

**CONSENT AGENDA
ORDINANCES
AND
RESOLUTIONS**

RESOLUTION

BE IT RESOLVED that Ordinance **OR: 19/15** entitled: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,653,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS." has been adopted after public hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung, that the Borough Clerk is hereby authorized to publish notice of adoption, according to law. This ordinance shall become effective after final passage, adoption and publication, according to law.

Council

Keith S. Balla, Mayor

Date: July 18, 2019
Index: Finance, Bonds
C: M. DeRocco
B. Hance

DRAFT

BOROUGH OF WATCHUNG

ORDINANCE OR:19/15

DRAFT

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF WATCHUNG, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,653,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Watchung, in the County of Somerset, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment and new information technology equipment in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said

respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment and State grant appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the State grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the 2019 Road Resurfacing Program, including drainage improvements, where necessary, at the following locations in the Borough:

Verona Place
Bayberry Lane
Spencer Lane
Fawn Lane
Pine Lane
Guinard Drive
Forest Drive
Dug Way
Dawn Way
Blue Wolf Trail
Watchung Crest Drive
Sunlit Drive
Tuttle Road

Washington Rock Road
Stanie Brae Drive
Will Lane
Eaton Road
Sunbright Road
Upper Drive
Fox Chase Drive
Nottingham Drive
Sherwood Drive
Hill Hollow Road
Johnston Drive
Elsinore Drive
Friar Lane

Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being resurfaced are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

| | |
|----------------------------------|-------------|
| Appropriation and Estimated Cost | \$1,272,000 |
| State Grant Appropriated | \$ 322,000 |
| Down Payment Appropriated | \$ 64,000 |
| Bonds and Notes Authorized | \$ 886,000 |
| Period of Usefulness | 10 years |

B. Acquisition of new additional or replacement equipment and machinery for the use of the Fire Department, including, but not limited to: (i) a ventilation saw, (ii) fire hose, (iii) turnout gear and (iv) self-contained breathing apparatus equipment.

| | |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 71,000 |
| Down Payment Appropriated | \$ 4,000 |
| Bonds and Notes Authorized | \$ 67,000 |

Period of Usefulness

5 years

C. Acquisition of new additional or replacement equipment and machinery, new information technology equipment and new communication and signal systems equipment for the use of the Police Department, including, but not limited to: (i) mobile video recorders, (ii) mobile data terminals, (iii) body armor, (iv) evidence management computer system equipment and (v) radar units.

| | |
|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 50,000 |
| Down Payment Appropriated | \$ 2,500 |
| Bonds and Notes Authorized | \$ 47,500 |
| Period of Usefulness | 5 years |

D. Undertaking of various security upgrades to public buildings, including, but not limited to, installation of electronic door locks, fire alarm systems and bullet proof glass. It is hereby determined and stated that said public buildings being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

| | |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 160,000 |
| Down Payment Appropriated | \$ 10,000 |
| Bonds and Notes Authorized | \$ 150,000 |
| Period of Usefulness | 15 years |

E. Implementation of a records management system for Borough documents for the use of various Borough departments, offices and agencies.

| | |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 100,000 |
| Down Payment Appropriated | \$ 5,000 |
| Bonds and Notes Authorized | \$ 95,000 |
| Period of Usefulness | 5 years |

| | |
|--|-------------|
| Aggregate Appropriation and Estimated Cost | \$1,653,000 |
| State Grant Appropriated | \$ 322,000 |
| Aggregate Down Payment Appropriated | \$ 85,500 |
| Aggregate Amount of Bonds and Notes Authorized | \$1,245,500 |

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$280,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$322,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the 2019 Road Resurfacing Program authorized in Section 4.A above.

Section 7. It is hereby determined and stated that moneys exceeding \$85,500, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$85,500 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,245,500 are hereby authorized to be issued pursuant to the Local Bond Law.

Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 9. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,245,500 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said

notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

DRAFT
Section 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 9.76 years computed from the date of said bonds.

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Section 12. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,245,500 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any funds received from private parties, the County of Somerset, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount

of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 15. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 16. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all

the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

INTRODUCED BY: Black
PASSED: June 20, 2019
PUBLISHED: June 27, 2019
ADOPTED:

ATTEST:

Michelle DeRocco, Borough Clerk

Keith S. Balla, Mayor

RESOLUTION

WHEREAS, Raritan Valley Habitat for Humanity has made application to the Borough of Watchung, Somerset County for Raffle License; and

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

WHEREAS, the Clerk has reported that the proper fees have been paid,

NOW, THEREFORE, BE IT RESOLVED that the Clerk be instructed to issue Raffle License as follows:

NAME & ADDRESS OF ORGANIZATION

DATE OF RAFFLE

Raritan Valley Habitat for Humanity
100 West Main Street
Bridgewater, NJ 08807

September 26, 2019

Council

Keith S. Balla
Mayor

Date: July 18, 2019
INDEX: License

C: MAH

RESOLUTION

WHEREAS, the Summer Camp staff salaries were previously set by Resolution R12 on June 20, 2019; and

WHEREAS, it was determined that the salary for the title of Assistant Camp Director was listed incorrectly.

THEREFORE, BE IT RESOLVED that the following hourly rate for the Assistant Camp Director is set as follows:

Assistant Camp Director: Antoinette Burns

Hourly Rate

\$20.00

Council

Keith S. Balla, Mayor

Date: July 18, 2019
Index: Appointments, Recreation
C: T. Atkins
B. Hance
L. Monetti

RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND
AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
2020 VARIOUS ROADWAY IMPROVEMENTS PROJECT

RESOLVED BY THE MUNICIPAL COUNCIL OF WATCHUNG, NJ:

THAT, the Mayor and Municipal Council of the Borough of Watchung formally approve the grant application for the above stated project; and be it further

RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Watchung Borough-0008 to the New Jersey Department of Transportation on behalf of the Borough of Watchung; and be it further

RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Watchung and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Municipal Council on this 18th day of July, 2019

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX

(Clerk)

(Presiding Officer)

Date: July 18, 2019
Index: Roads, Finance Misc.
c: T. Herits

RESOLUTION

WHEREAS, the total levy for the 2019-2020 school year for the Watchung Hills Regional High School Board of Education has been certified at \$7,833,614.00 and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that the 2019-2020 school tax levy be paid as follows:

| | |
|----------------|--------------|
| July 2019 | \$761,402.00 |
| August 2019 | \$500,000.00 |
| September 2019 | \$663,851.00 |
| October 2019 | \$663,851.00 |
| November 2019 | \$663,851.00 |
| December 2019 | \$663,852.00 |
| January 2020 | \$592,567.00 |
| February 2020 | \$592,567.00 |
| March 2020 | \$592,567.00 |
| April 2020 | \$592,567.00 |
| May 2020 | \$592,567.00 |
| June 2020 | \$592,570.00 |

Council

Keith S. Balla, Mayor

Date: July 18, 2019
C: W. Hance
Index: Finance Misc.

RESOLUTION

WHEREAS, the total levy for the 2019-2020 school year for the Watchung Board of Education has been certified at \$11,813,040.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that the 2019-2020 school tax levy be paid as follows:

| | |
|----------------|----------------|
| July 2019 | \$929,253.00 |
| August 2019 | \$1,039,587.00 |
| September 2019 | \$984,420.00 |
| October 2019 | \$984,420.00 |
| November 2019 | \$984,420.00 |
| December 2019 | \$984,420.00 |
| January 2020 | \$984,420.00 |
| February 2020 | \$984,420.00 |
| March 2020 | \$984,420.00 |
| April 2020 | \$984,420.00 |
| May 2020 | \$984,420.00 |
| June 2020 | \$984,420.00 |

Council

Keith S. Balla, Mayor

Date: July 18, 2019
C: W. Hance
Index: Finance Misc.

RESOLUTION

WHEREAS, Niclas Wojtecki and Joelle Moles ("Property Owners") are the owner of property located at 470 Johnston Drive, known on the tax maps of the Borough of Watchung as Block 5403, Lot 1; and

WHEREAS, the "Property Owners" are requesting to keep an 11' x 5 ½" piece of curbing, on the northeast corner of this property that was built and it located in the Borough's right-of-way, as per attached as-built survey, copy attached; and

WHEREAS, the Borough Engineer has reviewed the final as-builts, and after an on-site inspection by both the Engineer and Public Works, it has been determined that both do not foresee any problems with the curb located in the Borough's right-of-way and recommend a Revocable License Agreement to allow the 11' x 5 ½" piece of curbing, on the northeast corner of this property to remain within the Borough's right-of-way upon the condition that the "Property Owners" accept responsibility for the upkeep and maintenance of the curb; and

WHEREAS, upon approval, this Revocable License Agreement will be recorded and binding on all successors and assigns and this Agreement will run with the land; and

WHEREAS, the Borough Engineer and Borough Administrator have reviewed the request and have recommended the execution of the attached Revocable License Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung, County of Somerset, New Jersey that the Borough of Watchung does hereby grant approval to the execution of the attached Revocable License Agreement with the following conditions:

1. "Property Owners" agree to comply with all conditions covered in the Revocable License Agreement, herewith attached.
2. The Clerk shall forward a Revocable License to the "Property Owners" for authorized signatures and return of the same to the Clerk with Owner's check in the amount of \$12.00 to cover the \$1.00 license fee as full and actual consideration paid, in addition to the \$11.00 cost of recording the License with the County Clerk.
3. The Mayor and Municipal Clerk are hereby directed to execute the attached Revocable License and the Clerk will have the Mayor's and her signature acknowledged.

BE IT FURTHER RESOLVED that a copy of this Resolution and Agreement be provided to the Property Owners, Niclas Wojtecki and Joelle Moles and to the Supervisor of Public Works, Construction Code Official, and Borough Engineer.

Council

Date: July 18, 2019
INDEX: Miscellaneous, Borough Properties
C: Eng., Construction, Public Works

Keith S. Balla, Mayor

R E S O L U T I O N

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1821-33-006-005, heretofore issued to GC FRIDAYS NJ-PA LLC with a mailing address of 1701 100 Route 22, Watchung, NJ 07060;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensee's business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Watchung does hereby approve effective July 18, 2019 the transfer of the aforesaid Plenary Retail Consumption License to TGI FRIDAY'S INC., with a mailing address of 19111 Dallas Parkway, Suite 100, Dallas, TX and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to TGI FRIDAY'S INC. effective July 18, 2019."

Council

Keith S. Balla, Mayor

Date: 7/18/2019

Index: Licenses

C: MDR; MAH, State Division of Alcohol Beverage Control

I, Michelle DeRocco, Municipal Clerk of the Borough of Watchung, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council at a meeting held on July 18, 2019

Michelle DeRocco, RMC

RESOLUTION

WHEREAS, a vacancy exists and the Borough of Watchung requires the services of a Tax Collector in order to comply with NJSA 40A:9-142; and

WHEREAS, a Tax Collector in New Jersey must be licensed and possess the necessary certification issued by the State to perform these duties and responsibilities; and

WHEREAS, William J. Hance possesses the required license/certification; and

WHEREAS, it is the recommendation of the Mayor, Finance/Personnel Committee, and Borough Administrator to appoint William J. Hance to fill this vacancy; and

WHEREAS, NJSA 40A:9-142 states "tax collector shall hold his office for a term of 4 years from the first day of January next following his appointment."

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the appointment of William J. Hance as Tax Collector with an annual compensation of \$12,000.00, effective August 1, 2019.

Council

Keith S. Balla, Mayor

Date: July 18, 2019
Index: Personnel, Appointments
C: W. Hance
E. Horsfall
M. DeRocco (2)
NJ DCA
NJ DLGS

RESOLUTION

RESOLUTION ACKNOWLEDGING AUTOMATIC RENEWAL OF 2008-2010 COOPERATION AGREEMENTS REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM ACTIVITIES

WHEREAS, Title I of the Housing and Community Development Act of 1974 provides for substantial federal funds being made available to certain urban counties for use therein; and

WHEREAS, the Community Development Block Grant Program and the HOME Investment Partnership Programs have benefited the County as a whole and has provided a unique opportunity for intermunicipal cooperation and

WHEREAS, the program provides substantial benefits to persons of low and moderate income including the elderly and disabled, and that these benefits would be lost without a renewal of the County cooperation agreement; and

WHEREAS, the Mayor and Council of the Borough of Watchung desires to preserve benefits of the Community Development Block Grant Program and the HOME Investment Partnership Programs for the County by renewing its participation in the Somerset County Community Development Consortium; and

WHEREAS, the Shared Services and Consolidation Act (NJSA 40A:65-1) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

WHEREAS, (NJSA 40A:65-1) provides that authorization for participation in such a cooperative program must be by resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung County of Somerset, New Jersey, that the Borough of Watchung

1. It does hereby authorize continued participation in the Somerset County Community Development Consortium or Urban County.

2. It does hereby authorize, ratify and confirm a certain agreement (hereinafter referred to as "Contract") between the Borough of Watchung and Somerset County entitled "Agreement Between the County of Somerset and Certain Municipalities Located Therein For the Establishment of Cooperative Means of Conducting Certain Community Development Activities" and is further authorized to amend language that is contained in the existing agreement to comply with new requirements from the Department of Housing and Urban Development. This agreement shall automatically renew in every successive qualification period unless notice that it wishes to withdraw is provided to HUD and Somerset County.
- 3 It hereby authorizes full participation by the Mayor and Council in all aspects of the activities provided for within said Contract pursuant to the terms and conditions as more fully set forth in said Contract.
- 4 It hereby incorporates said Agreement into this Resolution by reference, as more fully set forth herein.
- 5 The Mayor and Municipal Clerk are hereby authorized to execute the Contract with the County and Copy of said Contract will remain filed in the Office of the Municipal Clerk for public inspection.

Date: July 18, 2019

Index: Misc

C: K. Council

Council

Keith S. Balla, Mayor

I, Michelle DeRocco, Municipal Clerk of the Borough of Watchung, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a correct and true copy of a Resolution adopted by the Mayor and Council at a meeting held on July 18, 2019..

Michelle DeRocco, RMC

RESOLUTION

RESOLUTION IN SUPPORT OF LEGISLATION CLARIFYING EXEMPTIONS FROM MANDATORY IMMUNIZATIONS FOR STUDENTS

WHEREAS, Watchung Board of Health provides public health services to the Borough of Watchung, and;

WHEREAS, Watchung Board of Health has held and continues to hold a position in support of vaccinations, and;

WHEREAS, on March 5, 2018 the Senate referred Bill No. 2178 clarifying statutory exemptions from mandatory immunizations for students to the Senate Health, Human Services and Senior Citizens Committee for consideration, and;

WHEREAS, on April 5, 2018 the Assembly Health and Senior Services Committee released from Committee Assembly Bill No. 3818 for consideration by the full Assembly, and;

WHEREAS, on January 31, 2019 Assembly Bill No. 3818 was amended eliminating all exemptions except medical exemptions, and;

WHEREAS, vaccines have made it possible to eradicate smallpox worldwide, saving approximately 5 million lives annually, and vaccines have drastically reduced the spread of potentially life-threatening diseases such as diphtheria, tetanus, polio, measles, mumps, and rubella, and;

WHEREAS, the American Academy of Pediatrics recommends all states and the district of Columbia use their public health authority to eliminate nonmedical exemptions from immunization requirements, and;

WHEREAS, encouraging high vaccination rates in New Jersey protect our residents from contracting vaccine preventable diseases that are found in areas with low immunization rates, and;

WHEREAS, the New Jersey Department of Health reported that 12,410 religious exemptions were reported for the 2017-2018 school year, an increase of over 2,000 from the prior year, and;

WHEREAS, the scientific evidence that vaccines are safe is overwhelming, and;

WHEREAS, the proposed legislation does not preclude an exemption when valid medical contraindication is present, and;

WHEREAS, the decrease in vaccination rates poses a serious risk to public health, and;

WHEREAS, outbreaks of vaccine preventable diseases, such as measles, pertussis, and mumps, are on the rise, including recent outbreaks in New Jersey, and;

WHEREAS, there is concern that vaccination rates have fallen below the recommended number to provide herd immunity to protect those who cannot be vaccinated.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey fully support the proposed amended legislation and urges the legislature to pass the bills promptly.

BE IT FURTHER RESOLVED that upon passage by the New Jersey State Legislature that the Mayor and Council of the Borough of Watchung urges the Governor to sign the bill into law promptly.

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Office of the Governor of the State of New Jersey, the State Legislature representing the Borough of Watchung, the Speaker of the New Jersey General Assembly, the President of the New Jersey State Senate, and the Commissioner of New Jersey Department of Health.

Council

Keith S. Balla, Mayor

Date: July 18, 2019

INDEX: Misc.

Board of Health

C: MAH

RESOLUTION

WHEREAS, Sergeant Timothy Hale retired from the Watchung Police Department after twenty five years on June 30, 2019; and

WHEREAS, accumulated benefits must be determined and paid as a result at his hourly rate of \$62.63; and

WHEREAS, Sergeant Hale has accumulated a total of 1,502 hours of sick leave to be paid at his current rate of pay, at the rate of one hour for every two accumulated, up to a total of 960 accumulated hours, and accumulated and prorated earned vacation time of 295.50 hours to be paid at his current hourly rate.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that Timothy Hale receive final payment for accumulated employee benefits as follows:

| | |
|---|--------------------|
| Vacation Time 2019 (183.5 hours) | \$11,492.61 |
| Vacation Time 2020 Accumulated (12 hours prorated) | \$ 7,014.56 |
| Sick Time (1,502 hours accumulated, 480 to be paid) | \$30,062.40 |
| Total: | \$48,569.57 |

Council

Keith S. Balla, Mayor

Date: July 18, 2019

Index: Personnel

RESOLUTION**Resolution Modifying Payment to Borough Administrator**

WHEREAS, Borough Administrator Tom Atkins has been a part-time salaried employee since his employment on August 1, 2011 working an average of 24 hours weekly, and

WHEREAS, Mr. Atkins will be leaving his position in the near future as the Mayor and Council are seeking a full-time person to assume the duties and responsibilities of Borough Administrator, and

WHEREAS, it is advantageous to the Borough to compensate Mr. Atkins at an hourly rate of \$60 effective August 1 in the interests of efficiency and economy to no longer pay the bi-monthly salary,

NOW THEREFORE BE IT RESOLVED, that effective August 1, 2019 Mr. Atkins be compensated at the hourly rate of \$60 including the weekly submission of hourly time sheets for Borough approval, and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to Bill Hance as CFO and to Mr. Atkins.

Council

Keith S. Balla, Mayor

Date: 7/18/2019
Index: Salaries
T. Atkins
W. Hance

**NON- CONSENT AGENDA
ORDINANCES
AND
RESOLUTIONS**

RESOLUTION

BE IT RESOLVED that Ordinance **OR: 19/16** entitled: "AN ORDINANCE AUTHORIZING THE BOROUGH OF WATCHUNG MAYOR AND CLERK TO SIGN A LEASE AGREEMENT BETWEEN THE BOROUGH AND WELDON MATERIALS, INC., FOR A PORTION OF LOT 9.01 BLOCK 76.01 TO CONSTRUCT, OPERATE AND MAINTAIN A NEW COMMUNICATIONS TOWER." having been adopted on first reading.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung, that the Borough Clerk is hereby directed to publish notice of said ordinance, along with notice of Public Hearing to be held on August 13, 2019 at a meeting beginning at 7:30 P.M. in the Municipal Building, 15 Mountain Boulevard, Watchung, New Jersey.

Council

Keith S. Balla, Mayor

Date: July 18, 2019
Index: Misc., Fire Co.

C: T. Atkins, M. Hance, J. C. G. a, B. Burns

ORDINANCE NO. OR: 19/16

AN ORDINANCE AUTHORIZING THE BOROUGH OF WATCHUNG MAYOR AND CLERK TO SIGN A LEASE AGREEMENT BETWEEN THE BOROUGH AND WELDON MATERIALS, INC., FOR A PORTION OF LOT 9.01, BLOCK 76.01 TO CONSTRUCT, OPERATE AND MAINTAIN A NEW COMMUNICATIONS TOWER

WHEREAS, the Borough of Watchung has the need to lease real property for the purpose of constructing, operating and maintaining a new communications tower (the "Communications Tower") to be utilized by the Police Department and any other emergency service provider of the Borough in order to better serve the residents of the Borough; and

WHEREAS, Weldon Materials, Inc., owns Lot 9.01, Block 76.01 as shown on the Borough of Watchung Tax Map (the "Premises"); and

WHEREAS, as a public service, Weldon Materials, Inc., is willing to lease a portion of the Premises to the Borough for a new Communications Tower for nominal consideration; namely, for One Dollar (\$1.00) annually, and for a term of twenty-five (25) years; and

WHEREAS, N.J.S.A. 40A:12-5(a)(1) authorizes the Borough to lease real property; and

WHEREAS, N.J.S.A. 40:12-5(b) authorizes the Borough to enter into a lease not to exceed forty (40) years, and

WHEREAS, Weldon Materials, Inc., and the Borough negotiated a Lease Agreement acceptable to both parties.

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

1. The Mayor and Clerk are authorized to sign the Lease Agreement.
2. The Lease Agreement shall be for One Dollar (\$1.00) annually for a term of twenty-five (25) years.
3. This Ordinance shall take effect in accordance with law.

ATTEST:

BOROUGH OF WATCHUNG

Michelle DeRocco, Clerk

Keith S. Balla, Mayor

Introduced:

Published:

Adopted:

RESOLUTION

WHEREAS, the Administrator has recommended the issuance of a purchase order to Gray's Florist & Greenhouse, 1590 Route 22 East, Watchung, NJ 07069; and

WHEREAS, Chapter 2-25.10 of the Code of the Borough of Watchung provides that "Any purchase order or contract within the purview of the chapter in which any officer or employee of the Borough is financially interested, directly or indirectly, shall be void except that...the Council shall have the authority to waive, by resolution, compliance with this section when it finds such action to be in the best interest of the Borough."

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Watchung, that it finds it in the best interest of the Borough to waive compliance with Section 2-25.10 and authorizes the Purchasing Agent to issue a purchase order #18-01096 to Gray's Florist & Greenhouse as follows:

PO # 19-00475 / Amount of \$680.00

Council

Keith S. Balla, Mayor

Date: July 18, 2019
INDEX: Purchasing
c: W. Hance

RESOLUTION

Resolution to Confirm Commitment of Support – Watchung Board of Education

WHEREAS, the children of the Borough of Watchung ("Borough") are our most precious resource and deserve our full consideration and support; and

WHEREAS, communication, collaboration and coordination among the Borough and the Watchung Borough Board of Education on all matters of mutual interest is critical to the success of our schools, which in turn can increase our home values and elevate the reputation of the Borough to those looking to live, work or play in the Borough; and

WHEREAS, the Borough has the unique ability, through its strong experience in providing valuable and necessary services to the residents of the Borough to collaborate with and provide shared services to the Watchung Borough Board of Education; and

WHEREAS, the Borough has engaged in many shared service arrangements with the County of Somerset, including but not limited to, recreation services, traffic signal maintenance, library services, County dive team, hazard mitigation, printing services, construction and usage of salt storage bin, recycling and report processing, Public Works equipment and personnel, commodity resale, and OEM coordination; and

WHEREAS, the Borough has further engaged in shared service arrangements with other municipal governments and entities, including but not limited to, shared Municipal Court judge, shared municipal prosecutor and public defender, shared Court administrator and staff, the Municipal Alliance, recreation programs with Warren, Green Brook and Long Hill, street sweeper & other equipment with North Plainfield, catch basin cleaner with Warren, radio repeater with North Plainfield, Green Fair with Warren, Fire Mutual Aid, Rescue Mutual Aid, defense attorney to stop the Raritan Pipeline, participation in the Suburban Municipal Joint Insurance Fund with multiple towns, member of the Middle Brook Regional Health Commission, and participation in the Morris and Union Counties Co-Op programs; and

WHEREAS, the Borough has a long history of collaborating with and providing such assistance and shared services to the Watchung Board of Education, including but not limited to, the joint purchase of field grooming equipment, motor fuel purchasing, maintenance and mowing of fields, and de-icing (salting) of Watchung Board of Education parking lots; and

WHEREAS, the Borough is able and willing to further aid the Watchung Borough Board of Education in their endeavor to revamp and revolutionize our schools and the manner in which our children are taught, how services are provided to our children and the facilities that serve them, and improve the overall learning environment within the schools; and

WHEREAS, in order to further that collaboration and provision of assistance, the Borough supports and endorses the Watchung Borough Board of Education's intention to explore the creation of a joint committee consisting of members from the Borough governing body, Watchung Borough Board of Education, and members of the public that can provide input on and recommendations on matters of mutual interest concerning the schools; and

WHEREAS, the Borough views this Resolution as a resounding affirmation to our community of the Borough's intent to pursue a larger array of collaboration and assistance to our schools;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Watchung that the formal commitment by the Borough of Watchung to pursue additional collaboration with and provision of assistance to the Watchung Borough Board of Education is hereby authorized.

Council

Keith S. Balla, Mayor

Date: 7/18/2019

Index: Misc.

DRAFT

RESOLUTION

A RESOLUTION OF THE BOROUGH OF WATCHUNG, COUNTY OF SOMERSET, STATE OF NEW JERSEY, CONSENTING TO CROWN ATLANTIC COMPANY, LLC, SUBLEASING A PORTION OF THE COMMUNICATIONS TOWER AT BOROUGH HALL TO DISH NETWORK

WHEREAS, on May 8, 2000, the Borough of Watchung entered into a Communications Site Lease with Crown Atlantic Company, LLC, to lease a portion of the Borough Hall property at 15 Mountain Boulevard, Watchung, New Jersey, for a communications tower; and

WHEREAS, Section 14.3 of the Lease provides that Crown may sublease portions of the communications tower to third parties with the Borough's consent, which consent cannot be unreasonably withheld; and

WHEREAS, on April 18, 2019, as amended on May 30, 2019, Crown requested the Borough's consent to sublease a portion of the tower to DISH Network, with the Borough to receive forty (40%) percent of the gross revenue generated by the sublease; and

WHEREAS, Crown submitted the necessary plans and studies for the Borough Council to be able to evaluate Crown's request to consent to sublease to DISH Network; and

WHEREAS, the Borough Council is of the opinion that the sublease to DISH Network will result in additional revenue to the Borough, and that Crown submitted detailed drawings of the proposed installation of DISH Network, two (2) Radio Frequency Studies and Federal

Communications Commission DISH Network licensing information to justify the Borough consenting to the sublease to DISH Network.

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

1. The Borough of Watchung consents, pursuant to Section 14.3 of the Communications Site Lease, to Crown Atlantic Company, LLC, subleasing a portion of the communications tower at Borough Hall to DISH Network.
2. This consent remains subject to Crown Atlantic Company, LLC, and DISH Network obtaining any and all necessary permits to install the DISH Network equipment on the communications tower.
3. This Resolution shall take effect immediately.

Council

Keith S. Balla, Mayor

Date: July 18, 2019
INDEX: T. Atkins
T. Herits

RESOLUTION

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
\$3,811,214.18 per the attached bill list. The expenditures can be broken down into
the following categories:

| | | |
|---|-----------|---------------------|
| Affordable Housing Trust | \$ | 4,162.50 |
| Animal Control | \$ | 2.40 |
| Assessment Trust Fund | \$ | 50,755.28 |
| Capital Fund | \$ | 6,030.00 |
| Developer's Escrow | \$ | 346.50 |
| Other Escrow | | 23,111.11 |
| Watchung Board of Education Taxes | \$ | 1,858,506.00 |
| Watchung Hills Regional High School Taxes | | 261,402.00 |
| Somerset County Taxes | \$ | - |
| Somerset County Library Tax | \$ | - |
| Somerset County Open Space Tax | | - |
| Current Fund | \$ | 6,217.75 |
| Grant Fund | \$ | - |
| Watchung Community Foundation | | - |
| Total Expenditures: | \$ | 3,811,214.18 |

 Lindsay Goodloe

 Daryl Eisenberg-Knegten

 Stephen Black

 William F. Nehls

 Robert Gibbs

 George Sopko

 William J. Hance, CFO

 Keith Balta, Mayor

Date: July 18, 2019
Index: Finance
c: Finance

RESOLUTION

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 Borough Council is of the opinion that such circumstances exist.

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

1. The public shall be excluded from discussion of and action on the closed session of the Special Meeting held on July 18, 2019.
2. The general nature of the subject matter to be discussed is as follows:

Executive Session - Personnel Administrator
3. Minutes of said discussion will be made available as soon as it is deemed in the public interest to do so.
4. The Borough Council may take official action on those items discussed in Executive Session upon completion of the executive session.
5. This resolution shall take effect immediately.

Council

Keith S. Balla, Mayor

Date: July 18, 2019
Index: Misc.