

**BOROUGH OF WATCHUNG
ORDINANCE 24/14**

**ORDINANCE REVISING CHAPTER 2, ADMINISTRATION, OF THE
CODE OF THE BOROUGH OF WATCHUNG TO ESTABLISH THE
WATCHUNG YOUTH SERVICES COMMISSION**

WHEREAS, the Borough of Watchung has previously established The Watchung Borough Youth Services Commission by Resolution adopted December 18, 2003, pursuant to N.J.S.A. 9:22-1, to assist in determining the needs of the community and provide a vision to coordinate activities of the Borough's youth; and

WHEREAS, the Commission also serves as a conduit between the Borough and the County of Somerset with regard to the receipt of grants for recreational and school activities; and

WHEREAS, the Mayor and Borough Council now desire to establish the Commission more formally by Ordinance and codify same in the Borough Code.

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

Section 1. Section 2-48 entitled "(Reserved)" of Article V entitled "Boards, Committees, and Commissions" of Chapter 2 entitled "Administration" of The Code of the Borough of Watchung is hereby supplemented and amended to establish and codify the Borough's youth services commission to read as follows:

Chapter 2. Administration.

Article V. Boards, Committees, and Commissions

§2-48. ~~(Reserved)~~ Watchung Borough Youth Services Commission

§2-48.1. Purpose; Established.

A. Pursuant to the authority granted to local municipalities by resolution of the County of Somerset, State of New Jersey, and consistent with N.J.S.A. 52:17B-169, *et seq.*, and N.J.A.C. 13:90-2.1, *et seq.*, the Borough of Watchung hereby establishes a Youth Services Commission to be known as “The Watchung Borough Youth Services Commission.”

B. Purpose and responsibilities.

1. It shall be the purpose of the Watchung Borough Youth Services Commission to encourage, coordinate and integrate existing services for youth at risk of or already involved in the juvenile justice system by determining the needs of at-risk youth in their community, developing and proposing new innovative programs to meet the identified needs and informing the public of the availability of service to meet those needs.
2. The Commission shall work collaboratively with the Somerset County Youth Services Commission in their responsibility of assessing the needs of youth within the Borough of Watchung in order to develop appropriate prevention and intervention strategies that address those issues.
3. In carrying out this purpose, the Commission shall fulfill the following responsibilities:
 - (a) Provide an open forum to foster communication, education and information concerning problems and opportunities that exist within the community for youth;
 - (b) Assess the needs of the community’s youth;
 - (c) Advise on and recommend planning, policy and programs for the community’s youth;
 - (d) Explore various resources to meet the local community needs; and
 - (e) Assist in the development of a plan of action to implement recommended programs to the Borough.

C. Guiding principles of the Commission should include:

- Valuing youth
- Empowering youth
- Strengthening families
- Promoting healthy alternatives
- Supporting diversity
- Encouraging community based services
- Networking
- Youth / Adult Partnerships

- Access to services
- Community based youth development programs

§2-48.2. Appointments; Membership; and Qualifications.

- A. The Youth Services Commission shall consist of a minimum of seven (7) members, with a maximum of fifteen (15) members. The Commission shall consist of, but not limited to:
1. A member of the Watchung Borough Council;
 2. A representative of the Watchung Borough School District;
 3. A representative of the Recreation Committee;
 4. A Police Officer;
 5. A member of the Parent-Teacher Organization (PTO);
 6. Other members-at-large who are residents and/or employees of the Borough of Watchung and the Watchung Borough School District having an interest in youth.
- B. All members of the Commission shall be appointed by the Mayor, with the advice and consent of the Borough Council. Each member shall be chosen with consideration to their qualifications and fitness for service with regard to the purposes and responsibilities of the Commission as defined in this Section. In order to achieve the goals of the Commission, the direct involvement of a cross-section of local government, education, law enforcement and community leaders who live and/or work in the Borough is of preference.
- C. Members of the Commission shall be appointed to serve for a term of three (3) years or until their successors be appointed, with the exception that the terms of a member of the Borough Council and School District shall be annual and consistent with their respective terms of office. All terms shall begin as of January 1 of the year of their appointment and expire on December 31 of the last year of their term. Initially appointments to the Commission shall be staggered so that no more than 3 members are to be appointed/reappointed in any year, with the exception of the members of the Borough Council and School District.
- D. The Officers of the Commission shall consist of a Chairperson, Vice-Chairperson, Secretary and Treasurer, who shall be elected by the general membership at the annual reorganization meeting, and shall serve for a period of one (1) year.
1. Chairperson. This member shall preside at all meetings, prepare the meeting agenda, appoint special committees to address specific issues and serve as an ex-officio member of all committees.
 2. Vice-Chairperson. This member shall, in the absence of the Chairperson, assume the responsibilities of the Chairperson.
 3. Secretary. This member shall take minutes of the proceedings at all meetings, sent the minutes to the membership, and send the approved minutes to the Borough

Clerk for acknowledgment and acceptance by the Borough Council. This member shall also provide for adequate notice of all meetings in accordance with the Open Public Meetings Act.

4. Treasurer. This member shall periodically file with the Borough Council a report giving a complete account of all financial transactions and a statement of activities showing the expenditure of public funds and the receipts, expenditure of fees, and charges collected. A separate budget account shall be maintained to record money and tangible personal property donated for current use. The Treasurer shall keep adequate records of all funds for long term projects handled by the Commission. The Commission shall approve all vouchers for the expenditure of funds of any character. The Treasurer shall report on the status of the funds at each meeting. In lieu of the need for a Treasurer, the Borough Chief Financial Officer will assume these duties.
- E. Vacancy. Any vacancy occurring other than by expiration of the term shall be filled for the unexpired term in the same manner as the original appointment for such member.
- F. All members and officers of the Youth Services Commission shall serve without compensation.

§2-48.3. Powers and Duties.

- A. The Youth Services Commission shall perform the following functions and duties:
 1. Provide an open forum to foster communication, education and information concerning problems and opportunities that exist within the community for youth;
 2. Advise on and recommend the planning and development of programs for youth;
 3. Serve as the functioning body in the development of plans in the areas of youth services;
 4. Assess the needs of the community's youth throughout the calendar year;
 5. Identify service gaps and priorities;
 6. Explore various means and resources to meet the local community needs;
 7. Assist in the development of a plan of action to implement recommended programs;
 8. Advise the Mayor, Borough Council, and administration on the availability of grant programs and economic initiatives relating to youth services;

9. Make recommendations to the Mayor and Borough Council with regard to any purchase or contract for the promotion of youth services within the Borough, with the final decision whether to enter or award such purchase or contract being at the sole discretion of the governing body;
 10. Carry out other related duties as may be assigned from time to time by the Borough Council; and
 11. Prepare and provide an annual report to the Mayor and Borough Council during December of each year setting forth, in detail, its operations and recommendations covering the preceding twelve (12) months.
- B. The Youth Services Commission shall coordinate its efforts with the Somerset County Youth Services Commission and shall be guided by the rules and regulations adopted thereby, including but not limited to the procurement of grants consistent with this Section and in furtherance of the purpose and mission of the Commission.
- C. By-laws; Subcommittees.
1. The Youth Services Commission shall adopt and establish By-laws to govern the Commission, within the parameters and authorities granted in this Section. The By-laws shall be reviewed and updated, if necessary, on an annual basis, and shall be subject to approval by the Borough Council. At a minimum, the By-laws shall include the following (consistent with the terms of this Section):
 - a. Name of Commission
 - b. Purpose and Function
 - c. Objectives
 - d. Organization, including Commission descriptions
 - e. Membership and Terms of Office
 - f. Officers
 - g. Duties of Officers
 - h. Nomination and Election of Officers
 - i. Meetings (Conduct, Cancellation or Addition of Meetings)
 - j. Other considerations of Members.
 2. The Youth Services Commission shall have the power to establish standing and ad hoc subcommittees as needed, including, but not limited to, an adjustment subcommittee consisting of persons qualified by experience and training to assist in and coordinate the efforts of police, school and other agencies to provide guidance and counsel to youth with incipient behavior and to cooperate with the Superior Court, Chancery Division, Family Part, having jurisdiction when cases arise in which official adjudication of delinquency seems indicated.
- D. Budget; Funding; Expenditures.

1. The Youth Services Commission shall have a budget as authorized by the Borough Council.
2. The Youth Services Commission is authorized to submit applications for grant funding, subject to the approval of the Borough Council.
3. On a periodic basis, but at least quarterly, the Youth Services Commission shall submit a detailed accounting of all anticipated expenditures to the Borough Council for review and approval. Goods and services cannot be procured by the Commission without approval from the Borough Council.
4. The Youth Services Commission shall not have any powers or authorities other than those set forth herein. Specifically, the Commission shall not have the power or authority to expend public funds outside of its budget, pledge the credit of the Borough or otherwise incur indebtedness, or enter into contracts on behalf of itself or the Borough, without the approval of the Borough Council.

§2-48.4. Meetings.

- A. Meetings of the Youth Services Commission shall comply with the requirements of Open Public Meetings Act, N.J.S.A. 40:4-6, *et seq.*; and shall follow the Roberts Rules of Order.
- B. The Youth Services Commission shall hold a re-organization meeting each calendar year, to be held on or before January 10th of each year, at which time the Commission shall establish its regularly scheduled meeting dates, and elect its officers. The Commission shall schedule a minimum of six (6) meetings in a calendar year.
- C. The Youth Services Commission shall keep accurate minutes of its meetings and activities; and approved minutes shall be filed with the Borough Clerk.
- D. A majority of the current appointed members of the Commission shall constitute a quorum for the holding of a meeting of the Commission.
- E. All decisions of the Commission shall be decided by a simple majority vote of those present at a meeting

BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this Ordinance are hereby declared to be severable; and

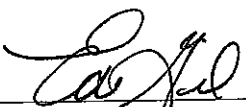
BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that in the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Watchung, the provisions hereof shall be determined to govern, and the inconsistencies of the prior ordinance are hereby repealed. All other parts, portions and provisions of the Ordinances of the Borough of Watchung are hereby ratified and confirmed, except where inconsistent with the terms hereof; and

BE IT FURTHER ORDAINED by the County of the Borough of Watchung that within five (5) days after its adoption by the Council, this Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40A:60-5(d). If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved; and

BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that this Ordinance shall take effect upon final passage and publication according to law; and approval by the Mayor pursuant to N.J.S.A. 40A:60-5(d).

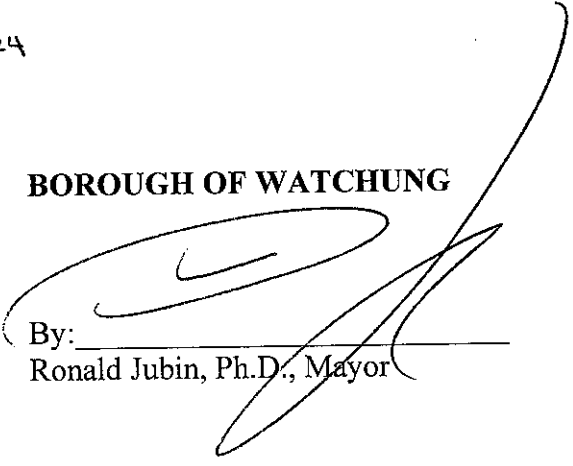
INTRODUCED BY: GIBBS
PASSED: AUGUST 15, 2024
PUBLISHED: AUGUST 22, 2024
ADOPTED: SEPTEMBER 5, 2024
CC: GEN.CODE,

ATTEST:



Edith G. Gil, Borough Clerk

BOROUGH OF WATCHUNG

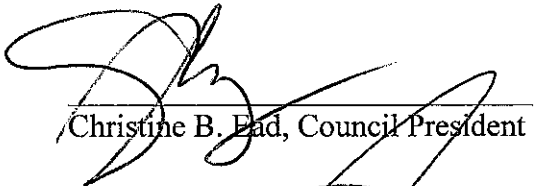

By: _____
Ronald Jubin, Ph.D., Mayor

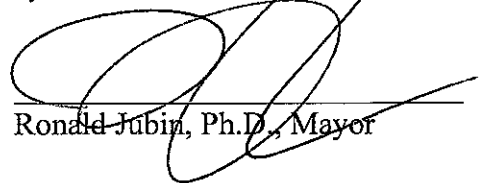
**BOROUGH OF WATCHUNG
RESOLUTION: R1**

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: Motorola Solutions, Inc., c/o Wireless C&E, Chester, NJ 07930
Item: FD-Apx 8000xe all band radios
Total Price: \$30,313.50
Charged to: 3-01-610-205 and 4-01-610-205


Christine B. Ead, Council President


Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 5, 2024
INDEX: PURCHASING
C: B. HANCE

**BOROUGH OF WATCHUNG
RESOLUTION: R2**

WHEREAS, Mayor Ronald Jubin has recommended the appointment of the individual for the term as listed below.

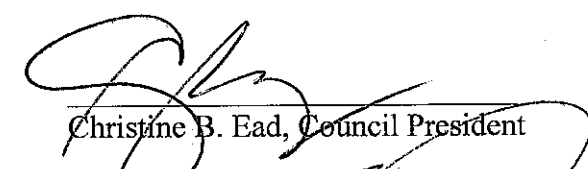
NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Watchung, County of Somerset, State of New Jersey that the following appointment is hereby confirmed:

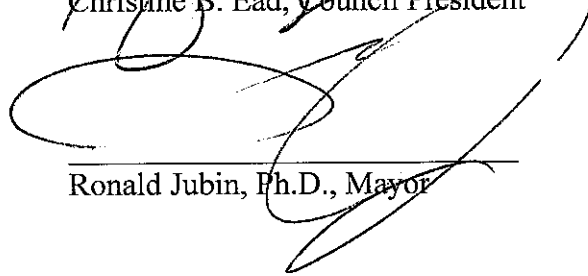
YOUTH SERVICES COMMISSION

TERM

Officer Michael Dolinski

Ending on December 31, 2024
Filling Unexpired Term


Christine B. Ead, Council President


Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 5, 2024
INDEX: APPOINTMENTS
C:

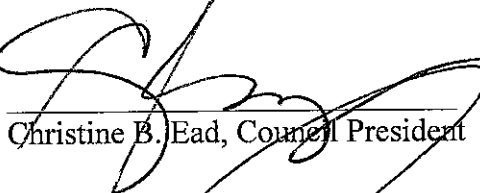
**BOROUGH OF WATCHUNG
RESOLUTION: R3**

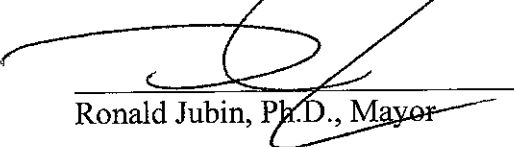
WHEREAS, the Borough has received a Field and Facility Permit application and the Borough's Recreation Coordinator has reviewed the completed application as submitted and hereby recommends its approval; and

WHEREAS, the Governing Body of the Borough of Watchung, County of Somerset, State of New Jersey wishes to authorize the request to use Phillips Field.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung, County of Somerset that the use of the Watchung Lake Gazebo is hereby authorized for the intended use as noted below:

1. Somerset County Library System of NJ, use of Phillips Field for a Drones 101 Program for Teens, from 4:00 PM to 6:00 PM, on Thursday, October 10, 2024.


Christine B. Ead, Council President


Ronald Jubin, Ph.D., Mayor

ADOPTED: SEPTEMBER 5, 2024
INDEX: RECREATION
C: DG, PD

**BOROUGH OF WATCHUNG
RESOLUTION: R4**

WHEREAS, Levin Properties, L.P. (“Levin”), is the owner of the property identified as Block 64.04, Lots 2.03 and 2.04, as shown on the Official Tax Map of the Borough of Watchung, County of Somerset, State of New Jersey, with an address of 1701 U.S. Highway 22, also known as the Blue Star Shopping Center (the “Property”); and

WHEREAS, there exists a private sanitary sewer line traversing the Property, under U.S. Route 22, and proceeding parallel along U.S. Route 22 until it reaches its terminus point at Terrill Road; and

WHEREAS, this private sanitary sewer line services the tenants located on the Property, along with off-site properties; and

WHEREAS, in 1959 the Borough and Levin entered into an Agreement with regard to the installation of this private sanitary sewer line, which Agreement authorized the construction and connection of the sewer line into the existing main sewer line located at Terrill Road (the “1959 Agreement”); and

WHEREAS, the construction of the private sewer line was authorized by Ordinance authorizing the construction of the collector sewer system on the Property, adopted by the Borough on July 23, 1959; and

WHEREAS, the sanitary sewer system was to flow into and be treated by the Joint Meeting of the City of Plainfield sewer treatment facility, which is currently known and operated as the Plainfield Area Regional Sewerage Authority (“PARSA”); and

WHEREAS, in 2013 the Borough and Levin entered into a subsequent Agreement concerning the private sanitary sewer line on the Property, which Agreement allowed the Borough to connect additional residential properties along Johnston Drive into the private sewer line on the Property, and providing for the Borough to take over the sewer billings for certain off-site properties being serviced by the private sewer line (the “2013 Agreement”); and

WHEREAS, the 2013 Agreement further set forth the terms of Levin’s grant of a twenty five (25’) foot sanitary sewer easement to the Borough, for the construction, operation, maintenance, inspection, repair, reconstruction, alteration and replacement of an eight (8”) inch gravity sanitary sewer line on the Property, including the limitation of same to serve a maximum of forty (40) single family homes in the area of Johnston Drive, explicitly excluding any development relating to the Weldon Quarry; and

WHEREAS, Levin granted a Sanitary Sewer Easement to the Borough, dated June 10, 2014, and recorded with the Somerset County Clerk’s office on June 18, 2014, in Book 6723, Pages 455-468, Instrument No.: 2014021605 (the “Sanitary Sewer Easement”); and

WHEREAS, the terms of the 2013 Agreement and Sanitary Sewer Easement provided for the Borough to assume responsibility for the sanitary sewer main line traversing the Property, and to integrate such line into the Borough’s sanitary sewer system; and

WHEREAS, in connection with the Borough’s compliance with its third round affordable housing obligation, as included in the matter captioned In the Matter of the Borough

**BOROUGH OF WATCHUNG
RESOLUTION: R4**

of Watchung (Mt. Laurel), Docket No. SOM-L-902-15, Bonnie Burn Redevelopers Urban Renewal, LLC ("Redeveloper") is the contract purchaser and designated redeveloper of the property identified as Block 7403, Lots 5 & 10, and Block 7402, Lots 19.01 and 19.02, known as 291 Bonnie Burn Road (the "Redevelopment Property"), for the inclusionary development consisting of 230 rental units, of which 184 will be market-rate units and 46 will be affordable housing units (the "Project"); and

WHEREAS, the Redevelopment Property is included in the identified properties proposed for connection to the private sewer line in the Sanitary Sewer Easement; however, the number of connections for the Project exceed the maximum permitted therein; and

WHEREAS, the Project seeks to utilize Levin's private sewer line to be serviced by PARSA by way of its meter chamber at the intersection of Terrill Road and U.S. Highway Route 22 ("Terrill Road Meter Chamber"); and

WHEREAS, the Redeveloper has confirmed that PARSA has available sanitary sewer capacity and sewer connections for the Project, but requires an amendment to the Sanitary Sewer Easement to allow the additional flow through Levin's private sewer line on the Property; and

WHEREAS, Levin is willing to accept the additional sanitary sewer flow through the private sewer line on the Property for the Project, including entering into an amendment to the Sanitary Sewer Easement, subject to the Borough assuming ownership and maintenance of the sanitary sewer lines, as well as assuming responsibility for the sewer billing for all off-site properties utilizing these sewer lines; and

WHEREAS, the Borough and Levin negotiated an agreement to allow for Redeveloper's use of the sanitary sewer lines on the Levin Property to allow for the proposed connection for the Project, along with the Borough's taking ownership of same, which agreement is attached hereto; and

WHEREAS, simultaneously upon entering into the Agreement with Levin, the Borough shall enter into a separate agreement with Redeveloper that will provide for the Redeveloper's contributions towards the required cleaning and maintenance of the sanitary sewer lines located on the Levin Property; and

WHEREAS, the Borough Council finds it in the best interest of the Borough to authorize the Borough to enter into and execute the Sanitary Sewer Agreement with Levin memorializing the agreed upon terms and conditions for the Borough's acquisition of the sanitary sewer lines on the Levin Property to allow for sewer service for the Project.

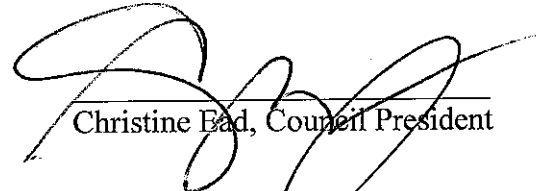
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Borough hereby authorizes the Borough to enter into and execute the Sanitary Sewer Agreement with Levin, in the substantial form attached hereto, memorializing the agreed upon terms and conditions for the Borough's acquisition of the sanitary sewer lines on the Levin Property to allow for sewer service for the Project.

**BOROUGH OF WATCHUNG
RESOLUTION: R4**

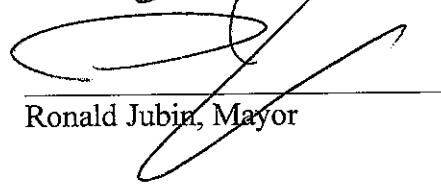
BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to sign the Sanitary Sewer Agreement with Levin, in the substantial form attached hereto, on behalf of the Borough.

BE IT FURTHER RESOLVED that the appropriate Borough officials and professionals are authorized to take all required actions to effectuate the authorizations in this Resolution and comply with the terms of the Sanitary Sewer Agreement.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.



Christine Ead, Council President



Ronald Jubin, Mayor

ADOPTED: SEPTEMBER 5, 2024
INDEX: SEWERS-SANITARY
C: FINANCE, ENG.,

**BOROUGH OF WATCHUNG
RESOLUTION: R5**

WHEREAS, Bonnie Burn Redevelopers Urban Renewal, LLC (“Redeveloper”), is the contract purchaser and designated redeveloper of the property known as 291 Bonnie Burn Road, Watchung, New Jersey, and identified as Block 7403 Lots 5 and 10 and Block 7402 Lots 19.01 and 19.02 on the tax map of the Borough of Watchung (collectively referred to as “the Property”); and

WHEREAS, the Property has been designated as a site for affordable housing pursuant to a settlement agreement that the Borough entered into with Fair Share Housing Center, Inc. in the matter captioned In the Matter of the Borough of Watchung (Mt. Laurel), Docket No. SOM-L-902-15, to confirm Watchung’s compliance with its affordable housing obligations, which designated the Property as the Borough’s primary affordable housing compliance mechanism; and

WHEREAS, on October 4, 2018, pursuant to Resolution No. R11:10/04/18, the Council designated the Property as an Area in Need of Non-Condemnation Redevelopment (the “Redevelopment Area”); and

WHEREAS, on December 6, 2018 via Ordinance No. OR:18/20 the Council adopted a redevelopment plan (the “Redevelopment Plan”), as thereafter amended, providing for the redevelopment of the Redevelopment Area with an inclusionary development consisting of 230 total rental units, of which 184 will be market-rate units and 46 will be affordable housing units (“Project”); and

WHEREAS, on October 28, 2021 the Borough of Watchung Planning Board (“Planning Board”) adopted a resolution that granted Redeveloper’s application for preliminary site plan approval for the Project and on January 18, 2022 the Planning Board adopted a resolution that granted Redeveloper’s application for final site plan approval, authorizing the development of the Project as an inclusionary housing project on the Property; and

WHEREAS, in connection with the site plan application to the Planning Board, the Redeveloper submitted engineering plans to obtain sewer service for the Project from the Plainfield Area Regional Sewer Authority (“PARSA”) by way of PARSA’s meter chamber at the intersection of Terril Road and U.S. Highway Route 22 (“Terrill Road Meter Chamber”); and

WHEREAS, Condition 42 of the Planning Board’s October 28, 2021 resolution for the Project requires Redeveloper to obtain sewer service from PARSA to secure sanitary sewer capacity and sewer connections for the Project; and

WHEREAS, Redeveloper has diligently made various efforts towards obtaining all necessary approvals to construct the Project; and has confirmed that PARSA has available sanitary sewer capacity and sewer connections for the Project; and

WHEREAS, the Borough of Watchung is also a party to a Sanitary Sewer Easement, dated June 10, 2014 and recorded on June 18, 2014 as Instrument No. 2014021605 in OPR 6723 P 455-468, and the related agreement entered into between the Borough and Levin Properties, L.P. in or about 2013 (collectively “Sanitary Sewer Easement”) between the Borough and Levin Properties, L.P. (“Levin”), which Sanitary Sewer Easement authorized the Borough to construct an eight (8) inch gravity sanitary sewer line and necessary appurtenances and connect to sanitary sewer lines that Levin constructed and maintains on its property located at 1701 U.S. Highway Route 22,

**BOROUGH OF WATCHUNG
RESOLUTION: R5**

Watchung, New Jersey 07069, and identified as Block 64.04 Lots 2.03 and 2.04 on the tax maps of the Borough of Watchung, and known as the Blue Star Shopping Center (“Levin Property”); and

WHEREAS, the Sanitary Sewer Easement also included a limitation on the number of sewer connections served by the sanitary sewer line on the Levin Property to a maximum of forty (40) single family homes in the area of Johnston Drive, explicitly excluding any development relating to the Weldon Quarry, which properties were specifically identified in the Sanitary Sewer Easement; and

WHEREAS, on November 9, 2021 Redeveloper submitted to the Borough Engineer a Treatment Works Approval Permit Application (“TWA Application”) to obtain sewer service for the Project and requested that the Borough execute and authorize the TWA Application so that Redeveloper could submit same to PARSA and the New Jersey Department of Environmental Protection; and

WHEREAS, in order to obtain sanitary sewer service for the Project from PARSA and connect to the Terrill Road Meter Chamber, Redeveloper is required to connect to sewer lines on Johnston Drive that connect to the sewer lines located on the Levin Property; and

WHEREAS, in order to obtain sanitary sewer service for the Project, the Borough is required to amend the Sanitary Sewer Easement to allow for sewer service for the Project to flow through the sanitary sewer lines on the Levin Property; and

WHEREAS, the Borough and Redeveloper negotiated an agreement to provide for the Redeveloper’s contribution towards the acquisition and maintenance of the sanitary sewer lines on the Levin Property to allow for the proposed connection for the Project, which agreement is attached hereto; and

WHEREAS, simultaneously upon entering into the Agreement with Redeveloper, the Borough shall enter into a separate agreement with Levin (“Levin Agreement”) that will provide for Levin to dedicate or otherwise transfer ownership of the sanitary sewer lines located on the Levin Property to the Borough and amend the Sanitary Sewer Easement to allow for sewer service for the Project to flow through the sanitary sewer lines on the Levin Property; and

WHEREAS, the Borough Council finds it in the best interest of the Borough to authorize the Borough to enter into and execute the Sewer Connection Agreement with Redeveloper memorializing the agreed upon terms and conditions for the Borough’s acquisition of the sanitary sewer lines on the Levin Property to allow for sewer service for the Project.

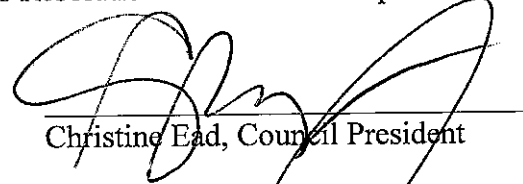
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Watchung, County of Somerset, State of New Jersey, that the Borough hereby authorizes the Borough to enter into and execute the Sewer Connection Agreement with Redeveloper, in the substantial form attached hereto, memorializing the agreed upon terms and conditions for the Borough’s acquisition of the sanitary sewer lines on the Levin Property to allow for sewer service for the Project.

**BOROUGH OF WATCHUNG
RESOLUTION: R5**

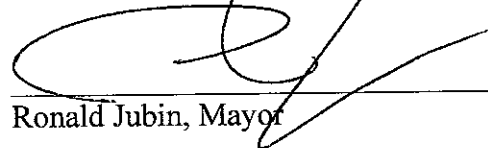
BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to sign the Sewer Connection Agreement with Redeveloper, in the substantial form attached hereto, on behalf of the Borough.

BE IT FURTHER RESOLVED that the appropriate Borough officials and professionals are authorized to take all required actions to effectuate the authorizations in this Resolution and comply with the terms of the Sewer Connection Agreement.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.



Christine Ead, Council President



Ronald Jubin, Mayor

ADOPTED: SEPTEMBER 5, 2024
INDEX: SEWERS-SANITARY
C: ENG, FINANCE,