired Term

Ronald Jubin, Council President

Keith S. Balla, Mayor

ADOPTED: JUNE 2, 2022
INDEX: APPOINTMENTS
C: T. SNYDER

**BOROUGH OF WATCHUNG
RESOLUTION: R5**

***URGING THE NEW JERSEY LEGISLATURE TO AMEND THE BUDGET CAP LAW
TO APPROPRIATE FUNDS FOR INCREASING INSURANCE COSTS***

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et al, a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

WHEREAS, all local public entities, including participating municipalities in the Municipal Excess Liability Joint Insurance Fund (MEL), has incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

WHEREAS, a 2021 New Jersey Department of Labor decision regarding worker's compensation funding has generated increased costs to the members of the MEL by over 10% in order to cover claims that were previously funded by the State pension system; and

WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs for members of the MEL system by an estimated amount of 6% in 2023; and

WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

WHEREAS, cyber liability events throughout the country have resulted in twice the amount of premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

WHEREAS, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Watchung that N.J.S.A. 40A:4-45 be amended to provide that appropriations in the first three years after the effective date of (this amendment) for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriation CAP and the Levy CAP.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to New Jersey Legislative Representatives for the Borough of Watchung.

Ronald Jubin, Council President

Keith S. Balla, Mayor

ADOPTED: JUNE 2, 2022
INDEX: MISC.,
C: NJ LEG., JIF,

**BOROUGH OF WATCHUNG
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
\$295,273.49 per the attached bill list. The expenditures can be broken down into
the following categories:

Affordable Housing Trust	\$	957.00
Grant Fund	\$	1,492.40
Other Escrow	\$	183.92
Current Fund	\$	292,640.17
Total Expenditures:	\$	295,273.49

Ronald Jubin

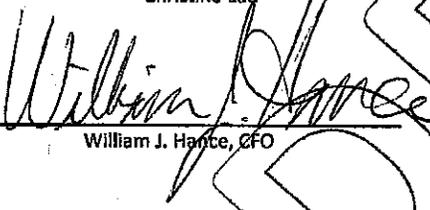
Wendy Robinson

Pietro Martino

Freddie Hayeck

Christine Ead

Curt Dahl



William J. Hante, CFO

Keith Balla, Mayor

James Damato, Administrator

Date: June 2, 2022

Index: Finance

C: Finance

**BOROUGH OF WATCHUNG
RESOLUTION: R7**

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

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung that the use of Mobus Field is authorized for the intended use as noted below and is hereby approved:

1. Warren Baseball & Softball, Inc., from 5 PM to 9 PM, June 13, 2022 through July 31, 2022.

Ronald Jubin, Council President

Keith S. Balla, Mayor

ADOPTED: JUNE 2, 2022
INDEX: RECREATION
C: LM

**BOROUGH OF WATCHUNG
RECREATION COMMISSION**

FIELD AND FACILITY PERMIT APPLICATION

NAME: Michael Ohlson

ADDRESS: PO Box 4462 Warren, NJ 07059

PHONE: (H) _____ (W) _____ (C) _____

EMAIL: officers@warrenbaseball-softball.com SPORT/EVENT Softball

Name of Organization, Team, Club Etc. Warren Baseball & Softball Inc

Profit _____ Non-Profit

FIELD USE:

FEE

*Pavilion Rental;
Resident
Non-Resident / Commercial

\$50.00 per event
\$100.00 per event

Port-A-John Rental

\$150.00 (includes delivery)

*Mobus/ Phillips Fields:

Sport Programs
Events (Non-Profit) – Resident
Non-Resident

\$15.00 per person/week or program.
\$50.00 per event
\$150.00 per event

*Gazebo:

Resident
Non-Resident

\$50.00 per event
\$100.00 per event

*Seniors Room:

Residents/Non-Profit
Profit Organizations

No Charge
\$25.00 per hour / \$100.00 minimum.

All Watchung Based Non-Profit Sports Programs, Government or School Based Events
and Non-Profit Fund Raising Events Free of Charge

All fees include removal of bagged garbage and access to electricity, if needed.

FIELD / FACILITY REQUESTED Mobus field

DATES June 13 - July 31 - Mon to Fri 5pm to 9pm

TIMES _____

Watchung Recreation Commission Facility/Field Use Policies and Lease Agreement

General Information

To rent a facility or field, community organizations are required to complete a rental application and pay the appropriate fee (if applicable). No "Sub-leasing" of any kind from one sports group to another is permitted. All dates, times and fields must be approved.

The Recreation Commission reserves the right to consider all rental requests and allocate rental time based on the number of requests and overall time requested. The Recreation Commission reserves the right to disapprove permits if it is determined that fields are deteriorating because of overuse.

Community members must be 21 years of age to sign a Field Use agreement or rent a field or facility. All applicants are required to provide one adult chaperone for each group of 10 youth in attendance under the age of 21 for all planned activities.

The Recreation Commission reserves the right to require the renter to provide police security for special programs.

All fees are to be paid in full two weeks prior to an approval unless other arrangements have been made with the Recreation Coordinator.

The Recreation Commission reserves the right to cancel practices/games due to weather conditions and/or field conditions. Failure to abide by this policy can result in cancellation of your rental agreement.

Renter Responsibilities

All applicants requesting use of Watchung fields or facilities must observe the following guidelines and requirements:

1. The renter must leave the area, facility or equipment in a clean and orderly condition. All trash must be properly disposed.
2. Prohibited Items: Beer, wine, alcoholic beverages, firearms, tobacco and illegal drugs.
3. Liability: The Watchung Recreation Commission and the Borough of Watchung assume no liability for the renter's use of the equipment, field or facility. The applicant shall hold the Borough harmless from any claim or liability arising out of any activity or conduct of the renter while using the equipment, field or facility in question. Applicants are required to supply general liability insurance that covers the Borough with limits of \$1,000,000.00 combined single limit with an aggregate of \$2,000,000.00. A certificate of insurance, must be filed with the Borough at least five days prior to the use of the Boroughs field or facility.
4. Governmental Boards and Agencies: facilities are available at no charge to official government boards and agencies for events in the public interest when not otherwise in conflict with this policy.
5. Damages: Any and all damages to the facilities, equipment, and other Borough property, while being used by the renter, will be the responsibility of the renter and payable in full to the Borough of Watchung. Payment will include the costs of all labor, materials, and supplies to repair or replace the damage to facilities. The Recreation Commission reserves the right to decline renting to patrons who have incurred damages to Borough property in previous rentals.
6. Policy of Non-Discrimination: The Borough of Watchung facilities are available on a non-discriminatory basis. Appropriate activities need to accommodate individuals regardless of age, sex, race, color, religion, national origin, physical or mental disabilities, or marital status. The Borough of Watchung does not discriminate on the basis of disability in admission, access, treatment or employment in its programs or activities.
7. ADA Statement: Although specific programs for persons with disabilities are limited, the Watchung Recreation Commission is committed to providing equal access to programs and facilities for these individuals. Reasonable accommodation and support can be requested to provide access to desired programs and activities. Requests should be made at least 10 days in advance. In addition, where a need is demonstrated and resources are available every reasonable effort will be made to establish specific programs for persons with disabilities.

The individual signing this lease agreement is responsible for ensuring that all policies included in this agreement are followed. The representative should notify us immediately if there are any maintenance or safety issues or damage to the fields that need to be addressed. Please sign below to confirm that you have received a copy of the Facility/Field Use Policy and Lease Agreement and agree to abide by these policies.

Name

Mike Ohlson

Signature

Mike Ohlson

Date

5/19/22

HOLD-HARMLESS AGREEMENT

1. "I / WE" "ME / MY / OUR" shall mean one of the following:

AN INDIVIDUAL: Name: Mike Ohlson OR

ORGANIZATION: Name: WBSI OR

CORPORATION or LLC: Name: WBSI

2. "YOU/YOUR/YOURSELF" shall mean the municipal corporation known as the Borough of Watchung and the Borough of Watchung Recreation Commission, its public officials, members, agents, servants, employees, or contractors.

3. GENERAL INFORMATION: Per Field and Facility Permit Application Attached

4. I sign this Hold-Harmless as MY voluntary act and by this act agree to hold YOU harmless and indemnify YOU from any claims, suits, or other actions arising from, caused by, or which are the alleged result of any act or omission of any organization, corporation, guest, invitee, licensee, visitor or other person present on the premises listed above in order to participate in, organize, assist, enjoy, supervise or in any other way further the activity I will be holding (as described above) on the date(s) listed above.

5. I state that the activity listed above will not include the consumption of alcoholic beverages, but should any person described in Paragraph 4 consume alcohol or allow or permit others to consume alcohol then I agree to be bound by the terms of paragraph 6 below.

6. I state that the activity listed above will include the consumption of alcoholic beverages and that because of such consumption I have the following additional duties to perform for You related to the use of the site listed above:

(a) that I am solely responsible for the dispensing and consuming of alcohol, including the prudent and responsible dispensing and consuming of alcohol by all persons involved in the activity described above, including but not limited to those persons described in paragraph 4 above; (b) to acknowledge by the signing of this Hold-Harmless that You have no authority, control, or participation in the dispensing or consuming of alcohol on the site and date listed above and that I will take no step(s), action(s), or measure(s) to convey the idea that You in any way have promoted, assisted, or participated in the dispensing and consuming of alcoholic beverages on the site and date listed above; (c) that I will not allow persons under the age of 21 to dispense or consume alcohol at the site during the activity to be held on Your property; (d) to comply with all municipal Ordinances relating to the consumption of alcoholic beverages, including but not limited to obtaining any necessary permits.

7. I also shall provide You with a Certificate of Insurance and that I shall provide same as soon as practicable and not less than five (5) business days before the date of the planned activity. Said insurance shall be written with a company maintaining a rating of at least "A-" according to A.M. Bests. Said policy shall be in an amount of not less than one million dollars (\$1,000,000) per occurrence (\$3,000,000 per occurrence if liquor is being served or consumed). It is understood You will be listed as an additional insured on that policy and Certificate of Insurance. If I, as an Individual, am holding a private, personal event, I shall provide YOU with a copy of My Homeowners or Condo or Renters or Personal Excess Liability policy declarations page with personal liability coverage of not less than one million dollars (\$1,000,000) each occurrence.

8. (Applicable to Corporation Only) I also agree that I am obligated to reimburse YOU for all reasonable attorney's fees incurred by YOU to enforce the terms of this Hold-Harmless or to defend YOURSELF against any claim, suit, demand for subrogation, or other action which a court of competent jurisdiction later determines by final order or judgment should have been defended by ME or at MY sole cost and expense pursuant to this Hold-harmless.

9. LEGAL SIGNATURES:

Signature on behalf of "I/WE/ME/MY/OUR":

Individual Mike Ohlson Date 5/19/22

on behalf of WBSI

Organization or Corporation or LLC

and

Signature & Title of Person on behalf of the Borough of Watchung and Watchung Recreation Commission

Date _____

LIGHTNING PREDICTION SYSTEM
(THORGUARDIAN)

The Borough of Watchung has an automatic lightning prediction and warning system in continuous use referred to as the Thorguardian. This unit is located at the top of the Snack Shack at Phillip's field. The sensor monitors energy as far as 15 miles and evaluates the potential for lightning within an area of approximately two miles in radius. When the unit senses a hazardous condition, the system automatically provides both audible and visual alerts. When a dangerous condition exists a warning blast will occur and the amber light will flash.

THE FIELDS MUST BE CLEARED IMMEDIATELY WHEN THE SOUND ALARMS

The light will continue to flash until the dangerous condition no longer exists.

Please review the following safety points with your organization leasers and participant:

1. Do Not seek shelter under a tree
2. Do Not seek shelter on the snack shack deck
3. Do Not seek shelter in a dugout by a metal fence

The Thorguardian prediction system is only a supplementary source of guidance. Should thunderstorm conditions develop, and the system is not activated, use good judgment and seek shelter.

Sign *Mike Olson* Print Mike Olson Date 5/19/22

Organization WBSI

I have read and understand the above information; I will explain the function of lightning prediction system and review the safety points with all of the coaches, supervisors, parents and participants involved in my program, event or activity.

AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

The Borough of Watchung has an Automated External Defibrillator (AED) on site at Phillips Field.

The unit, referred to as an AED, is located on the south side of the snack shack at Phillips Field Sports Complex.

The Borough of Watchung and the Watchung Recreation Commission recommends that the use of the AED be administered by a certified individual.

Each youth sports organization will ensure that the AED status indicator is Green prior to field use. In the event that the status indicator is RED, call TEAM LIFE, INC @ (732)946-4243 or (888)466-8686 (Phone numbers are listed on the AED unit)

Sign *Mike Olson* Print Mike Olson Date 5/19/22

I have read and understand the above information. I will explain the function of the AED system and review the Safety points with all of the coaches, supervisors, parents and participants involved in my program, event or activity.

2020 ACKNOWLEDGMENT AND WAIVER OF LIABILITY, INDEMNIFICATION AND HOLD HARMLESS FOR THE USE OF BOROUGH OF WATCHUNG FIELDS, PARKS AND FACILITIES (APPLICANT)

I. Background and Purpose

The Borough of Watchung and the Borough of Watchung Recreation Commission (hereinafter jointly and separately referred to as the "Borough of Watchung") offer(s) Facility, Park and Field Use to the public for a variety of indoor and outdoor physical, social and educational programs and activities, including but not limited to competitive and non-competitive sports and sporting events, organized leagues, day camps, games, and instructional/training programs and camps (collectively referred to hereinafter as the "FACILITY AND FIELD USE"). The Borough of Watchung fields, facilities, parks and property and other public and semi-public places may be accessible to large numbers of people on a daily basis.

Due to the ongoing COVID-19 pandemic, and until further notice, any Organization, Company, and or individual(s) seeking to rent a Borough of Watchung facility or field for an event, program, or planned activity ("PROGRAM") shall require any adult, age 18 or older wishing to enroll themselves, their child(ren) or any other dependent(s) family members into or participate in the PROGRAM, or seeking to otherwise voluntarily participate or attend the PROGRAM as a coach, counselor, instructor, referee, official, or volunteer, to complete, sign an Acknowledgement and Waiver of Liability. It shall be the sole responsibility of the Applicant for the use of the Borough Field, Park and/or Facility to obtain and maintain a copy of the Acknowledgement and Waiver of Liability for a period of at least two (2) years from the date of the scheduled event.

Permission to access any Borough of Watchung facilities/property and equipment is expressly conditional on the Organization, Company and/or Individual(s) seeking to use or rent a Borough Field or Facility obtaining from all of its participants and attendees a properly completed and signed Acknowledgement and Waiver of Liability in a timely manner. The Organization, Company and/or Individual shall not permit an individual's participation or attendance in the PROGRAM without an executed Acknowledgement and Waiver of Liability.

Access to any Borough of Watchung facility, field, park, property and/or equipment may be denied or revoked at any time for the failure of the Organization, Company and/or individual to have obtained a properly completed, signed Acknowledgement and Waiver of Liability from all of its participants and/or attendees.

II. Acknowledgment and Waiver and Indemnification and Hold Harmless

I/WE, shall mean the following:

An INDIVIDUAL: Name: Mike Ohlson

ORGANIZATION: Name: WBSI

CORPORATION or LLC: Name: WBSI

I/WE have requested the use of a Borough of Watchung Field, Facility and/or Park for a PROGRAM and in consideration of the use of the Borough Field, Facility, and/or Park, I/WE, the undersigned agree to assume all risks of the Program and agree to indemnify and hold the Borough of Watchung and its officers, agents, and employees harmless from any and all liability, claims, costs, and attorney's fees arising out of the use of the Borough Property.

I/WE acknowledge that the Pandemic Illnesses: (1) are highly contagious and may cause serious permanent bodily injury, including death, of healthy persons of all ages; (2) are subject to changing recommendations on limiting risk of exposure and spread; (3) remain prevalent throughout New Jersey; (4) are highly likely to spread to persons in direct contact with or in close proximity to (within about 6 feet) an infected person; (5) believed by the CDC/NJDOH to spread by droplets produced into the air when an infected person coughs, sneezes, talks or otherwise moves air out through their nose and mouth, and from touching surfaces on which droplets containing the virus exist.

I/WE further acknowledge that operation and implementation of the PROGRAM may pose an inherent and heightened risk of exposure, infection and bodily injury from the Pandemic Illnesses regardless of preventative measures taken by the Borough of Watchung.

By signing this ACKNOWLEDGEMENT, WAIVER, INDEMNIFICATION AND HOLD HARMLESS, I/WE on behalf of ourselves, the PROGRAM PARTICIPANT(S) and other members of their household, voluntarily agree to assume all of the foregoing risks, and do accept sole and complete responsibility for any and all injuries, damage(s) and other losses to the PROGRAM PARTICIPANT(S), and other members of their household for attending or participating in the PROGRAM, including for all bodily injuries, disabilities, permanent disabilities, deaths, illnesses, damages, losses, claims, demands, liabilities, medical treatment and expenses, attorneys' fees, costs of suit and/or expenses of any kind that is incurred in connection with attending or participating in any PROGRAM.

I/WE, on behalf of myself/ourselves, HEREBY RELEASE, COVENANT NOT TO SUE, DISCHARGE, WAIVE AND AGREE TO INDEMNIFY AND HOLD HARMLESS THE BOROUGH OF WATCHUNG, THE BOROUGH OF WATCHUNG RECREATION COMMISSION, AND EACH OF THE BOROUGH OF WATCHUNG'S OFFICIALS, OFFICERS, EMPLOYEES AGENTS, VOLUNTEERS AND REPRESENTATIVES FOR AND FROM ANY AND ALL CLAIMS, DAMAGES, DEMANDS, LOSSES, LIABILITIES, ACTIONS, COSTS AND EXPENSES OF ANY KIND ARISING OUT OF OR IN ANY WAY RELATING TO THE ACCIDENTAL AND/OR NEGLIGENT EXPOSURE TO THESE PANDEMIC ILLNESSES FROM ATTENDING OR PARTICIPATING IN THE PROGRAM(S).

I/WE UNDERSTAND AND AGREE THAT THIS WAIVER, RELEASE, HOLD HARMLESS AND INDEMNIFICATION INCLUDES ANY AND ALL CLAIMS BASED ON THE ACTIONS, OMISSIONS, OR NEGLIGENCE OF THE BOROUGH OF WATCHUNG, THE BOROUGH OF WATCHUNG DEPARTMENT OF RECREATION AND THE BOROUGH OF WATCHUNG'S OFFICIALS, OFFICERS, EMPLOYEES, AGENTS, VOLUNTEERS AND REPRESENTATIVES, REGARDLESS OF WHETHER INFECTION FROM THESE PANDEMIC ILLNESSES OCCUR BEFORE DURING OR AFTER PARTICIPATION AND/OR ATTENDANCE IN ANY PROGRAM(S) AT A BOROUGH OF WATCHUNG FIELD, PARK, AND/OR FACILITY.



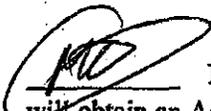
This ACKNOWLEDGEMENT, WAIVER, INDEMNIFICATION AND HOLD HARMLESS does not supersede, circumvent, or cancel Borough of Watchung Recreation Department's Rules and Regulations relating to the use and/or rental of the Borough Field, Park or Facility.

If any part of this ACKNOWLEDGEMENT, WAIVER, INDEMNIFICATION AND HOLD HARMLESS is found by a court of competent jurisdiction to be invalid, the remainder of this WAIVER release from liability shall nevertheless remain in full force and effect and the offending provision or provisions severed here from.

The undersigned, has read and accepts the terms and conditions of this and is fully authorized to execute the within document on behalf of Organization, Corporation or Company, and acknowledges and agrees that it shall, to the fullest extent allowed by law, be effective.

 _____
Authorized Signature 5/19/22
Date

WBSI - president _____
Print Name of Organization, Corporation and Title of Signatory 5/19/22
Date

 Initial to confirm that the Individual, Organization, Corporation and/or Company has or will obtain an Acknowledgement and Waiver of Liability form for all PROGRAM PARTICIPANTS and will maintain a copy of such for a period of at least two (2) years from the date of the scheduled event.

DRAFT

**CORPORATE, LIMITED LIABILITY COMPANY (LLC) OR
ORGANIZATION ACKNOWLEDGMENT**

The following is to be completed for a Corporation or LLC (Limited Liability Company), so there is verification that the person signing the Hold-Harmless Agreement is authorized to do so on behalf of the Corporation or LLC.

STATE OF NEW JERSEY, COUNTY OF

I, a NOTARY, CERTIFY that on May 25th, 2022
Mike Olson personally came before me and this person acknowledged under oath, to my satisfaction, that:

- a) this person is the President ^(NL) of WBSI, the corporation, LLC or Organization named in the attached;
- b) this person is the attesting witness to the signing of this document by the proper corporate officer or member who is Owner ^(NL) ~~President~~, the President of the corporation or LLC;
- c) this document was signed and delivered by the corporation, LLC or Organization as its voluntary act duly authorized and;
- d) this person signed this proof to attest to the truth of these facts.


Signature

Signed and sworn to before me

on May 25th, 2022


Notary

Natalie M. Castineira
Notary Public, State of New Jersey
Commission # 50154396
My Commission Expires March 18, 2026

**BOROUGH OF WATCHUNG
RESOLUTION: R8**

WHEREAS, the Borough will be holding a Mayors Regatta event to be held on June 11, 2022 and this will involve the use of Best Lake for boating purposes; and

WHEREAS, the Borough has sought and received the necessary approvals from the Joint Insurance Fund; and

WHEREAS, currently any swimming, wading or boating on Best or Watchung Lake is prohibited as set forth in Chapter 16, *Public Property and Recreation Areas*, Section 1.15 of the Code of the Borough of Watchung and a waiver is being sought.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the prohibition of swimming, wading and boating on Best Lake is hereby waived to allow the Mayor's Regatta event to be held on June 11, 2022.

Ronald Jubin, Council President

Keith S. Balla, Mayor

ADOPTED: JUNE 2, 2022
INDEX: MISC., PROPERTIES,
C: L. MONETTI, POLICE,
FIRE,

**BOROUGH OF WATCHUNG
RESOLUTION: R9**

NOW THEREFORE BE IT, RESOLVED that the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey hereby appoint Desiree Somerville as Summer Camp Program Director for the 2022 season; and

BE IT FURTHER RESOLVED, that the Summer Camp Program Director will be compensated at an hourly rate of \$27.00 for authorized tasks necessary for the preparation and administration of the Program and that the following temporary appointments of Camp Counselors at the respective hourly rates are also hereby approved.

	<u>Hourly Rate</u>
Assistant Camp Director: Antoinette Burns	\$20.00
Camp Counselor: Justin Drews	\$15.00
Camp Counselor: Brandon Dario	\$15.00
Camp Counselor: Mathew D'Amato	\$15.00

Ronald Jubin, Council President

Keith S. Balla, Mayor

DATE: JUNE 2, 2022
INDEX: APPOINTMENTS, RECREATION
C: B. HANCE, L. MONETTI

**BOROUGH OF WATCHUNG
RESOLUTION: R11**

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 June 2, 2022.

2. The general nature of the subject matter to be discussed is as follows:

Contract Negotiations, Personnel Matters, and Anticipated Litigation:
Police Benevolent Association, Watchung Local #193
TWA Application/ Sewer Connection

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.

Ronald Jubin, Council President

Keith S. Balla, Mayor

ADOPTED: JUNE 2, 2022

INDEX: MISC.

C: