

**CONSENT AGENDA  
ORDINANCES  
AND  
RESOLUTIONS**

R1:08/15/19

RESOLUTION

"Thanking Tom Atkins for his Years of Service"

NOTE:

RESOLUTION IN PROCESS

DRAFT

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Council

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Keith S. Balla, Mayor

R2:08/15/19

RESOLUTION

"Thanking Ed Bennett for his Years of Service"

NOTE:

RESOLUTION IN PROCESS

**DRAFT**

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Council

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Keith S. Balla, Mayor

**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." 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.

**DRAFT**

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019  
Index: Misc., Fire Co.  
C: M. DeRocco  
B. Hance

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**

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Michelle DeRocco, Clerk

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Keith S. Balla, Mayor

Introduced: Black

Published: July 25, 2019

Adopted:

## RESOLUTION

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

NOW, THEREFORE, BE IT RESOLVED that the Purchasing Agent be authorized to issue Purchase Orders as follows:

Vendor: Emergency Reporting, 2200 Rimland Dr #305, Bellingham, WA 98226

Item: Fire package Software / Direct CAD Link

Total Price: \$2,952.00

Charged to: 9-01-185-233

Vendor: Atlantic Tactical, 763 Corporate Circle, New Cumberland, PA 17070

Item: Firearms / Police Department

Total Price: \$3,228.30

Charged to: 9-01-190-276

Vendor: Fundraising Brick LLC, 105 Industrial Drive, Hermantown, MO, 65041

Item: 911 Memorial Brick Order

Total Price: \$4,730.00

Charged to: W-99-100-102

Vendor: Lawmen Supply Co. of N.J., 7115 Airport Highway, Pennsauken, NJ 08109

Item: Ammunition / Police Department

Total Price: \$9,710.62

Charged to: 9-01-190-276

Vendor: Somerset County Clerk, 20 Grove Street, Somerville, NJ 08876

Item: Printing/Postage - Election

Total Price: \$2,828.04

Charged to: 9-01-125-258

Vendor: King George Plumber, 20 Mountain Blvd, Warren, NJ 07059

Item: AC Unit Radio Room

Total Price: \$6,986.00

Charged to: C-02-815-201

Vendor: Foveonics Document Solutions, 999 Willow Grove Street,  
Suite 31, Hackettstown, NJ 07840

Item: Document Imaging Software

Total Price: \$98,284.00 (State Contract #65MCESCCPS)

Charged to: C-02-915-A15

Vendor: Finne Building & Investment, 180 Oakwood Road West, Watchung, NJ 07069

Item: Drainage Improvement Project / Will Lane

Total Price: \$10,675.00

Charged to: C-02-812-A11

\_\_\_\_\_  
Council

Date: August 15, 2019

INDEX: Purchases

C: BH

\_\_\_\_\_  
Keith S. Balla, Mayor

## RESOLUTION

**WHEREAS,** the 2019 Municipal Budget was adopted on April 25, 2019; and

**WHEREAS,** the Somerset County Tax Board was not able to establish the 2019 Tax Rate in time for the August 1, 2019 due date and tax bills require payment twenty-five days after mailing of same.

**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 hereby authorized to extend the grace period for the third quarter tax payment of 2019 to August 30, 2019, as per NJ State Statute provisions, with the fourth quarter tax payment remaining due on the established dated of November 2019.

DRAFT

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019  
Index: Finance Misc.  
c: B. Hance, D. Gaebele

## RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Watchung that the TAPinto Watchung be designated as an electronic news source for which notices and other matters may be provided, for the year 2019.

**DRAFT**

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019

INDEX: Misc.

**RESOLUTION**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung, County of Somerset, that the Office of Emergency Management Coordinator is hereby authorized sign the attached MOU (Memo of Understanding), between the Borough of Watchung and the American Red Cross, defining a working relationship with the Borough's Emergency Services and any Borough Department in preparing for, responding to, and recovering from emergencies and disasters.

**DRAFT**

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019

INDEX: Misc.

c: C. Solon  
M. DeRocco

## RESOLUTION

**WHEREAS**, pursuant to Chapter VIII of the Code of the Borough entitled "Towing", the Watchung Police Department received and reviewed applications from licensed wreckers desiring to engage in business as a wrecker in the Borough at the request of the Police Department; and

**WHEREAS**, the following application has been submitted and after review, has been found to meet the requirements and has been recommended to be placed on the towing list for standard and heavy duty towing:

JVD Towing Service  
South Plainfield, NJ 07080

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Borough Clerk of the Borough of Watchung are hereby authorized to execute a three (3) year license for Towing services with the firm listed above, upon receipt of the completed agreement and required \$750.00 Licensing Fee.

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Council

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Keith S. Balla, Mayor

Date: 08/15/19  
Index: Police, Permits - Special  
C: J. Cina, T. Hale, W. Hance,  
M. DeRocco, M. Hance

**RESOLUTION AUTHORIZING BOROUGH RESIDENTS TO PARTICIPATE IN THE PARK & RIDE PROGRAM WITH WARREN TOWNSHIP**

**WHEREAS**, the Township of Warren established a Park & Ride program for Warren residents with Lakeland Bus Company in September of 2018, and

**WHEREAS**, the Borough has been engaged in discussions with Warren since the summer of 2018 in order to have residents of Watchung accepted into this Park & Ride program to help with commuter needs and transportation, and

**WHEREAS**, Warren Township is willing to permit residents of Watchung to participate in the Park & Ride program effective September 3, 2019, and

**WHEREAS**, Lakeland Bus Company can provide service to additional riders which will assist Warren in obtaining the 25 riders per day minimum as required by the contract between Warren Township and Lakeland Bus Company.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Watchung as follows:

1. Watchung residents will be permitted to use the Warren Township Park & Ride program located at Warren Corporate Center, beginning September 3, 2019 through February 29, 2019 unless extended by agreement between the Township of Warren and Warren Corporate Center.
2. Watchung residents will obtain a parking placard from the Warren Township's Clerks office prior to utilizing the Park & Ride program. Watchung residents will complete the Warren Township parking permit application and provide the necessary proof of Watchung residency. The permits will be issued between the hours of 8:30 p.m. to 3:30 p.m. Monday through Friday beginning Monday, August 19, 2019.
3. Watchung will reimburse Warren Township for all necessary costs associated with the printing of placards for Watchung residents. These permits will be separate and distinct from permits issued to residents of Warren Township. The Warren Township Clerk will determine the format to be utilized.
4. Watchung agrees to be responsible for providing public notifications to our residents regarding the program.
5. The Borough Council agrees to discuss an appropriate share of possible future capital expenses that Warren might be facing in the event Warren might decide to construct a permanent location for the Park & Ride program if the Borough Council wishes to continue to participate in the program.
6. This is another example of shared services/interlocal cooperation which benefits the residents and taxpayers of Watchung and also the residents and taxpayers of Warren Township.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Township Committee of Warren Township and to Warren Township Administrator Mark Krane.

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019  
INDEX: Misc.  
C: Administrator, Clerk

## 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.

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019  
Index: Personnel, Appointments  
C: W. Hance  
E. Horsfall  
M. DeRocco (2)  
NJ DCA  
NJ DLGS

## RESOLUTION

**BE IT HEREBY RESOLVED** that the Mayor and Clerk are authorized to sign the Employment Agreement between Police Chief Joseph R. Cina and the Borough of Watchung, effective January 1, 2019.

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Council

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Keith S. Balla Mayor

Date: August 15, 2019  
INDEX: Police, Salaries  
C: J. Cina  
B. Hance  
E. Horsfall

DRAFT

## RESOLUTION

**Whereas**, the Borough Government is in need of an Acting Borough Administrator from August 1, 2019 until September 4, 2019, and

**Whereas**, Borough Clerk Michelle DeRocco is very qualified to handle the duties and responsibilities of Acting Borough Administrator during this approximate five (5) week period,

**Now, Therefore Be it Resolved** that Michelle DeRocco is hereby appointed Acting Borough Administrator effective August 1, 2019 at a salary of \$1,000 per week through September 4, 2019 when the new permanent Administrator will begin working for the Borough, and

**Be it Further Resolved** that the Mayor and Borough Council express their appreciation to Michelle for undertaking these additional tasks and responsibilities during this time of transition.

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019  
Index: Appointments  
C: W. Hance  
E. Horsfall  
M. DeRocco

## RESOLUTION

WHEREAS, Andrea Meyer is retiring from Borough employment as of July 31, 2019; and

WHEREAS, accumulated benefits must be determined and final payment made as her employment ends; and

WHEREAS, Andrea Meyer has accumulated a total of 12.25 hours of sick time leave to be paid at her current rate of pay, at the rate of one hour for every two accumulated, up to a total of 8.62 hours, and accumulated vacation time of 26.5 hours at her current hourly rate,

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

62 Hours of sick leave at current hourly rate	\$223.34
26.5 accumulated vacation hours	\$686.61
TOTAL	\$909.95

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Council

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Keith Balla, Mayor

Date: August 15, 2019

INDEX: Personnel

C: Finance

**RESOLUTION**

WHEREAS, Thomas Atkins is retiring from Borough employment as of July 31, 2019; and

WHEREAS, accumulated benefits must be determined and final payment made as his employment ends; and

WHEREAS, Thomas Atkins has accumulated a total of 93 hours of un-used paid time off as per his employment agreement.

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

93 hours of time off at current hourly rate	\$5,501.88
TOTAL	<u>\$5,501.88</u>

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019  
INDEX: Personnel  
C: Finance

## RESOLUTION

WHEREAS the Watchung Historical Committee, through the Watchung Community Foundation will endeavor to obtain a grant from the Somerset County Cultural & Heritage Commission's State/County History Partnership Program (SCHPP) for an amount up to \$10,000.00 for the purpose of funding the removal and preservation of the Mural that has been housed at the Sears building since its opening in 1965.

BE IT THEREFORE RESOLVED the Borough CFO has confirmed that the Watchung Community Foundation can fund the 25% cash match obligations if the award is granted; and

BE IT FURTHER RESOLVED that the Mayor and Council supports this effort and authorizes the Historical Committee to pursue this opportunity.

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019

Index: Fin. Misc.

C: W. Hance

A. Murad

### CERTIFICATION:

*I, Michelle DeRocco, Municipal Clerk of the Borough of Watchung hereby certify that at a meeting of the Governing Body held on August 15, 2019 the above resolution was duly adopted.*

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Michelle DeRocco, RMC  
Clerk

**NON- CONSENT AGENDA  
ORDINANCES  
AND  
RESOLUTIONS**

**EXPLANATION:** This Resolution authorizes the Borough of Watchung to hire James J. Damato, Esq. as the full-time Administrator effective September 16, 2019.

**RESOLUTION NO. R16:08/15/19**

**WHEREAS,** the Borough engaged in an extensive search to fill the Administrator's position when Thomas Atkins announced his resignation from the Borough of Watchung, with the effective date being July 31, 2019; and

**WHEREAS,** James J. Damato has been selected to serve as the Borough's full-time Administrator; and

**WHEREAS,** Mr. Damato agrees to the terms and conditions of employment contained in the attached accepted Offer of Employment, dated July 30, 2019 which is incorporated into this Resolution by reference.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Mayor and Council of the Borough of Watchung, in the County of Somerset and State of New Jersey, that the Borough is hereby authorized to hire James J. Damato on the following conditions:

1. That Mr. Damato be and is hereby hired as the Borough's full-time Administrator, effective September 16, 2019, subject to the terms and conditions of this Resolution.
2. This Resolution shall take effect immediately.

Adopted:  
Index: Appointments  
C: Finance

\_\_\_\_\_  
Council

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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 August 15, 2019.*

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*Michelle DeRocco, RMC*

## RESOLUTION

WHEREAS, the Administrator has recommended the issuance of two purchase orders 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 the following purchase orders to Gray's Florist & Greenhouse as follows:

PO # 19-00713 / Amount of \$10.00  
PO # 19-00758 / Amount of \$48.00

**DRAFT**

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019  
INDEX: Purchasing  
c: W. Hance

## 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 \$2,664,230.72 per the attached bill list. The expenditures can be broken down into the following categories:

Affordable Housing Trust	\$	3,533.49
Animal Control	\$	1.20
Assessment Trust Fund	\$	-
Capital Fund	\$	9,374.95
Developer's Escrow	\$	12,793.50
Other Escrow	\$	61,340.00
Watchung Board of Education Taxes	\$	2,094,754.00
Watchung Hills Regional High School Taxes	\$	663,951.00
Somerset County Taxes	\$	-
Somerset County Library Tax	\$	-
Somerset County Open Space Tax	\$	-
Current Fund	\$	818,581.05
Grant Fund	\$	-
Watchung Community Foundation	\$	-
<b>Total Expenditures:</b>	<b>\$</b>	<b>2,664,230.72</b>

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 Lindsay Goodloe

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 Daryl Eisenberg-Knegten

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 Stephen Black

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 William F. Nehls

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 Robert Gibbs

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 George Sopko

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 William J. Hance, CFO

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 Keith Balla, Mayor

Date: August 16, 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 August 15, 2019.
2. The general nature of the subject matter to be discussed is as follows:

Executive Session: Property Acquisition

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.

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Council

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Keith S. Balla, Mayor

Date: August 15, 2019  
Index: Misc.