

**BOROUGH OF WATCHUNG**  
**ORDINANCE: 23/13**

**WHEREAS**, there exists a pedestrian sidewalk along Stirling Road and around the Watchung Circle, which sidewalk terminates and ends at the intersection with Valley Road; and

**WHEREAS**, there is gap in the sidewalk along Valley Road until it begins again at the properties owned by the Borough identified as Block 4401, Lots 7, 8.01 and 8.02, pedestrian sidewalk on Valley Road (the "Borough Property"); and

**WHEREAS**, the area where the sidewalk is missing is located adjacent to the property identified as Block 4401, Lot 6, 20 Stirling Road, which is owned by Maha at Watchung, LLC ("Maha") (the "Maha Property"); and

**WHEREAS**, within this area the public right-of-way is not wide enough for the Borough to construct the sidewalk extension without obtaining an easement from Maha; and

**WHEREAS**, the Borough and Maha negotiated and entered into a Memorandum of Understanding, dated March 2022, providing for the Grantor's granting of a sidewalk and access easement on the Maha Property in exchange for the Borough's transferring ownership of an approximate 1,092± square foot portion of Lot 7 of the Borough Property that contains the existing garage/shed structure, along with related reciprocal overflow parking, landscaping and maintenance easements affecting the properties; and

**WHEREAS**, the Borough has accepted the donation of the paving of the existing parking area and related improvements on the Borough Property, as contemplated in the Memorandum of Understanding and included in this transaction; and

**WHEREAS**, the Borough and Maha negotiated and entered into a Contract for Transfer of Real Property and Easements, dated August 18, 2022, further memorializing the terms of the exchange of real property and easements between the Borough Property and Maha Property; and

**WHEREAS**, Maha applied for and received subdivision (lot line adjustment) approval with variance relief from the Watchung Borough Zoning Board of Adjustment (the "Board"), on November 10, 2022, to adjust the lot line between the Borough Property and Maha Property to allow the transfer of the approximate 1,092± square foot portion of Lot 7 of the Borough Property to Maha, which approval was memorialized in the Resolution (Application No. BA 22-05), adopted by the Board on December 8, 2022 (the "Approval"); and

**WHEREAS**, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, *et seq.* ("LLBL"), specifically N.J.S.A. 40A:12-16, and N.J.S.A. 40:67-1, the Borough is authorized to transfer and accept interests in real property, including easements, by ordinance; and

**WHEREAS**, the Mayor and Borough Council finds it in the best interest of the Borough to authorize the Borough to transfer and accept the easements with Maha, including transfer of an approximate 1,092± square foot portion of Lot 7 of the Borough Property to Maha, pursuant to the terms of the Contract for Transfer of Real Property and Easements and the Approval.

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

1. Subject to the terms and conditions of the Contract for Transfer of Real Property and Easements and the Approval, the Borough of Watchung hereby authorizes and approves the transfer of, in fee, approximately 1,092± square foot portion of Lot 7 of the Borough Property (pursuant to

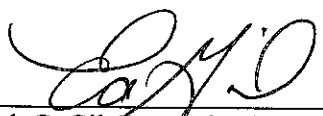
**BOROUGH OF WATCHUNG**  
**ORDINANCE: 23/13**

the Approval), a 10-Foot-Wide Maintenance and Access Easement, a Landscape Easement, and a Reciprocal Overflow Parking Easement on a portion of the Borough Property, to Maha.

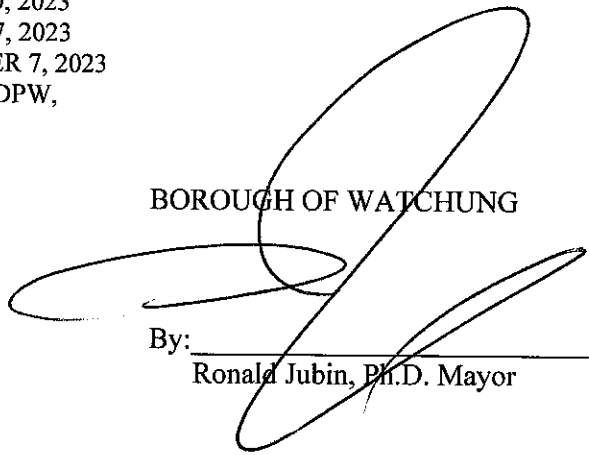
2. Subject to the terms and conditions of the Contract for Transfer of Real Property and Easements and the Approval, the Borough of Watchung hereby authorizes and approves the acceptance of a Sidewalk and Access Easement and a Reciprocal Overflow Parking Easement on a portion of the Maha Property, from Maha.
3. As this is a land exchange authorized pursuant to N.J.S.A. 40A:12-16, the Borough obtained an appraisal of the property interests exchange to confirm the valuation of real property being exchange is at least equal to or more advantageous to the Borough. The Borough obtained an Appraisal from ARD Appraisal Company, dated August 15, 2022, which confirmed that the value of the property being exchange is more advantageous to the Borough.
4. The Mayor and Borough Clerk are hereby authorized to execute the Deed and associated documents for the transfer of approximately 1,092± square foot portion of Lot 7 of the Borough Property, the 10-Foot-Wide Maintenance and Access Easement, the Landscape Easement, the Reciprocal Overflow Parking Easement, and the Sidewalk and Access Easement, in substantially the form attached to the Contract for Transfer of Real Property and Easements.
5. The Borough Clerk, Administrator, Attorney and other appropriate Borough official are hereby authorized and directed to take all required actions to complete the Borough's transfer and acceptance of the real property interests set forth in the Contract for Transfer of Real Property and Easements and authorized herein, along with the recording thereof.
6. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.
7. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40A:60-5(d); and (3) publication in accordance with the laws of the State of New Jersey.

INTRODUCED BY: EAD  
PASSED: AUGUST 10, 2023  
PUBLISHED: AUGUST 17, 2023  
ADOPTED: SEPTEMBER 7, 2023  
CC: FINANCE, DPW,

ATTEST:

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

BOROUGH OF WATCHUNG

  
By: \_\_\_\_\_  
Ronald Jubin, Ph.D. Mayor

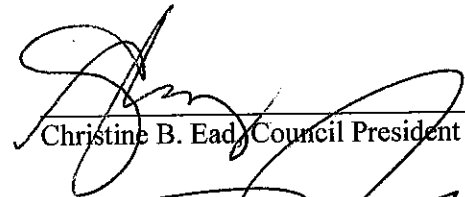
**BOROUGH OF WATCHUNG**  
**RESOLUTION: R1**

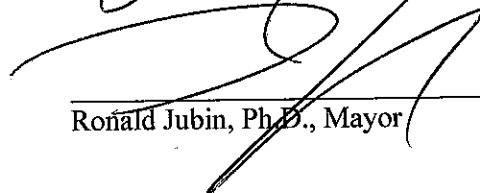
**WHEREAS**, Section 2-25.13 of the Code of the Borough of Watchung requires that contracts for purchases or services involving more than the authorized bid threshold be awarded by a resolution of the Mayor and Council.

**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: Atlantic Tactical, 763 Corporate Circle, New Cumberland, PA 17070  
Item: PD- (30) Safariland Bothell PD Carrier (outer vest carriers/ Patrol Officer's uniform)  
Total Price: \$8,728.70  
Charged to: 3-01-610-202

Vendor: Winner Ford, 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034  
Item: 2024 Ford Interceptor SUV Blk  
Total Price: \$89,968.00  
Charged to: 3-01-190-223

  
Christine B. Ead, Council President

  
Ronald Jubin, Ph.D., Mayor

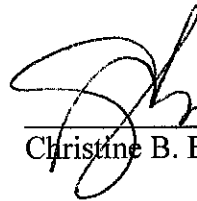
ADOPTED: SEPTEMBER 7, 2023  
INDEX: PURCHASING  
C: B. HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R2**

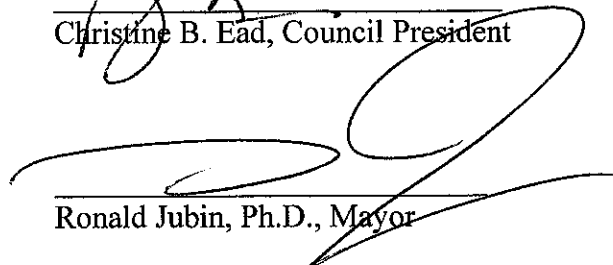
**WHEREAS**, a property located at 813 Somerset Street, also known as Block 4501, Lot 1.09 Q C0013, was sent a bill in the amount of \$465.00 for the 2023 sewer usage fee based upon being a 3-bedroom building; and

**WHEREAS**, it has been determined by the Tax Assessor that the building should be billed as having 2 bedrooms.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Tax Collector be authorized to change the 2023 bill to the criteria listed above and reduce the amount billed by \$116.25 to a total of \$348.75.



Christine B. Ead, Council President



Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: FINANCE-MISC  
C: B.HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R3**

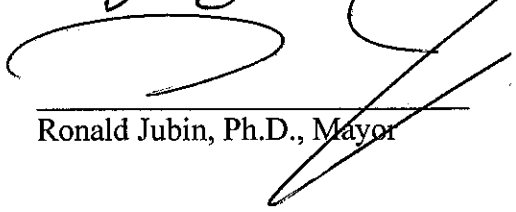
**WHEREAS**, a property located at 990 Somerset Street, also known as Block 4401, Lot 3, was sent a bill in the amount of \$1,395.00 for the 2023 sewer usage fee based upon 3 sewer units; and

**WHEREAS**, it has been determined by the Tax Assessor that the building should be billed as having one 1-bedroom apartment, one 2-bedroom apartment, and one office.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Tax Collector be authorized to change the 2023 bill to the criteria listed above and reduce the amount billed by \$348.75 to a total of \$1,046.25.



Christine B. Had, Council President



Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: FINANCE-MISC  
C: B.HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R4**

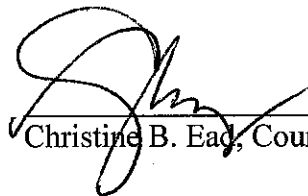
**WHEREAS**, a duplicate tax payment was made by Lynn Ferrante and she is requesting a refund.

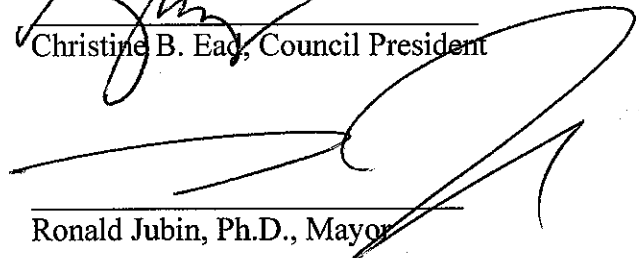
**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the refund of said payments be made per the details listed below:

Block 2101/ Lot 5 85 Maple Street

Lynn Ferrante

Amount: \$2,317.06

  
Christine B. Ead, Council President

  
Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: FINANCE MISC  
C: B.HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R5**

**WHEREAS**, a duplicate tax payment was made by LERETA Tax service, and

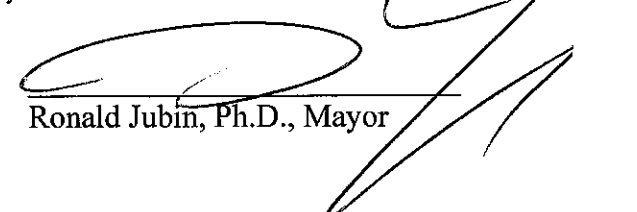
**WHEREAS**, the bank is requesting a refund of the overpayment.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the refund of said payments be made per the details listed below:

Block 201/ Lot 1    60 Glen Eagles Drive

Amount: \$3,745.62

Make Payable to:  
LERETA, LLC  
Attn: Central Refunds  
901 Corporate Center Drive  
Pomona, CA 91768

  
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Christine B. Ead, Council President  
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Ronald Jubin, Ph.D., Mayor

ADOPTED:    SEPTEMBER 7, 2023  
INDEX:       FINANCE-MISC  
C:            B.HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R6**

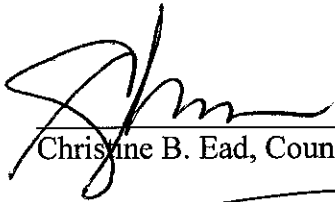
**WHEREAS** the properties listed below made their tax payments by mail;

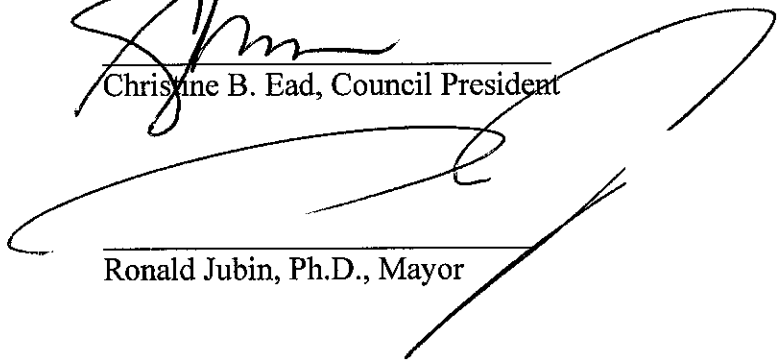
**WHEREAS**, due to post office issues, the payments were not received until after the due date; and

**WHEREAS**, it has been determined that the property owners should not pay delinquent interest and the tax payments have been made in full.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that the Tax Collector is authorized to reimburse the properties below for the interest that was assessed for the delinquent payments:

Block 3001 Lot 7	135 Hillside Avenue	\$99.33
Block 6905 Lot 40	80 Sherwood Drive	\$60.14
Sewer Acct # 1862-0	Green Brook Township	\$859.95

  
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Christine B. Ead, Council President

  
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Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: FINANCE MISC  
C: B.HANCE



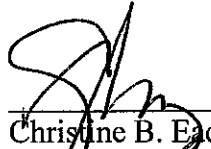
**BOROUGH OF WATCHUNG**  
**RESOLUTION: R7**

**WHEREAS**, the Borough of Watchung has received a Field and Facility Permit Application which has been reviewed by Borough Officials; 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 HEREBY 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. Jose and Krystle Rodriguez, of KW Towne Square Realty, to hold pumpkin give-away for the community, from 9:30 AM to 1:30 PM, on October 1, 2023 (Rain date: October 2, 2023 from 4-7pm).
2. All approvals are subject to having appropriate insurance coverage, applicable internal approvals and receipt of appropriate fees, if applicable.

  
Christine B. Ead, Council President

  
Ronald Rubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: RECREATION  
C: DQG, PD,

**BOROUGH OF WATCHUNG  
RESOLUTION:R8**

**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  
\$2,684,463.20 per the attached bill list. The expenditures can be broken down into  
the following categories:

Affordable Housing Trust	\$	642.00
Animal Control	\$	18.60
Watchung Community Foundation	\$	40.00
Grant Fund	\$	26,741.88
Capital Fund	\$	3,997.80
Developer's Escrow	\$	6,998.64
Other Escrow	\$	20,938.47
Current Fund	\$	2,625,085.81
<b>Total Expenditures:</b>	<b>\$</b>	<b>2,684,463.20</b>

\_\_\_\_\_  
Robert Gibbs

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Paul Fischer

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Christine Ead, Council President

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William J. Hance, CFO

\_\_\_\_\_  
James Darnato, Administrator

\_\_\_\_\_  
Curt Dahl

\_\_\_\_\_  
Paolo Marano

\_\_\_\_\_  
Sonia Abi Habib

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Ronald Jubin, Mayor

**Date: September 7, 2023**  
**Index: Finance**  
**C: Finance**

**BOROUGH OF WATCHUNG  
RESOLUTION: R9**

**WHEREAS**, Mayor Ronald Jubin 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:

**PLANNING BOARD**

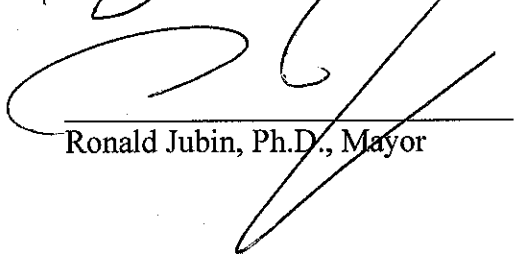
Robert L. Gibbs, Class III Member

**TERM**

Ending on December 31, 2023  
Filling unexpired term



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Christine B. Ead, Council President



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Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: APPOINTMENTS  
CC: BOARD CLERK

**BOROUGH OF WATCHUNG  
RESOLUTION: R10**

**WHEREAS**, the Borough of Watchung is holding an online tax sale on November 30, 2023, and

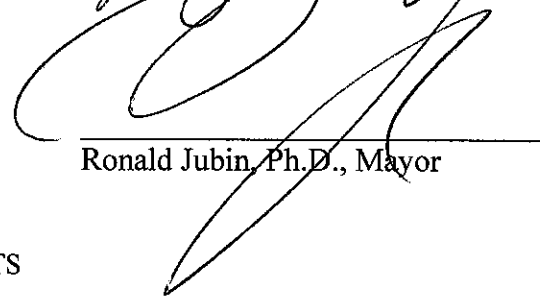
**WHEREAS**, a proposal was received by Real Auction to provide the auction hosting services, and

**WHEREAS**, the Chief Financial Officer certifies that funds are available in line item 3-01-140-255.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Watchung that the Chief Financial Officer is authorized to award the online tax sale hosting service contract to Realauction.com, LLC for \$15 per certificate advertised for a total anticipated amount not to exceed \$1,500.00.



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Christine B. Ead, Council President



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Ronald Jubin, Ph.D., Mayor

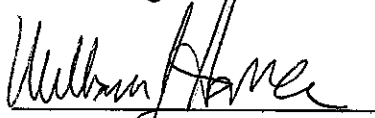
ADOPTED: SEPTEMBER 7, 2023  
INDEX: AWARDS / CONTRACTS  
C: B.HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R11**

**WHEREAS,** it is necessary to retain the Professional Services of an **Affordable Housing Administrative Agent** as regulated by the NJ Department of Community Affairs; and

**WHEREAS,** the Borough solicited for a "Cost Proposal: Affordable Housing General Administrative Agent" and received a written cost proposal and this cost proposal was reviewed by the Administrator; and

**WHEREAS,** the Chief Financial Officer of the Borough of Watchung has certified that funds are available in the following account: Affordable Housing Trust Fund

  
William J. Hance, CFO


**WHEREAS,** it is the consensus of the Governing Body that it would be in the best interest of the Borough to authorize a Professional Service contract to CGP&H LLC, 1249 South River Road, Suite 301, Cranbury, New Jersey 08512.

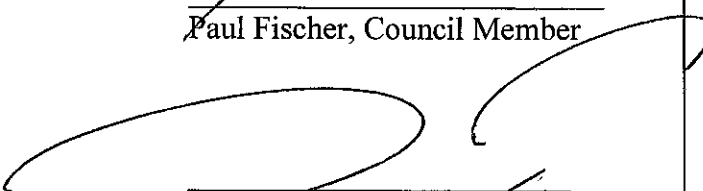
**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey that a contract be awarded to CGP&H, in an amount not to exceed \$30,000.00.

**BE IT FURTHER RESOLVED** that this contract is being awarded upon recommendation by the Administrator and the Administration and Finance Committee after review and based on the merits and abilities of the professionals to provide the goods or services as described herein.

**BE IT FURTHER RESOLVED** that this contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 *et seq.* but has been awarded based on the merits and abilities of CGP&H 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.*).

  
Paul Fischer, Council Member

  
Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: AWARDS,  
C: B. HANCE

**BOROUGH OF WATCHUNG  
RESOLUTION: R12**

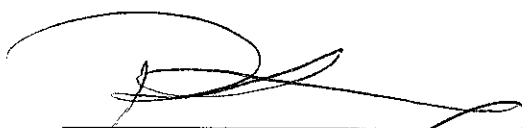
**WHEREAS**, Linda Monetti retired effective August 31, 2023; and

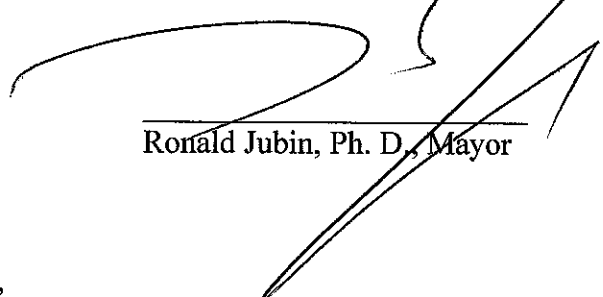
**WHEREAS**, accumulated benefits must be determined and paid as a result; and

**WHEREAS**, Linda has accumulated 365.50 hours of sick time, half of which is to be paid at her current hourly rate of pay of \$35.56.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset that Linda Monetti receive payment for accumulated employee benefits on the September 15, 2023 payroll as follows:

Sick Time 182.75 hours x \$34.56	\$6,315.84
<b>Total:</b>	<b>\$6,315.84</b>

  
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Paul Fischer, Council Member

  
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Ronald Jubin, Ph. D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: PERSONNEL  
C: E. HORSFALL, B. HANCE,

**BOROUGH OF WATCHUNG  
RESOLUTION: R13**

**WHEREAS**, on October 18, 2022, Levin Properties, LP ("Levin" or "Developer") received preliminary and final major site plan approval, with variance relief, from the Watchung Borough Planning Board (the "Board") to relocate the existing Shop-Rite Supermarket and creation of three (3) proposed retail spaces on the property identified as Block 6404, Lots 2.01, 2.02, 2.03 and 2.04, located at 1701 U.S. Highway Route 22, also known as the Blue Star Shopping Center (the "Property"), which approval was memorialized by Resolution adopted by the Board on November 15, 2022 (the "Approval"); and

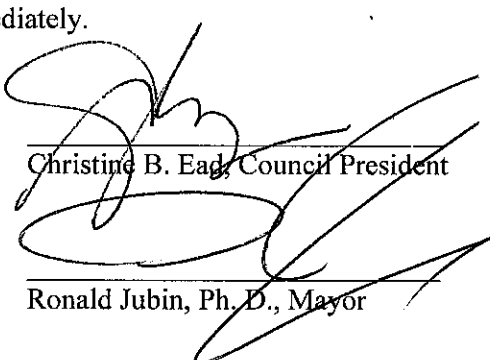
**WHEREAS**, the Approval was granted subject to the Developer entering into a Developer's Agreement and Private Police Services Agreement with the Borough of Watchung, in addition to Developer's compliance with all other conditions of the Approval; and

**WHEREAS**, the Borough and Developer negotiated a Developer's Agreement and Private Police Services Agreement in compliance with the conditions of the Approval; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Watchung find it to be in the best interest of the Borough to enter into and execute the Developer's Agreement and Private Police Services Agreement with Developer assuring compliance with all terms and conditions of the Approval.

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

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The Borough is hereby authorized to enter into the Developer's Agreement and Private Police Services Agreement with the Developer.
3. The Mayor and Borough Clerk are hereby authorized to the Developer's Agreement and Private Police Services Agreement in substantially the form attached to and made a part of this Resolution.
4. The Borough Clerk, Administrator, Chief Financial Officer and other appropriate official are authorized to take appropriate actions to accomplish the authorizations set forth in this Resolution and the attached Developer's Agreement and Private Police Services Agreement.
5. This Resolution shall take effect immediately.

  
Christine B. Eag, Council President

Ronald Jubin, Ph. D., Mayor

ADOPTED: SEPTEMBER 7, 2023  
INDEX: PLANNING BD  
C: T.V., C.T., J.S.,

**BOROUGH OF WATCHUNG  
RESOLUTION: R14**

**WHEREAS**, on November 10, 2022, Seritage SRC Finance, LLC ("Seritage" or "Developer") received preliminary and final major site plan approval, with variance relief, from the Watchung Borough Zoning Board of Adjustment (the "Board") for the development of a Starbucks restaurant on the property identified as Block 6101, Lot 5, located at 1662 U.S. Highway Route 22 (the "Property"), which approval was memorialized by Resolution adopted by the Board on December 8, 2022 (the "Approval"); and

**WHEREAS**, the Approval was granted subject to the Developer entering into a Developer's Agreement with the Borough of Watchung, in addition to Developer's compliance with all other conditions of the Approval; and

**WHEREAS**, the Borough and Developer negotiated a Developer's Agreement in compliance with the conditions of the Approval; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Watchung find it to be in the best interest of the Borough to enter into and execute the Developer's Agreement with Developer assuring compliance with all terms and conditions of the Approval.

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

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The Borough is hereby authorized to enter into the Developer's Agreement with the Developer.
3. The Mayor and Borough Clerk are hereby authorized to the Developer's Agreement in substantially the form attached to and made a part of this Resolution.
4. The Borough Clerk, Administrator, Chief Financial Officer and other appropriate official are authorized to take appropriate actions to accomplish the authorizations set forth in this Resolution and the attached Developer's Agreement.
5. This Resolution shall take effect immediately.



Christine B. Ead, Council President



Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 5, 2023  
INDEX: PLANNING BOARD,  
C: T.V, C.T., J.S.,